



California Regulatory Notice Register

REGISTER 2017, NO. 18-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

MAY 5, 2017

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

CALIFORNIA REGULATORY NOTICE REGISTER (USPS 002-931), (ISSN 1041-2654) is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Barclays, a subsidiary of West, a Thomson Reuters Business, and is offered by subscription for \$205.00 (annual price). To order or make changes to current subscriptions, please call (800) 328-4880. The Register can also be accessed at <http://www.oal.ca.gov>.

**PROPOSED ACTION ON
REGULATIONS**

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**TITLE 2. FAIR POLITICAL
PRACTICES COMMISSION**

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict-of-interest codes, will review the proposed/amended conflict-of-interest codes of the following:

CONFLICT-OF-INTEREST CODES

AMENDMENT

STATE AGENCY: Sierra Nevada Conservancy
MULTI-COUNTY: Metropolitan Water District of Southern California
San Joaquin Valley Unified Air Pollution Control District

A written comment period has been established commencing on May 5, 2017, and closing on June 19, 2017. Written comments should be directed to the Fair Political Practices Commission, Attention Cesar Cuevas, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict-of-interest code(s) will be submitted to the Commission's Executive Director for her review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon her or its own motion or at the request of any interested person, will approve, or revise and approve, or return the

proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than June 19, 2017. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

**EFFECT ON HOUSING COSTS
AND BUSINESSES**

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code-reviewing body for the above conflict-of-interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict-of-interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to Cesar Cuevas, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**AVAILABILITY OF PROPOSED
CONFLICT-OF-INTEREST CODES**

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the re-

spective agency. Requests for copies from the Commission should be made to Cesar Cuevas, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 2. GOVERNMENT OPERATIONS AGENCY

NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE OF THE GOVERNMENT OPERATIONS AGENCY

NOTICE IS HEREBY GIVEN that the Government Operations Agency, pursuant to the authority vested in it by Section 87306 of the Government Code, proposes amendment to its conflict-of-interest code. A comment period has been established commencing on May 5, 2017, and closing on June 19, 2017. All inquiries should be directed to the contact listed below.

The Government Operations Agency proposes to amend its conflict-of-interest code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The amendment carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

Changes to the conflict-of-interest code include adding the position of the Chief Data Officer as a designated position required to file a disclosure statement with the Government Operations Agency, and other technical changes.

The proposed amendment and explanation of the reasons can be obtained from the agency's contact.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than June 19, 2017, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than June 2, 2017.

The Government Operations Agency has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.

5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to: Joy Lavin-Jones, Staff Services Manager, (916) 651-9039, Joy.LavinJones@GovOps.ca.gov.

TITLE 13. CALIFORNIA HIGHWAY PATROL

CALIFORNIA CODE OF REGULATIONS, DIVISION 2, CHAPTER 6 AMEND ARTICLE 1, SECTION 1151.8.1

Explosives Routes and Stopping Places (CHP-R-2016-06)

The California Highway Patrol (CHP) proposes to amend regulations in Title 13 of the California Code of Regulations, Division 2, Chapter 6, Article 1 regarding designated routes for the transportation of explosives by commercial vehicles on highways in the state.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Pursuant to Division 14, Transportation of Explosives, commencing with Section 31600 of the California Vehicle Code (CVC), the CHP shall adopt regulations specifying the routes to be used in the transportation of explosives by commercial vehicles on highways. The CVC requires the CHP to keep information current in regulations with maps indicating designated routes. The CHP's field commands conduct annual surveys on the routes and stops for the transportation of explosives to determine if changes are necessary. The San Francisco Police Department (SFPD) responded to the survey and provided proposed alternative routes. The proposed amendments will improve explosives routes in the highly populated urban areas of San Francisco by removing 8.2 miles and extending 2.2 miles of currently designated routes. These updates will reduce the risks associated with the transportation of explosives and enhance the public safety in this area.

Proposed amendments received concurrence from the CHP's field offices, SFPD, State Fire Marshal, and California Department of Transportation.

This proposed regulatory action will continue to provide a nonmonetary benefit to the protection of the health, safety, and welfare of California's residents, workers, and environment because changes to the application of the regulation are not substantive, and bring

the regulation into conformance with existing statute. Updating designated routes for carriers transporting explosives is clarifying in nature and all updates are for transportation safety and public health. During the process of developing these regulations and amendments, the CHP has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing federal and state regulations.

PUBLIC COMMENT

Any interested person may submit written comments on the proposed action via facsimile at (916) 322-3154, by electronic mail to cvsregs@chp.ca.gov, or by writing to:

California Highway Patrol
Commercial Vehicle Section
Attention: Dr. Tian-Ting Shih
P.O. Box 942898
Sacramento, CA 94298-0001

Written comments will be accepted until 5:00 p.m., June 19, 2017.

PUBLIC HEARINGS

No public hearing has been scheduled. If any person desires a public hearing, a written request must be received by the CHP, Commercial Vehicle Section (CVS) no later than 15 days prior to the close of the written comment period.

AVAILABILITY OF INFORMATION

The CHP has available for public review an initial statement of reasons for the proposed regulatory action, the information upon which this action is based, and the proposed regulation text in strikeout and underline format. Requests to review or receive copies of this information should be directed to the CHP either at the above address, by facsimile at (916) 322-3154, or by calling the CHP, CVS, at (916) 843-3400. All requests for information should include the following: the title of the rulemaking package, the requester's name, proper mailing address (including city, state, and zip code), and a daytime telephone number in case the information is incomplete or illegible.

The rulemaking file is available for inspection. Interested parties are advised to call CHP, CVS, for an appointment.

All documents regarding the proposed action are available through the CHP's website at <https://www.chp.ca.gov/News-Alerts/Regulatory-Actions>.

Any person desiring to obtain a copy of the adopted text and a final statement of reasons may request them at the above noted address. Copies will also be posted on the CHP website.

CONTACT PERSON

Any inquiries concerning the written materials pertaining to the proposed regulations or the substance of the proposed regulations should be directed to Dr. Tian-Ting Shih or Officer Adam Roha at (916) 843-3400.

ADOPTION OF PROPOSED REGULATIONS

After consideration of public comments, the CHP may adopt the proposal substantially as set forth without further notice. If the proposal is modified prior to adoption and the change is not solely grammatical or substantive in nature, the full text of the resulting regulation, with the changes clearly indicated, will be made available to the public for at least 15 days prior to the date of adoption.

FISCAL IMPACT AND RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The CHP has made an initial determination that this proposed regulatory action: (1) will have no effect on housing costs; (2) will not impose any new mandate upon local agencies or school districts; (3) will involve no nondiscretionary cost or savings to any local agency, no cost to any local agency or school district for which Government Code Sections 17500-47630 require reimbursement, no cost or savings to any state agency, nor costs or savings in federal funding to the state; (4) will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California; and (5) will not have a significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states.

Benefits of the Proposed Action: The proposed regulation updating designated routes for carriers transporting explosives will continue to provide benefits that include a nonmonetary benefit to the protection of public health and safety for residents and workers, and the protection of the environment by providing a regulatory basis for enforcement efforts as they relate to safety compliance ratings.

The regulated community is encouraged to respond during the comment period of this regulatory process if significant impacts are identified.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The CHP is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON SMALL BUSINESSES

The CHP has determined that the proposed regulatory action will not affect small businesses. The action is intended to clarify and update the routes for commercial vehicles transporting explosives on highways. As a result, no small businesses will be affected by the update.

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the CHP must determine that no reasonable alternative considered by the CHP or otherwise identified and brought to the attention of the CHP, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The CHP invites interested parties to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

AUTHORITY

This regulatory action is being taken pursuant to Section 31616 CVC.

REFERENCE

This action implements, interprets, or makes specific Sections 31303, 31304, 31601, 31602, 31607, 31611, 31614, and 31616 CVC.

TITLE 16. BUREAU OF MARIJUANA CONTROL

MEDICAL CANNABIS TESTING LABORATORIES

NOTICE OF PROPOSED RULEMAKING

Notice is hereby provided that the Bureau of Marijuana Control (bureau), formerly named the Bureau of Medical Cannabis Regulation and the Bureau of Medical Marijuana Regulation, proposes to adopt the pro-

posed regulations described below after considering all comments, objections, and recommendations regarding the proposed action. The bureau upon its own motion or at the instance of any interested party may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

PUBLIC HEARING

The bureau will be holding public hearings at the dates, times, and locations listed below at which time any person interested may present statements or arguments orally or in writing relevant to the action proposed. The locations listed below are wheelchair accessible. At the hearings, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The bureau may need to set a time limit for each comment. Persons who make oral comments at a hearing may also submit a written copy of their testimony at a hearing.

- 1. June 1, 2017**
1:00 p.m.–3:00 p.m.
Adorni Center
1011 Waterfront Drive
Eureka, CA 95501
- 2. June 8, 2017**
1:00 p.m.–3:00 p.m.
Junipero Serra Building
320 W. Fourth Street
Los Angeles, CA 90013
- 3. June 13, 2017**
4:00 p.m.–6:00 p.m.
King Library, Second Floor
150 E. San Fernando Street
San Jose, CA 95112
- 4. June 20, 2017**
10:00 a.m.–12:00 p.m.
Department of Consumer Affairs, Hearing
Room, S-102
1625 North Market Boulevard
Sacramento, CA 95834

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the bureau. Written comments, including those sent by mail, facsimile (FAX), or e-mail to the addresses listed below, must be received by the bureau at its office not later **than 5:00 p.m. on June 20, 2017** or must be received by the bureau at a hearing. The bureau will consider only comments received at the bureau by that time. Submit comments to:

Lori Ajax, Chief
Bureau of Marijuana Control
1625 North Market Blvd., Suite S-202
Sacramento, CA 95834
FAX: (916) 574-8676
E-mail: BMCR.comments@dca.ca.gov

AUTHORITY AND REFERENCE

Business and Professions Code section 19304 authorizes the bureau to adopt these proposed regulations. The proposed regulations implement, interpret, and make specific the Medical Cannabis Regulation and Safety Act (MCRSA) at Business and Professions Code section 19300 et seq.

INFORMATIVE DIGEST/ POLICY STATEMENT
OVERVIEWSummary of Current Laws and Regulations

The MCRSA, beginning at Business and Professions Code 19300, provides the framework for state regulation of commercial medical cannabis activity. The MCRSA requires the bureau to license testing laboratories. This is the only state law related to the testing of commercial medical cannabis goods and the testing laboratories which perform the required testing services.

Under the federal Controlled Substances Act (21 C.F.R. §801 et seq.) cannabis is illegal. However, the U.S. Department of Justice has issued guidance regarding the enforcement of cannabis activities in a memorandum issued by Deputy Attorney General James M. Cole on August 29, 2013, commonly referred to as the Cole Memorandum. There are no federal laws or regulations specifically related to testing laboratories for commercial medical cannabis goods.

Proposed Regulations

Specifically, this rulemaking action clarifies and makes specific licensing and enforcement criteria for commercial cannabis testing laboratories. Specifically, the regulations would provide requirements for the minimum standards for “passing” the statutorily re-

quired testing of medical cannabis goods for retail sale at dispensaries in California and the minimum laboratory-operation requirements, which would include requirements such as sampling procedures, personnel qualifications, standard operating procedures, and recordkeeping requirements.

These proposed regulations would set forth action levels, threshold values that provide the criterion for determining whether a medical cannabis goods sample passes or fails an analytical test, that the bureau considers to be both protective of public health and achievable by the cannabis industry. The proposed exposure limits are necessary to ensure, to the extent feasible, that no medical cannabis patient will suffer material impairment of health from exposure to contaminants in medical cannabis goods. The action levels proposed are for chemicals, foreign material, heavy metals, and microbiological impurities.

First, the proposed regulations would make clear the applicable meaning of key statutory terms and other terms used within the regulations.

Second, the proposed regulations would provide for application requirements that are specific to testing laboratories such as proof of ISO 17025 accreditation, specific requirements for the premises diagram, and requirements for obtaining a provisional license if an applicant meets all requirements for licensure with the exception of the ISO accreditation.

Third, the proposed regulations would set forth minimum requirements for the sampling of medical cannabis goods. These requirements include what must go into a testing laboratory’s sampling protocol, training requirements for laboratory agents who will be obtaining samples (“samplers”), and how samples are to be stored. The proposed sampling regulations also make specific the enabling statute in MCRSA that requires the laboratory agent collecting the sample to use a “statistically valid sampling method.”

Fourth, the proposed regulations would provide the minimum standards for laboratory standard operating procedures including procedures for laboratory processes, analytical methods, and testing methodologies. The regulations would also set out what the bureau considers to be acceptable ways to validate a “nonstandard” method.

Fifth, the proposed regulations would provide the standards for the analyses of cannabinoids, moisture content, water activity, residual solvents and processing chemicals, pesticides, microbiological impurities, mycotoxins, filth and foreign material, heavy metals, and terpenes. The regulations would also set forth general reporting requirements and require testing laboratories to generate a certificate of analysis for each sample of a batch of medical cannabis goods that it tests; containing necessary information to identify the testing laboratory,

identify the sample, identify the test methods, and provide the test results.

Sixth, the proposed regulations would provide requirements for post-testing procedures. These requirements would include a requirement that a batch may not be retested following a failed testing unless it has gone through a remediation process and requirements for disposal of the testing sample.

Seventh, the proposed regulations would set requirements for the minimum components of a quality-assurance program and what must be contained in the quality-assurance manual. These requirements include the use of method blank samples, field duplicate samples, and matrix spike samples (or laboratory control samples). These requirements would also include proficiency testing, which is a blind testing of a laboratory's ability to perform analyses, as well as set out how to calculate the limit of detection and limit of quantitation, spell out recordkeeping requirements, and require an annual internal audit.

Eighth, the proposed regulations provide for laboratory employee education and experience requirements. Specifically, the regulations would require that a testing laboratory have a laboratory director and that the laboratory director meet certain educational and experience requirements. The regulations would also require that analysts and supervisory analysts meet some minimum qualifications in order to ensure laboratories are run by competent and trained persons.

Ninth, the proposed regulations would set laboratory-specific security requirements including requiring that testing laboratories develop and implement security protocols, preventing unauthorized access to areas of the laboratory where cannabis is present, ensuring that medical cannabis goods are stored properly and ensuring electronic data is properly stored.

Lastly, the regulations would provide for laboratory-specific substantially related crimes that would prevent the applicant from obtaining a license and prohibiting a laboratory that has had its license revoked from engaging in activities that would meet the definition of a cannabis testing laboratory under Business and Professions Code section 19300.5(x) or reapplying for a testing laboratory license with the bureau for a period of three years after the date of revocation.

Anticipated Benefit of the Proposed Regulations:

The broad objectives of these regulations are to ensure that the medical cannabis goods sold to consumers from licensed dispensaries are safe for consumption. The proposed regulations are expected to benefit the health and welfare of California residents. The testing laboratory regulations are intended to ensure that all medical cannabis goods are first tested for a number of

harmful substances before they are sold to patients. The proposed regulations prevent the sale of medical cannabis goods that have not been tested or have failed testing. It is expected that the proposed regulations will result in a large decrease or elimination of sales of medical cannabis that contain harmful substances. Additionally, the proposed regulations will ensure that the testing results printed on the label of products will contain accurate information. The regulations also seek to advance worker safety, public health, and environmental safety by providing rules for testing.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations:

The bureau has determined that these proposed regulations are not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would be related to or affect this area, the bureau has concluded that these are the only regulations that concern the state licensing and enforcement of commercial cannabis testing laboratories.

Evaluation of Inconsistency/Incompatibility with Existing Federal Regulations:

Under the federal Controlled Substances Act (21 C.F.R. §801 et seq.) cannabis is illegal. However, the U.S. Department of Justice has issued guidance regarding the enforcement of cannabis activities in a memorandum issued by Deputy Attorney General James M. Cole on August 29, 2013, commonly referred to as the Cole Memorandum. The bureau has determined that these proposed regulations are not inconsistent or incompatible with the guidance provided by the federal government in the Cole Memorandum.

Incorporation by Reference:

The following documents are incorporated into the regulations by reference:

- (1) US Food and Drug Administration's *Guidelines for the Validation of Methods for the Detection of Microbial Pathogens in Foods and Feeds*, 2nd Edition, 2015.
- (2) US Food and Drug Administration's *Guidelines for the Validation of Chemical Methods for the FDA FVM Program*, 2nd Edition, 2015.
- (3) *United States Pharmacopeia and the National Formulary (USP-NF)*, 2016.

DISCLOSURES REGARDING THE PROPOSED ACTION

The bureau has made the following initial determinations:

Mandate on local agencies and school districts: None.
 Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.

Other nondiscretionary cost or savings imposed on local agencies: None.

Cost or savings in federal funding to the state: None.

Cost impacts on a representative private person or business: The laboratory testing requirements within the proposed regulations are expected to increase the cost of medical cannabis by approximately \$407 a pound. This will affect cultivators, manufacturers, and distributors who will be paying for the required testing. This will also affect dispensaries as well as medical cannabis patients who will be paying an increased price for medical cannabis goods due to the increased cost for the required testing.

Statewide adverse economic impact directly affecting businesses and individuals: Although the proposed action *will* directly affect businesses statewide, the bureau concludes that the adverse economic impact, including the ability of California businesses to compete with businesses in other states, *will not* be significant.

Significant effect on housing costs: None.

Small Business Determination: The bureau has determined that the proposed regulations would not affect small businesses. It is expected that all of the medical cannabis testing laboratories will not be considered a small business as defined in the Administrative Procedure Act.

Results of the Standardized Regulatory Impact Analysis

The bureau worked with the University of California Agricultural Issues Center (AIC) to prepare the Standardized Regulatory Impact Analysis (SRIA). The SRIA analyzed the regulatory impact of all the bureau’s regulations, including those for distributors, transporters, and dispensaries which were previously proposed. The SRIA was submitted to the California Department of Finance on February 28, 2017. Below is a summary of the SRIA.

(A) The creation or elimination of jobs within the state.

It is expected that the regulations will result in the creation of approximately 2,071 new jobs in the state of California. Of these expected jobs, 1,290 new jobs will be in the laboratory testing sector.

(B) The creation of new businesses or the elimination of existing businesses within the state.

The regulations are expected to lead to the creation of approximately 20 new testing laboratory businesses throughout the state.

(C) The competitive advantages or disadvantages for businesses currently doing business within the state.

The regulations are expected to result in competitive advantages for some business who are operating in California and competitive disadvantages for other businesses operation within California. The limitations on vertical integration are expected to create a competitive disadvantage for businesses that are currently operating under a vertically integrated model and will have to adjust their operations to comply with the new rules. However, the few testing laboratories that are currently in operation will likely have a competitive advantage as they are already operating in what is expected to be an expanding sector.

(D) The increase or decrease of investment in the state.

The regulations are expected to result in an increase in investment in California. The revenue within the medical cannabis industry is expected to increase by about \$113 million. This increase in revenue is expected to be accompanied by an increase in investment. Additionally, many businesses under the regulations will require additional investment in security equipment and other costs of complying with the regulatory requirements. It is expected that a large amount of increased investment will be the laboratory testing sector. New testing laboratories will be established and investment will be required to ensure that existing testing laboratories meet the requirements of the regulations.

(E) The incentives for innovation in products, materials, or processes.

It is expected that the regulations will create an incentive for innovation. This is most notable in the laboratory testing sector. As stated above, the requirements for testing laboratories will require significant levels of investment due to the creation of new businesses. The types of testing required by the regulations are currently very costly. Therefore, there is an incentive for testing laboratories to develop and use new equipment and processes that will enable the laboratory to perform the required tests in a more efficient way.

(F) The benefits of the regulations, including, but not limited to, benefits to the health, safety and welfare of California residents, worker safety, and the state’s environmental quality of life, among any other benefits identified by the agency.

The laboratory testing requirements are expected to provide a benefit to the public. The laboratory testing requirements are expected to identify the medical cannabis goods that may be unsafe for public consumption and remove them from the market. Under the testing requirements in the regulation, only the medical

cannabis goods that have been thoroughly tested and approved for consumption will be sold. Any medical cannabis goods that do not pass the testing will not be allowed to enter the market. Preventing potentially harmful products from entering the market will likely benefit the health and welfare of California residents.

Summary of Comments from the Department of Finance and Bureau Responses

The bureau received a letter from the California Department of Finance, March 29, 2017, containing comments from the Department of Finance (DOF) regarding the Standardized Regulatory Impact Statement (SRIA) submitted by the bureau. The letter contained three comments suggesting augmentation of the SRIA.

“First, the SRIA must include an estimate of the local revenue and expenditure increases from the state regulating medical cannabis. While collecting fees at the local level is not under the control of the state, there will be other impacts from local fees. These local choices will affect the overall value to companies of complying with the state regulations, and the SRIA must include assumptions about these effects. For example, the assumption that local regulatory costs will be low enough that companies will choose to comply is essential to having a legal medical cannabis sector.”

The bureau has responded to DOF’s first comment by including a more detailed discussion of the impact that the proposed regulations are expected to have on local revenue and expenditures in the SRIA. The discussion is in section 11 of the SRIA. With an assumed average local tax rate of 5%, it is expected that the proposed regulations will result in an increase in local revenue by approximately \$7 million.

“Second, the impacts of the manufacturers regulations should be compared with both the current economic situation (without recreational use), and with the future situation that allows for recreational use. This is necessary so as not to mislead the reader by only accounting for the benefits of medical manufacturer regulations. For example, the IMPLAN calculations all show increases in investment, jobs, and GDP for the state as a result of medical cannabis regulations when compared with only recreational cannabis being available, but investment and jobs in the medical cannabis sector will actually shrink compared with the current situation where both medical and recreational cannabis are unregulated. Both aspects are important to discuss for the impacts to be understood by the reader.”

The bureau has responded to DOF’s second comment by including a more detailed discussion comparing the expected economic effects of the proposed regulations with the current economic situation within section 6.4 of the SRIA. Compared to the 2016 unregulated scenario, it is expected that the regulations would cause a

60% decrease in the total quantity of medical cannabis, a 56% decrease in annual revenue, a 10% lower price if taxes are excluded, and a 11.4% higher price when taxes are included. However, it is important to note that the regulations will be taking effect after the passage of proposition 64 which legalized the adult use of cannabis for individuals over the age of 21. Therefore, this comparison is merely for a point of reference and is not a measurement or estimate of the actual effects of the regulation.

“Finally, the SRIA must also discuss in greater detail the interactions between transporters and the laboratories and dispensaries. Laboratories see a large increase in demand for their services, medical cannabis dispensaries continue to see demand (albeit at lower levels than at the end of 2016), but the transport sector is largely assumed to have few effects. However, given the licensing and particular requirements for transport of medical cannabis, there should be entry of new businesses into this sector, or additional demand for services at least. These costs should also be accounted for in transactions with laboratories, manufacturers, and dispensaries.”

The bureau has responded to DOF’s third comment by including a more detailed discussion about the effect that the regulations may have on transporters in section 8.2 of the SRIA. The bureau expects that a large majority of medical cannabis transportation will be conducted by businesses that hold a transportation license in addition to a distribution license, cultivation license, and/or a manufacturing license. However, there is a possibility of smaller, specialty medical cannabis transportation businesses being created.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the bureau must determine that no reasonable alternative considered by the bureau or that has otherwise been identified and brought to the attention of the bureau would be more effective in carrying out the purpose for which this action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

The proposed testing laboratory regulations impose a maximum batch size of 10 pounds for testing. The proposed regulations are expected to increase the cost of medical cannabis by \$407 a pound. The bureau considered two alternatives to the 10 pound batch limit. The bureau considered a lower-cost alternative in which no batch size limit would be set. This alternative would be expected to increase the cost of medical cannabis by

\$177 a pound, or \$230 less than the proposed regulations. The bureau also considered a higher–security alternative in which a batch size limit of 5 pounds would be imposed. A smaller batch size limit may lead to more accurate testing results. This alternative would be expected to increase the cost of medical cannabis by \$624, or \$217 more than the proposed regulations.

The bureau has determined that despite being less costly, the lower–cost alternative is expected to result in a smaller increase in revenue when compared to the expected increase from the proposed regulations. In addition, the lower–cost alternative may result in test results that may be inaccurate. The bureau has also determined that the higher–security alternative will likely result in a smaller increase in revenue when compared to the expected increase from the proposed regulations. Additionally, the increased cost of testing is of concern because the higher the cost of compliance, the more likely it is that businesses will remain in the illegal market. The incremental increase in accuracy that may be obtained from the smaller batch size limit does not warrant the additional costs which may be an incentive for businesses to remain in the illegal market. Therefore, the bureau has decided to proceed with the proposed regulations instead of the two alternatives considered.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

CJ Croys–Schooley, Senior Legal Analyst
 Bureau of Marijuana Control
 1625 N. Market Blvd., Suite S–202
 Sacramento, CA 95834
 Phone: (916) 574–8690
 E–mail: CJ.Croys–Schooley@dca.ca.gov

The backup contact person for these inquiries is:

Natosha Tamantini, Licensing & Enforcement
 Analyst
 Bureau of Marijuana Control
 1625 N. Market Blvd., Suite S–202
 Sacramento, CA 95834
 Phone: (916) 574–7389
 E–mail: Natosha.Tamantini@dca.ca.gov

Please direct requests for copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, the modified text of the regulations, if

any, or other information upon which the rulemaking is based to Ms. Croys–Schooley at the above address.

AVAILABILITY OF STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

The bureau will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, the initial statement of reasons, and technical, theoretical, and/or empirical studies, reports, or documents relied upon. Copies of materials may be obtained by contacting Ms. Croys–Schooley at the address or phone number listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearings and considering all timely and relevant comments received, the bureau may adopt the proposed regulations substantially as described in this notice. If the bureau makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the bureau adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Ms. Croys–Schooley at the address indicated above. The bureau will accept written comments on the modified regulations for at least 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Ms. Croys–Schooley at the above address.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at www.bmcr.ca.gov.

**TITLE MPP. DEPARTMENT OF
SOCIAL SERVICES**

ORD # 0716-10

**NOTICE OF PROPOSED CHANGES IN
REGULATIONS OF THE
CALIFORNIA DEPARTMENT OF
SOCIAL SERVICES (CDSS)**

**ITEM # 1: Due Process Rights and Efficiencies for
State Hearings**

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held on June 20, 2017, as follows:

Office Building # 8
744 P St. Room 103
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on June 20, 2017.

Following the public hearing CDSS may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at

<http://www.dss.cahw.net.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below:

CONTACT

Office of Regulations Development
California Department of Social Services
744 P Street, MS 8-4-192
Sacramento, California 95814
TELEPHONE: (916) 657-2586
FACSIMILE: (916) 654-3286
E-MAIL: ord@dss.ca.gov

CHAPTERS

Manual of Policies and Procedures (MPP), Chapter 22

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

The Division of State Hearings undertook an extended process of consultation with stakeholders, including claimants' advocates as well as county or departmental appeals representatives who take part in fair hearings conducted by the State Hearings Division. This has sometimes been called the "SB 320 Process" because the stakeholder group to discuss due process rights and efficiencies for state hearings began during discussion of legislation proposed during the 2011-2012 legislative session.

The proposed amendments relate to changes proposed by the stakeholder group, including those listed below.

The proposed amendments also update existing regulations for consistency with statutory amendments enacted since the last regulatory amendments in 2007.

Authorized Representatives

Existing law permits a claimant in a state hearing to authorize a representative in writing. The proposed amendments require the person to designate a lead representative if multiple persons or organizations are authorized. Existing law provides that a person who is incompetent to designate a representative may be represented under certain circumstances. The proposed amendments implement new legislation setting standards for allowing a representative of an incompetent

person, as required by amendments adding Section 4014.5 to the Welfare & Institutions (W&I) Code. The proposed amendments also clarify the rights of a court-appointed conservator to represent the claimant at hearing and the consequences if an agency neglects to provide notices to the authorized representative as required by law.

Civil Rights Claims

Existing law requires the Division of State Hearings to refer civil rights claims to the CDSS' Civil Rights Bureau. The proposed amendments require civil rights claims related to the Department of Health Care Services (DHCS) to be referred to the Office of Civil Rights within that department. The proposed amendments also correct a reference to the regulations governing civil rights claims.

Clarification and Cross-Referencing

Without changing existing law, the proposed amendments clarify existing regulations and provide cross-references to related rules. Proposed clarifications include additions to the list of social services programs subject to hearing, limits to the 90-day look-back rule, application of regulations to the DHCS, definitions of "good cause" for delay, the right to a hearing based on agency inaction, the dismissal of moot issues and rehearings requested on the basis of new evidence.

Proposed cross-references relate provisions on adequate notice, authorized representatives, deceased claimants, time limits for requesting a hearing, non-compliance with subpoenas and child support services as aid pending the hearing.

Conditional Withdrawals of Requests for Hearing

Existing law allows a claimant to withdraw a hearing request conditionally, based on the agency's agreement to reconsider the disputed issue within 30 days. The proposed amendments provide for dismissing or reinstating the conditionally withdrawn hearing request and for the continuation of aid pending the hearing until the notice of redetermination is issued.

Determinations of Evidentiary Privilege

Existing law permits an Administrative Law Judge (ALJ) to exclude from a state hearing any evidence that is privileged from disclosure under the California Evidence Code. The proposed amendments require that any claim of privilege and any objections to the claim must be made on the record. The proposed amendments also clarify that evidence included in the record is available for review by any party and that evidence excluded from the record cannot be considered by the hearing ALJ.

Dismissals

Existing law permits dismissal of a claim when the identical issue has been the subject of a previous state

hearing. The proposed amendments limit these dismissals to cases where the issue has been decided on the merits in the previous hearing involving the same claimant.

Electronic Records

The proposed amendments update state hearing procedures to allow for electronic filing of requests for hearing and to acknowledge the use of electronic benefit transfer cards.

Rehearings

Existing law allows a party to request a rehearing within 30 days after a decision is issued. The request must be in writing and must specify the reason for the request. The proposed amendments provide that, if the request is because of new evidence, the new evidence must be provided with the request or the requesting party must explain why the evidence is not being provided.

Resources Family Approval Program

Existing law created the Resource Family Approval process for approving homes of persons seeking to provide foster care to a related child. The proposed amendments add Resource Family Approval decisions to the list of public social services subject to state hearings and update regulations regarding identities of claimants, and their right to notice and state hearing, to conform with the Resource Family Approval laws.

Subpoenas

Existing law allows an administrative law judge to issue subpoenas. The proposed amendments allow an administrative law judge to refer cases of non-compliance with subpoena to the department head for action under Government Code (GC) section 11187.

Statements of Position

Existing law requires the agency to prepare a statement of its position summarizing the facts of each case for hearing and stating the regulatory justification for the disputed action. The proposed amendments provide for cases where the agency is unable to discern the disputed issue.

Anticipated Benefits

These proposed regulations modernize CDSS procedures by providing for electronic communications, clarify ambiguities in the previous regulations and respond to stakeholder requests for additional clarity and protections.

Evaluation of Inconsistency/Incompatibility

After conducting an evaluation for any other regulations in this area, CDSS has found that these are the only regulations concerning modernizing CDSS procedures by using electronic communications, clarifying ambiguities and responding to stakeholder requests for additional clarity and protections. Therefore, the proposed

regulations are neither inconsistent nor incompatible with existing state regulations.

COST ESTIMATE

1. Costs or Savings to State Agencies: None.
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code Sections 17500–17630: None.
3. Nondiscretionary Costs or Savings to Local Agencies: None.
4. Federal Funding to State Agencies: None.

LOCAL MANDATE STATEMENT

These regulations do not impose a mandate upon local agencies or school districts. There are no “state-mandated local costs” in these regulations that require state reimbursement under Section 17500 et seq. of the GC because any costs associated with the implementation of these regulations are costs mandated by the federal government within the meaning of Section 17513 of the GC.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

The CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This determination was made based on the fact that the regulations affect only the due process rights and obligations of public agencies and natural persons who apply for or receive public benefits. Businesses are not parties to the proceedings governed by the regulations that are being amended.

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

The CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

SMALL BUSINESS IMPACT STATEMENT

The CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

STATEMENT OF RESULTS OF ECONOMIC IMPACT ASSESSMENT

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California. The benefits of the regulatory action to the health and welfare of California residents, worker safety and the state’s environment are as follows:

- Protecting due process rights of applicants and recipients in public social services, including CalWORKs, CalFresh, Medi-Cal and Covered California programs.
- Increase efficiency of state hearing procedures.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

In developing the regulatory action, CDSS considered the following alternatives with the following results:

No action: Taking no action to codify the stakeholders’ suggestions would not accomplish the purpose of protecting due process rights while increasing efficiency in state hearings.

The CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

AUTHORITY AND REFERENCE CITATIONS

Sections 10553 and 10554 of the W&I Code grant CDSS the authority to develop the regulations and Sections 16519.5 through 16519.6 are being referenced to make the regulations specific.

CDSS REPRESENTATIVE REGARDING THE RULEMAKING PROCESS OF THE PROPOSED REGULATION

Contact Person:
Oliver Chu
(916) 657-2586

Backup:
Ying Sun
(916) 657-2586

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

**FISH AND GAME CODE SECTION 1653
CONSISTENCY DETERMINATION REQUEST
FOR**

Baker Creek Terrace Groundwater Recharge Project
(Tracking Number: 1653-2017-004-001-R1)
Humboldt County

California Department of Fish and Wildlife (CDFW) received a Request to Approve on April 18, 2017, that Sanctuary Forest, Inc. proposes to carry out a habitat restoration or enhancement project pursuant to Fish and Game Code section 1653. The proposed project involves the construction of five shallow infiltration ponds to promote groundwater recharge upslope of Baker Creek to sustain surface water in the creek during the summer low-slow period for the benefit of juvenile salmonid rearing. The proposed project will be carried out on Baker Creek, located at 17655 Briceland-Thorne Road, Whitethorn, Humboldt County, California.

On April 2, 2016, the North Coast Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) to comply with the terms of, and obtain coverage under, the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Baker Creek Terrace Groundwater Recharge Project. The Regional Water Board determined that the Project, as described in the NOI, was categorically exempt from California Environmental Quality Act (CEQA) review (section 15333 — Small Habitat Restoration Projects) and met the eligibility requirements for coverage under the General 401 Order. The Regional Water Board issued a Notice of Applicability (WDID No. 1B16263WNHU; ECM PIN No. CW-823636) for coverage under the General 401 Order on June 10, 2016.

The District is requesting a determination that the project and associated documents are complete pursuant to Fish and Game Code section 1653 subdivision (d). If CDFW determines the project is complete, the District will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivi-

sion (b) or a Lake or Streambed Alteration Agreement under Fish and Game Code section 1605 for the proposed project.

In accordance with Fish and Game Code section 1653 subdivision (e), if CDFW determines during the review, based on substantial evidence, that the request is not complete, the District will have the opportunity to submit under Fish and Game Code section 1652.

DEPARTMENT OF FISH AND WILDLIFE

**FISH AND GAME CODE SECTION 1653
CONSISTENCY DETERMINATION REQUEST
FOR**

Pennington Creek Steelhead Barrier Removal Project
(Tracking Number: 1653-2017-005-001-R4)
San Luis Obispo County

California Department of Fish and Wildlife (CDFW) received a Request to Approve on April 18, 2017, that Trout Unlimited, Inc. proposes to carry out a habitat restoration or enhancement project pursuant to Fish and Game Code section 1653. The proposed project involves the removal of an existing rock sill and non-functioning fish ladder, and installation of a series of engineered step pools to provide unimpeded passage for steelhead. The proposed project will be carried out on Pennington Creek, located at 2450 Pennington Creek Road, San Luis Obispo, San Luis Obispo County, California.

On February 12, 2017, the Central Coast Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) to comply with the terms of, and obtain coverage under, the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Pennington Creek Steelhead Barrier Removal Project. The Regional Water Board determined that the Project, as described in the NOI, was categorically exempt from California Environmental Quality Act (CEQA) review (section 15333 — Small Habitat Restoration Projects) and met the eligibility requirements for coverage under the General 401 Order. The Regional Water Board issued a Notice of Applicability (WDID No. 34017WQ04) for coverage under the General 401 Order on February 22, 2017.

The District is requesting a determination that the project and associated documents are complete pursuant to Fish and Game Code section 1653 subdivision (d). If CDFW determines the project is complete, the District will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) or a Lake or Streambed Alteration Agreement

under Fish and Game Code section 1605 for the proposed project.

In accordance with Fish and Game Code section 1653 subdivision (e), if CDFW determines during the review, based on substantial evidence, that the request is not complete, the District will have the opportunity to submit under Fish and Game Code section 1652.

PROPOSITION 65

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65)

NOTICE OF INTENT TO LIST: PENTABROMODIPHENYL ETHER MIXTURE [DE-71 (TECHNICAL GRADE)]

The California Environmental Protection Agency’s Office of Environmental Health Hazard Assessment (OEHHA) intends to list *pentabromodiphenyl ether mixture [DE-71 (technical grade)]* as known to the State to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of 1986¹. This action is being proposed under the authoritative bodies listing mechanism².

Chemical	Reference	Occurrence and Uses
<i>Pentabromodiphenyl ether mixture [DE-71 (technical grade)]</i>	NTP (2016)	Used in the past as an additive flame retardant, especially for polyester foam commonly used in furniture. US production and use of pentabromodiphenyl ether mixtures was voluntarily phased out around 2004.

Background on listing via the authoritative bodies mechanism: A chemical must be listed under the Proposition 65 regulations when two conditions are met:

¹ Commonly known as Proposition 65, the Safe Drinking Water and Toxic Enforcement Act of 1986 is codified in Health and Safety Code section 25249.5 *et seq.*

² See Health and Safety Code section 25249.8(b) and Title 27, Cal. Code of Regs., section 25306.

- 1) An authoritative body formally identifies the chemical as causing cancer (Section 25306(d)³).
- 2) The evidence considered by the authoritative body meets the sufficiency criteria contained in the regulations (Section 25306(e)).

However, the chemical is not listed if scientifically valid data that were not considered by the authoritative body clearly establish that the sufficiency of evidence criteria were not met (Section 25306(f)).

The National Toxicology Program (NTP) is one of several institutions designated as authoritative for the identification of chemicals as causing cancer for purposes of Proposition 65 (Section 25306(m)).

OEHHA is the lead agency for Proposition 65 implementation⁴. After an authoritative body has made a determination about a chemical, OEHHA evaluates whether listing under Proposition 65 is required using the criteria contained in the regulations.

OEHHA’s determination: *Pentabromodiphenyl ether mixture [DE-71 (technical grade)]* meets the criteria for listing as known to the state to cause cancer under Proposition 65, based on findings of the NTP (2016).

Formal identification and sufficiency of evidence for *Pentabromodiphenyl ether mixture [DE-71 (technical grade)]*: In 2016, NTP published a report on pentabromodiphenyl ether mixture [DE-71 (technical grade)], entitled *Toxicology Studies of a Pentabromodiphenyl Ether Mixture [DE-71 (Technical Grade)] (CASRN 32534-81-9) in F344/N Rats and B6C3F1/N Mice and Toxicology and Carcinogenesis Studies of a Pentabromodiphenyl Ether Mixture [DE-71 (Technical Grade)] in Wistar Han [Crl:WI(Han)] Rats and B6C3F1/N Mice (Gavage Studies)*, that concludes that the chemical causes cancer (NTP, 2016). This report satisfies the formal identification and sufficiency of evidence criteria in the Proposition 65 regulations.

OEHHA is relying on the NTP’s discussion of data and conclusions in the report that pentabromodiphenyl ether mixture [DE-71 (technical grade)] causes cancer. The NTP (2016) states in the Conclusion section of the report’s Summary (page 6):

“We conclude that DE-71 caused liver cancers in male and female rats and mice. Occurrences of thyroid gland and pituitary gland tumors in male rats were also considered to be related to treatment. Occurrences of uterine tumors in female rats may also have been related to exposure to DE-71.”

³ All referenced sections are from Title 27 of the Cal. Code of Regulations.

⁴ Health and Safety Code section 25249.12, Title 27 Cal. Code of Regs., section 25102(o).

The NTP (2016) report states in the Conclusion section of the report’s Abstract and main body of the report (pages 11 and 113):

“Under the conditions of these 2–year oral gavage studies, there was *clear evidence of carcinogenic activity* of DE–71 in male Wistar Han rats based on increased incidences of hepatocholangioma, hepatocellular adenoma, or hepatocellular carcinoma (combined). Increased incidences of thyroid gland follicular cell adenoma and increased incidences of pituitary gland (pars distalis) adenoma were also considered to be related to exposure.”

There was *clear evidence of carcinogenic activity* of DE–71 in female Wistar Han rats based on increased incidences of hepatocholangioma, hepatocellular adenoma, and hepatocellular carcinoma. The occurrence of cholangiocarcinoma of the liver was also considered related to treatment. The incidences of stromal polyp or stromal sarcoma (combined) of the uterus may have been related to treatment.”

“There was *clear evidence of carcinogenic activity* of DE–71 in male B6C3F1/N mice based on increased incidences of hepatocellular adenoma, hepatocellular carcinoma, and hepatoblastoma.”

“There was *clear evidence of carcinogenic activity* of DE–71 in female B6C3F1/N mice based on increased incidences of hepatocellular adenoma and hepatocellular carcinoma.” (Emphasis in the original.)

Thus, NTP (2016) found that pentabromodiphenyl ether mixture [DE–71 (technical grade)] causes increased incidences of combined malignant and benign tumors in male rats, and malignant and combined malignant and benign tumors in female rats and in male and female mice.

Request for comments: OEHHA is requesting comments as to whether *pentabromodiphenyl ether mixture [DE–71 (technical grade)]* meets the criteria set forth in the Proposition 65 regulations for authoritative bodies listings. To be considered, **OEHHA must receive comments by 5:00 p.m. on Monday, June 5, 2017.** We encourage you to submit comments in electronic form, rather than in paper form. Comments may be submitted electronically through our website at <https://oehha.ca.gov/comments>. Comments submitted in paper form can be mailed, faxed, or delivered in person to the address below.

Mailing

Address: Michelle Ramirez
Office of Environmental Health
Hazard Assessment
P.O. Box 4010, MS–12B
Sacramento, California
95812–4010

Fax: (916) 323–2265

Street

Address: 1001 I Street
Sacramento, California 95814

Comments received during the public comment period will be posted on the OEHHA website after the close of the comment period. Electronic files submitted should not have any form of encryption.

If you have any questions, please contact Ms. Ramirez at Michelle.Ramirez@oehha.ca.gov or at (916) 445–6900.

References

National Toxicology Program (NTP, 2016). *Toxicology Studies of a Pentabromodiphenyl Ether Mixture [DE–71 (Technical Grade)] (CASRN 32534–81–9) in F344/N Rats and B6C3F1/N Mice and Toxicology and Carcinogenesis Studies of a Pentabromodiphenyl Ether Mixture [DE–71 (Technical Grade)] in Wistar Han [Crl: WI(Han)] Rats and B6C3F1/N Mice (Gavage Studies)*. Technical Report Series No. 589. U.S. Department of Health and Human Services, NTP, Research Triangle Park, NC. Available at URL: http://ntp.niehs.nih.gov/ntp/hdocs/lt_rpts/tr589_508.pdf

**RULEMAKING PETITION
DECISION**

**DEPARTMENT OF CORRECTIONS AND
REHABILITATION**

**NOTICE OF DECISION ON PETITION TO
AMEND REGULATIONS**

**California Code of Regulations
Title 15, Crime Prevention and Corrections
Division 3, Adult Institutions,
Programs and Parole**

PETITIONER:

Inmate Brian Barnett #AS7182

AUTHORITY:

The authority granted by Government Code (GC) Section 12838.5 vests to the California Department of Corrections and Rehabilitation (CDCR) all the powers, functions, duties, responsibilities, obligations, liabilities, and jurisdiction of the abolished Youth and Adult Correctional Agency, California Department of Corrections, Department of the Youth Authority, Commission on Correctional Peace Officer Standards and Training, Board of Corrections, and the State Commission on Juvenile Justice, Crime and Delinquency Prevention. Penal Code (PC) Section 5050 provides that commencing July 1, 2005, any reference to the Director of Corrections refers to the Secretary of the CDCR. PC Section 5054 vests with the Secretary of the CDCR the supervision, management, and control of the state prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein. PC Section 5055 provides that commencing July 1, 2005, all powers/duties previously granted to and imposed upon the CDC shall be exercised by the Secretary of the CDCR. PC Section 5058 provides that the Director may prescribe and amend regulations for the administration of prisons.

CONTACT PERSON:

Please direct any inquiries regarding this action to Timothy M. Lockwood, Chief, Regulation and Policy Management Branch, Department of Corrections and Rehabilitation, P.O. Box 942883, Sacramento, CA 94283-0001.

AVAILABILITY OF PETITION:

The petition to amend regulations is available upon request directed to the Department's contact person.

SUMMARY OF PETITION:

Inmate Barnett is petitioning to amend California Code of Regulations (CCR), Title 15, Division 3, Sections 3040, 3041.3, 3152, and 3161 so that inmates are permitted to possess personal laptop computers under certain circumstances. This petition stems from Inmate Barnett's concern that inmates are able to take a 12-week program called "Office Services and Related Technologies," wherein they learn basic, commonly-used computer programs, e.g., Microsoft Word, Excel, Outlook, and PowerPoint on state-issued computers, but that following the completion of the program, they are not able to continually practice what they have learned. Inmate Barnett also suggests that laptop computers would be beneficial to inmates who are appealing their convictions as well as to inmates who could use their free time to develop business plans and write books, thereby putting their creative energies toward

positive development. Inmate Barnett further suggests that if inmates were to be permitted to possess personal laptop computers under certain circumstances, it would keep inmates from becoming technologically stagnant.

The petition specifically proposes the following:

- Inmates who want to own personal laptop computers shall obtain the approval of the Warden or designee.
- Inmates who have a history of computer fraud or abuse shall not be allowed to possess personal laptop computers or be housed with inmates who are allowed to possess personal laptop computers.
- Personal laptop computers that are available for purchase shall be of American manufacture and shall be incapable of Local Area Network access or access to any other network, either wirelessly or by hard wiring.
- The provisions of CCR Section 3190 shall apply to laptop computers.
- Inmates who are authorized to possess personal laptop computers may, with the approval of the Warden or designee, be allowed to possess flash drives for the purpose of sending manuscripts to be published, but the mailing of such manuscripts may be delayed in order for the contents to be examined in accordance with the provisions of CCR Sections 3136 and 3138.
- Inmates who are authorized to possess personal laptop computers shall not attempt to modify or otherwise reconstruct the laptops to perform any actions listed in CCR Section 3041.3(b).
- Inmates who are authorized to possess personal laptop computers may have a user password of their choice, but the Institution Head and ISO will retain administrator password access.
- CCR Subsection 3152(b) is amended to include additional specifications regarding the type of manuscripts that inmates are permitted to possess.
- Inmates who are authorized to possess personal laptop computers may request to be allowed to scan legal materials/documents related to their active cases onto their personal laptop computers.

DEPARTMENT DECISION:

The Department denies the petition to amend CCR, Title 15, Division 3, Sections 3040, 3041.3, 3152, and 3161 in its entirety.

Inmates' possession of computers or computer related devices is a safety and security risk to the staff, inmates, and the institutions. Inmates who have a history of computer fraud or abuse, as defined in PC Section 502, shall not be placed in any assignment that provides access to a computer. In that inmates are not isolated from other inmates in the General Population, inmates with a history of computer fraud and/or abuse would

and could have access to other inmates' personal property, e.g., laptop computers. This would place institutions at a disadvantage and create an unprecedented level of unmonitored circumstances that could cause irreparable harm.

Inmates without computer crimes may access CDCR workstations for the purpose of completing specific tasks or assignments while under *direct and constant* supervision. The approved uses of workstations by inmates shall be carried out only under very *tightly controlled* circumstances, which include, but are not limited to:

- Each computer shall be labeled to indicate whether inmate access is authorized.
- Computers used by inmates shall not be used concurrently for any other purpose.
- Inmates with a work assignment involving a particular computer shall not be assigned to work on other computers.
- Areas where inmates are authorized to work on computers shall be posted as such.
- All inmates shall be under the supervision of a knowledgeable employee within a controlled, designated area when using computers.
- There shall be no communications capabilities in the designated area, such as a telephone line, a computer network line, a telephone punch panel, cell phones, or wireless communication devices such as pagers, handheld computers, or radio communication devices, without the approval of the Agency Information Security Officer.
- Inmates shall not have electronic storage media in their possession except within an approved area.
- Inmates may not have access to computer application development tools.
- Inmates shall not have access to the operating system of any computer.

In that inmates are allowed computer books that detail the inner working of operating systems, it creates a security risk if they were to gain enough knowledge and unauthorized access to an institutions' network. In order to amend the appropriate CCR Title 15 sections to allow a revision of the Authorized Personal Property Schedule authorizing inmates to possess laptop computers, it would take change to California law in that PC Section 4576(b)(1) currently prohibits inmates from possessing memory storage devices.

**SUMMARY OF REGULATORY
ACTIONS**

**REGULATIONS FILED WITH
SECRETARY OF STATE**

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2017-0414-03
CALIFORNIA HORSE RACING BOARD
 Racing Secretary Conditions and Medication, Drugs and Other Substances

The California Horse Racing Board (Board) submitted this emergency readopt action to maintain the regulations amended in OAL File No. 2016-0715-02E and readopted in OAL File 2017-0113-06EE. The emergency rulemaking action amended sections in CCR title 4, to remove a conflict identified by the Los Angeles Superior Court in *De La Torre v. California Horse Racing Board, et al.* (BS 154412). As a result of the conflict identified by the Court between the Board's regulations and the Los Alamitos "house rule", the "house rule" was invalidated. This action is intended to remove the conflicts identified by the Court.

Title 4
 AMEND: 1581, 1843
 Filed 04/20/2017
 Effective 04/24/2017
 Agency Contact: Philip Laird (916) 263-6025

File# 2017-0414-02
DEPARTMENT OF DEVELOPMENTAL SERVICES
 DDS End of Life Option Act Implementation Regulations

The Department of Developmental Services (Department) submitted this emergency readoption action to keep in effect three sections adopted into title 17 of the California Code of Regulations. The three sections implement Department protocols and procedures for individuals residing in a developmental center or state-operated facility under the Department's jurisdiction who wish to exercise their rights under the End of Life Option Act.

Title 17
 ADOPT: 51000, 51001, 51002
 Filed 04/24/2017
 Effective 04/24/2017
 Agency Contact: Alyssa Carroll (916) 654-3405

File# 2017-0317-03
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This certificate of compliance by the Department of Food and Agriculture makes permanent the prior emergency action (OAL Matter No.: 2016-0915-01E) that expands the quarantine area for the Asian Citrus Psyllid (ACP) *Diaphorina citri* by approximately 3 square miles in the San Jose area of Santa Clara County. The effect of this action will provide authority for the state to perform quarantine activities against ACP within this additional area.

Title 3
 AMEND: 3435(b)
 Filed 04/24/2017
 Effective 04/24/2017
 Agency Contact: Sara Khalid (916) 403-6625

File# 2017-0317-04
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This Certificate of Compliance filing by the Department of Food and Agriculture makes permanent a quarantine area for the Asian Citrus Psyllid (“ACP”) *Diaphorina citri* in the Hanford area of Kings County (OAL File No. 2016-0919-01E). This Hanford quarantine area is approximately 106 square miles and was created in response to the identification of one adult ACP on September 1, 2016. This Certificate of Compliance provides authority for the State to continue to perform quarantine activities against ACP within this area.

Title 3
 AMEND: 3435(b)
 Filed 04/24/2017
 Effective 04/24/2017
 Agency Contact: Sara Khalid (916) 403-6625

File# 2017-0328-04
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This Certificate of Compliance filing by the Department of Food and Agriculture (the “Department”) makes permanent a quarantine area for the Asian Citrus Psyllid (“ACP”) *Diaphorina citri* covering all of Fresno County. This Certificate of Compliance provides authority for the State to continue to perform quarantine activities against ACP within this area.

Title 3
 AMEND: 3435(b)
 Filed 04/20/2017
 Effective 04/20/2017
 Agency Contact: Sara Khalid (916) 403-6625

File# 2017-0411-03
 DEPARTMENT OF MOTOR VEHICLES
 Commercial Driver’s Licenses

This action amends state commercial driver license (CDL) regulations to align with federal CDL regulations allowing CDL applicants to furnish an Employment Authorization Document (EAD) or a federal Customs Arrival/Departure Form I-94 as alternative documentation supporting the application for and issuance of a CDL. (See 49 C.F.R. § 383.71(f).)

Title 13
 AMEND: 26.01, 26.02
 Filed 04/19/2017
 Effective 04/19/2017
 Agency Contact: Randi Calkins (916) 657-8898

File# 2017-0419-01
 DEPARTMENT OF SOCIAL SERVICES
 CalWORKs Homeless Assistance Payments

This emergency rulemaking by the Department of Social Services makes several amendments in the Manual of Policies and Procedures in response to passage of Assembly Bill 1603 (Chapter 25, Statutes of 2016). AB 1603 made changes to the California Work Opportunity and Responsibility to Kids Homeless Assistance Program by removing the once-in-a-lifetime limit currently placed on homeless assistance and expanding the provision of temporary shelter assistance and permanent housing assistance to be available every 12 months. This emergency rulemaking implements those changes.

Title MPP
 AMEND: 44-211
 Filed 04/25/2017
 Effective 04/25/2017
 Agency Contact: Oliver Chu
 (916) 657-3588

File# 2017-0308-01
 DEPARTMENT OF TOXIC SUBSTANCES CONTROL
 Safer Consumer Products: Priority Products — Nap Mats

This rulemaking by the Department of Toxic Substances Control adopts sections in Title 22 of the California Code of Regulations regarding the identification of Priority Products. This rulemaking lists children’s foam-padded sleeping products containing TDCPP or TCEP as a Priority Product. Specifically, this action im-

plements “Green Chemistry” statutes, Health and Safety Code sections 25251–25257.1, which are intended to significantly reduce adverse health and environmental impacts of chemicals used in commerce.

Title 22
 ADOPT: 69511, 69511.1
 Filed 04/19/2017
 Effective 07/01/2017
 Agency Contact: Ben Molin (916) 322–4882

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN November 23, 2016 TO
 April 26, 2017**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 2

04/10/17 ADOPT: 552.1
 03/27/17 ADOPT: 11017.1 AMEND: 11017
 03/22/17 AMEND: 58000
 03/21/17 ADOPT: 2299.01, 2299.02, 2299.03, 2299.04, 2299.05, 2299.06, 2299.07, 2299.08, 2299.09
 03/03/17 ADOPT: 599.829.1
 02/28/17 AMEND: 2270, 2271
 02/16/17 ADOPT: 59820
 01/31/17 ADOPT: 547.60.1 AMEND: 547.60
 01/30/17 AMEND: 58600
 01/23/17 ADOPT: 1896.15, 1896.17 AMEND: 1896, 1896.2, 1896.4, 1896.6, 1896.8, 1896.10, 1896.12, 1896.14, 1896.16, 1896.18, 1896.20, 1896.22, 1896.62, 1896.71, 1896.73, 1896.80, 1896.82 REPEAL: 1896.83
 01/11/17 ADOPT: 59810
 01/11/17 ADOPT: 11140, 11141, 11142, 11143, 11144, 11145, 11146, 11147, 11148, 11149, 11150, 11151, 11153, 11154, 11155, 11157, 11158, 11159, 11161, 11162, 11165, 11166, 11167, 11168, 11170, 11171, 11172, 11173, 11174, 11175, 11176, 11177, 11178, 11070, 11071, 11075, 11100, 11101, 11103, 11104, 11105, 11111, 11113, 11114, 11180, 11181, 11182, 11183, 11184,

11187, 11188, 11189, 11190, 11191, 11192, 11193, 11194, 11195, 11196, 11197, 11198, 11199, 11200
 12/12/16 AMEND: 1859.2, 1859.76
 12/08/16 AMEND: 22999
 12/01/16 AMEND: 18544, 18545, 18700, 18730, 18940.2
 11/28/16 AMEND: 10500

Title 3

04/24/17 AMEND: 3435(b)
 04/24/17 AMEND: 3435(b)
 04/20/17 AMEND: 3435(b)
 04/18/17 AMEND: 3435(b)
 04/17/17 AMEND: 3435(b)
 04/17/17 AMEND: 3435(b)
 04/07/17 AMEND: 3435(b)
 04/04/17 AMEND: 3435(b)
 03/30/17 AMEND: 3435(b)
 03/30/17 AMEND: 3435(b)
 03/28/17 AMEND: 3435(b)
 03/28/17 AMEND: 3406(c), 3591.5(b)
 03/24/17 AMEND: 3435(b)
 03/14/17 AMEND: 3061
 03/13/17 ADOPT: 2852.5 AMEND: 2850, 2851, 2852, 2853, 2854, 2855, 2856
 03/07/17 AMEND: 3435(b)
 03/02/17 AMEND: 3435(b)
 02/28/17 ADOPT: 3070
 02/27/17 ADOPT: 751, 751.1, 754.3, 754.4, 820.1, 830, 830.1, 830.2, 830.3, 830.4, 831, 831.1, 831.2, 831.3, 831.4, 831.5, 837, 838, 1302, 1302.1, 1302.2, 1302.3, 1302.4 AMEND: 752, 752.1, 752.2, 752.3, 752.4, 752.5, 752.6, 753, 753.1, 753.2, 754, 754.1, 754.2, 755, 755.1, 755.4, 756, 756.1, 758, 820, 820.3, 820.4, 820.5, 820.55, 820.6, 820.7 REPEAL: 753.3, 755.2, 755.3, 756.2, 756.3, 757, 758.1, 820.1, 820.2
 02/24/17 AMEND: 3435(b)
 02/21/17 AMEND: 3435(b)
 02/16/17 AMEND: 3435(b)
 02/13/17 AMEND: 3435(b)
 02/13/17 AMEND: 3435(b)
 02/06/17 AMEND: 3435(b)
 02/02/17 AMEND: 3435(b)
 01/31/17 AMEND: 3435(b)
 01/30/17 AMEND: 3435(b)
 01/19/17 AMEND: 3439(b)
 01/12/17 AMEND: 3435(b)
 01/10/17 AMEND: 3435(b)
 01/10/17 AMEND: 3435(b)
 01/10/17 AMEND: 3435(b)
 01/09/17 AMEND: 3591.12

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01/05/17 AMEND: 6625
01/04/17 AMEND: 3435(b)
01/03/17 AMEND: 3435(b)
01/03/17 AMEND: 3435(b)
01/03/17 AMEND: 3435(b)
12/28/16 AMEND: 1380.19, 1408.2, 1408.9,
1408.13 REPEAL: 1408.10, 1408.11,
1408.14, 1408.16, 1408.17
12/22/16 AMEND: 3435(b)
12/21/16 AMEND: 3435(d)
12/19/16 ADOPT: 1358.6
12/05/16 AMEND: 3435(b)
12/05/16 AMEND: 3435(b)
12/05/16 AMEND: 3435(b)
12/05/16 ADOPT: 3591.27
12/05/16 AMEND: 3435(b)
12/01/16 AMEND: 3435(b)

Title 4

04/20/17 AMEND: 1581, 1843
04/10/17 AMEND: 10170.3, 10170.8, 10170.9,
10170.10, 10170.14
03/14/17 ADOPT: 299 AMEND: 297, 300
02/28/17 ADOPT: 6000, 6010, 6011, 6012, 6013,
6014, 6020, 6021, 6022, 6023, 6024,
6030, 6040, 6041, 6042, 6043, 6050,
6051, 6052, 6053, 6060, 6061, 6062
02/15/17 ADOPT: 8078.8, 8078.9, 8078.10,
8078.11, 8078.12, 8078.13, 8078.14
02/09/17 AMEND: 10302, 10315, 10317, 10320,
10322, 10325, 10326, 10327, 10330,
10335, 10337
02/07/17 AMEND: 10031, 10032, 10033, 10035,
10036
01/23/17 AMEND: 1581, 1843
01/09/17 AMEND: 8034, 8035
01/05/17 ADOPT: 610
12/22/16 ADOPT: 8078.15, 8078.16, 8078.17,
8078.18, 8078.19, 8078.20, 8078.21
12/15/16 ADOPT: 5145, 5146, 5233 AMEND:
5000, 5020, 5031, 5033, 5050, 5051,
5054, 5062, 5063, 5106, 5144, 5170,
5191, 5192, 5194, 5200, 5220, 5230,
5240, 5250, 5255, 5258, 5260, 5300,
5342, 5350, 5370, 5400, 5450, 5560,
5600 REPEAL: 5221
12/07/16 ADOPT: 299 AMEND: 297, 300
12/01/16 AMEND: 10170.16, 10170.17,
10170.18, 10170.19, 10170.20,
10170.21, 10170.22, 10170.23

Title 5

04/05/17 ADOPT: 75300 AMEND: 75200, 75210
03/14/17 AMEND: 15495 REPEAL: 15497.5
02/06/17 AMEND: 22000
02/02/17 AMEND: 851, 853.5, 853.7, 855, 856

01/19/17 AMEND: 19810
01/12/17 AMEND: 9517.3
12/19/16 AMEND: 80048.8, 80413, 80499
12/05/16 AMEND: 80015, 80015.1, 80071

Title 8

04/14/17 AMEND: 15203.2(d)
04/04/17 AMEND: 5155
03/27/17 AMEND: 9701, 9702
03/20/17 AMEND: 4306
03/14/17 AMEND: 17304
02/24/17 ADOPT: 10770.7 AMEND: 10770
02/02/17 AMEND: 10134
01/30/17 AMEND: 344.30
01/19/17 AMEND: 9789.25
01/06/17 ADOPT: 9788.1, 9788.2, 9788.3, 9788.4
12/15/16 AMEND: 9789.30, 9789.31, 9789.32,
9789.33, 9789.39
12/14/16 AMEND: 15201, 15203, 15203.2,
15203.3, 15203.5, 15203.6, 15203.7,
15203.10, 15204, 15205, 15209, 15210,
15210.1, 15210.2, 15211.1, 15211.2,
15216, 15220, 15220.2, 15230, 15251,
15353, 15405, 15422, 15426, 15431.1,
15471, 15472, 15475.2, 15475.3, 15476,
15479, 15480, 15481, 15482, 15482.1,
15482.2, 15483, 15484, 15486, 15486.1,
15487, 15491, 15496, 15497
12/08/16 ADOPT: 3342
12/05/16 AMEND: 3273

Title 9

03/15/17 ADOPT: 4700, 4710, 4711, 4712, 4713,
4714, 4715, 4716, 4717
02/13/17 ADOPT: 4600, 4601, 4602

Title 10

04/17/17 ADOPT: 6520, 6522, 6528
03/22/17 ADOPT: 8300, 8310, 8320, 8330, 8340,
8350, 8360, 8370, 8380
03/22/17 AMEND: 2218.30
03/09/17 AMEND: 2911, 2912
02/28/17 ADOPT: 8200, 8210, 8220, 8230
02/21/17 AMEND: 2498.6
02/21/17 AMEND: 2498.6
02/21/17 ADOPT: 9000, 9001, 9002, 9003, 9004,
9005, 9006, 9007
02/16/17 ADOPT: 6408, 6410, 6450, 6452, 6454,
6470, 6472, 6474, 6476, 6478, 6480,
6482, 6484, 6486, 6490, 6492, 6494,
6496, 6498, 6500, 6502, 6504, 6506,
6508, 6510, 6600, 6602, 6604, 6606,
6608, 6610, 6612, 6614, 6616, 6618,
6620, 6622
02/15/17 AMEND: 2498.4.9
02/09/17 AMEND: 2498.4.9

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01/02/17	AMEND: 2594, 2594.1, 2594.2, 2594.3, 2594.4	03/14/17	REPEAL: 8600
12/15/16	ADOPT: 3733	03/07/17	ADOPT: 749.9
12/12/16	AMEND: 2695.8(e)	03/03/17	ADOPT: 16500
12/12/16	AMEND: 6658, 6660, 6664	03/02/17	ADOPT: 748.6
12/06/16	AMEND: 2318.6, 2353.1, 2354	03/02/17	ADOPT: 54.00, 54.01, 54.02, 54.03, 122.1, 122.2 AMEND: 29.80, 29.90, 121, 121.5, 122, 705
11/30/16	ADOPT: 2695.81, 2695.82 AMEND: 2698.91	02/28/17	AMEND: 1.74, 5.05, 5.20, 5.35, 5.40, 5.60, 7.00, 7.50, 29.45, 43, 671
11/29/16	AMEND: 2690, 2690.1, 2690.2	02/27/17	ADOPT: 715 AMEND: 702
11/28/16	ADOPT: 6464	02/17/17	AMEND: 895, 895.1, 898.2, 912.5, 913.4, 914.1, 915.3, 916.2, 916.5, 916.8, 916.9, 916.11, 919.2, 919.3, 919.5, 919.9, 919.11, 919.12, 921.1, 921.6, 926.3, 927.12, 953.9, 959.15, 961.1, 1020, 1024.5, 1036.1, 1037.3, 1037.5, 1051, 1051.1, 1051.4, 1051.5, 1052.3, 1052.4, 1052.5, 1054.3, 1055, 1055.2, 1056, 1056.1, 1056.2, 1056.3, 1090.5, 1090.10, 1090.17, 1092.16, 1092.18, 1092.27, 1100, 1153 REPEAL: 926.21
Title 11			
02/21/17	AMEND: 1084		
02/01/17	AMEND: 1005, 1007, 1008		
01/27/17	AMEND: 1001, 1005, 1007, 1008, 1009, 1018, 1080, 1083		
01/18/17	ADOPT: 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2130, 2131, 2132		
Title 12			
01/09/17	ADOPT: 509	02/17/17	AMEND: 632
Title 13		02/07/17	ADOPT: 28.47 AMEND: 27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 28.27, 28.49, 28.55
04/19/17	AMEND: 26.01, 26.02	01/23/17	AMEND: 870.15, 870.17, 870.19, 870.21
04/17/17	AMEND: 2222	01/03/17	AMEND: 1724.9
04/06/17	AMEND: 1157.21	12/27/16	AMEND: 29.15
02/22/17	AMEND: 1153	12/22/16	AMEND: 472
02/21/17	ADOPT: 26.01, 26.02	12/21/16	AMEND: 782
02/21/17	AMEND: 553.70	12/12/16	AMEND: 28301
02/16/17	ADOPT: 15.01 AMEND: 15.00	12/08/16	ADOPT: 782.1
02/02/17	AMEND: 2467, 2467.1, 2467.2, 2467.3, 2467.4, 2467.5, 2467.6, 2467.7, 2467.8, 2467.9	12/01/16	AMEND: 895.1, 1032.7
01/19/17	AMEND: Article 3.6 Ch. 1 Div. 1 — Heading	11/29/16	AMEND: 670.5
01/19/17	AMEND: 170.12	Title 15	
01/18/17	AMEND: 1159	04/17/17	AMEND: 3000, 3030, 3190, 3269
12/21/16	AMEND: 330.42	04/13/17	ADOPT: 2449.1, 2449.2, 2449.3, 2449.4, 2449.5, 3043.1, 3043.2, 3043.3, 3043.4, 3043.5, 3043.6, 3490, 3491, 3492, 3493 AMEND: 3043, 3043.5 (renumbered to 3043.7), 3043.6 (renumbered to 3043.8), 3044 REPEAL: 3042, 3043.1, 3043.2, 3043.3, 3043.4, 3043.7
12/06/16	AMEND: 590	04/03/17	ADOPT: 3999.22
11/29/16	AMEND: 120.00, 120.01	03/22/17	AMEND: 8006
11/29/16	AMEND: 152.00, 155.04	03/21/17	ADOPT: 8900 AMEND: 8901
Title 14		03/14/17	AMEND: 8004, 8004.3
04/18/17	AMEND: 1038	03/07/17	AMEND: 3332, 3343
04/13/17	ADOPT: 3805.1	02/22/17	AMEND: 3173.2
04/12/17	ADOPT: 111	02/09/17	AMEND: 3000, 3090, 3177, 3323, 3375, 3375.1, 3375.2, 3375.3, 3375.4, 3375.5, 3377.1, 3377.2, 3379
04/03/17	ADOPT: 17403.3.1 AMEND: 17402, 17403.0, 17405.0		
03/27/17	AMEND: 27.80		
03/17/17	AMEND: 550, 550.5, 551, 552, 630, 702, 703		
03/16/17	ADOPT: 18660.47, 18660.48, 18660.49, 18660.50, 18660.51 AMEND: 18660.5, 18660.20		

01/26/17 ADOPT: 1027.5, 1030, 1058.5, 1122.5, 1208.5 AMEND: 1006, 1010, 1024, 1027, 1029, 1046, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1061, 1063, 1070, 1081, 1082, 1083, 1125, 1204, 1205, 1206, 1206.5, 1207, 1209, 1210, 1217, 1241, 1243, 1247, 1270, 1271 REPEAL: 1219

01/03/17 AMEND: 3000, 3054, 3054.1, 3054.2, 3054.3, 3054.4, 3054.5

01/03/17 AMEND: 3076.5

12/29/16 ADOPT: 3359.8

12/29/16 ADOPT: 1712.4, 1714.4, 1730.4, 1740.4 AMEND: 1700, 1706, 1731, 1747, 1747.1, 1748, 1748.5, 1749, 1749.1, 1750, 1750.1, 1751, 1752, 1753, 1754, 1756, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1788, 1790, 1792

12/22/16 AMEND: 3000, 3084.7, 3312, 3313, 3314, 3315, 3316, 3317, 3317.1, 3317.2, 3320, 3322, 3326, 3340, 3341.3, 3376, 3378.6

Title 16

03/27/17 AMEND: 1105.2

03/21/17 AMEND: 1803, 1812, 1813, 1814, 1816.1, 1816.2, 1822.50, 1822.51, 1822.52, 1829.1, 1829.2, 1829.3, 1846, 1850.6, 1850.7, 1854, 1856, 1877.2, 1877.3, 1886, 1886.10, 1886.20, 1886.30, 1886.50, 1886.60, 1886.70, 1886.80, 1887, 1887.2, 1887.3, 1887.4.0, 1887.4.1, 1887.4.2, 1887.4.3, 1887.11.0 REPEAL: 1816.8, 1819.1, 1829, 1877, 1887, 1887.2, 1887.3, 1887.6, 1887.13, 1887.14

03/20/17 AMEND: 1732.05, 1732.2, 1732.5

03/20/17 AMEND: 1751, 1751.4

03/14/17 ADOPT: 3063.4 AMEND: 472, 472.1, 472.2, 472.3, 472.4, 473, 473.1, 473.2, 473.3, 473.4, 3062, 3062.1, 3062.2, 3062.3, 3062.4, 3063, 3063.1, 3063.3 (renumbered as 3063.2), 3063.4 (renumbered as 3063.3).

03/02/17 AMEND: 1707.5

02/23/17 AMEND: 1399.672

02/09/17 AMEND: 9.1

01/31/17 AMEND: 1744

01/11/17 AMEND: 4172

01/05/17 AMEND: 1361

01/04/17 AMEND: 1508.1

12/21/16 AMEND: 464

12/13/16 ADOPT: 1730, 1730.1 AMEND: 1730.2, 1731 [renumbered], 1749

12/06/16 ADOPT: 1582 AMEND: 1516

11/29/16 AMEND: 2760

Title 17

04/24/17 ADOPT: 51000, 51001, 51002

04/17/17 AMEND: 60201

04/17/17 ADOPT: 6500.03, 6500.05, 6500.9, 6500.21, 6500.33, 6500.43, 6500.51, 6500.55, 6500.58, 6500.71, 6500.78 AMEND: 6500.35, 6500.39, 6500.45, 6500.50, 6501, 6501.5, 6505, 6506, 6506.6, 6506.8, 6506.10 REPEAL: 6500.65, 6500.67

04/13/17 ADOPT: 95364.1 AMEND: 95362, 95366, 95367, 95369

03/23/17 AMEND: 95000

03/20/17 ADOPT: 59000, 59001, 59002, 59003, 59004, 59005, 59006, 59007, 59008, 59009, 59010, 59011, 59012, 59013, 59014, 59015, 59016, 59017, 59018, 59019, 59020, 59021, 59022

01/26/17 AMEND: 1215.1, 1216, 1216.1, 1218, 1219, 1219.1, 1219.2, 1220, 1220.1, 1220.2, 1220.3, 1220.4, 1221, 1221.1, 1221.4, 1221.5, 1222, 1222.1. REPEAL: 1215, 1217, 1217.1, 1217.2, 1217.3, 1217.4, 1217.5, 1217.6, 1217.7, 1217.8, 1218.1, 1218.2, 1219.3, 1221.2, 1221.3, 1222.2

01/23/17 ADOPT: 51000, 51001, 51002

12/05/16 ADOPT: 100504

Title 18

03/17/17 AMEND: 1703

03/09/17 AMEND: 1532, 1533.1, 1533.2, 1534, 1535, 1598

01/11/17 ADOPT: 2460, 2461, 2462

12/22/16 AMEND: 1702.5

12/08/16 AMEND: 1597

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03/24/17 ADOPT: 920, 921, 922, 923, 924, 924.1, 924.2, 924.3, 924.4, 924.5, 924.6, 924.7, 924.8, 924.9, 924.10, 924.11, 924.12, 925, 925.1, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 946.1, 947, 948

02/09/17 ADOPT: 2020, 2021, 2030 AMEND: 2000

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03/27/17 AMEND: 2909

03/27/17 AMEND: 1602, 1606

03/27/17 AMEND: 1606, 1607

01/05/17 AMEND: 2401, 2402

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11/30/16	AMEND: 97174, 97176 REPEAL: 97178, 97180, 97182, 97184, 97186, 97188, 97190, 97192, 97196, 97198	89990AMEND: 80001, 80020, 80022, 80028, 80065, 80068, 80070, 80072, 80087, 85000, 85068.2
11/28/16	AMEND: 40679	01/18/17 AMEND: 87101, 87464, 87507, 87706
Title 21		Title 23
01/19/17	ADOPT: 1413, 1413.1, 1413.2, 1413.3, 1413.4	03/16/17 ADOPT: 3929.15 03/08/17 ADOPT: 3949.12 03/07/17 ADOPT: 6000, 6001, 6002, 6003, 6004, 6005, 6006, 6007, 6008, 6009, 6010, 6011, 6012, 6013, 6014, 6015 02/27/17 ADOPT: 863, 864, 864.5, 865, 866 01/30/17 AMEND: 3969.1 01/03/17 ADOPT: 1066.5 12/13/16 ADOPT: 3919.17
Title 22		Title 25
04/19/17	ADOPT: 69511, 69511.1	01/23/17 ADOPT: 5535, 5535.5, 5536, 5536.5
04/18/17	REPEAL: 97770, 97771, 97772	Title 27
04/10/17	ADOPT: 64300, 64305, 64310, 64315	04/04/17 AMEND: 25805 03/21/17 AMEND: 27000 02/08/17 AMEND: 27001 01/27/17 AMEND: 25204(f) 01/09/17 AMEND: 25600, 25600.2, 25602, 25603, 25605, 25606, 25607.2, 25607.4, 25607.6, 25607.9, 25607.10, 25607.11, 25607.13, 25607.15, 25607.16, 25607.17, 25607.19, 25607.21, 25607.22, 25607.23, 25607.25, 25607.27, 25607.29
03/27/17	AMEND: 51121	11/30/16 AMEND: 25603.3
03/16/17	AMEND: 20100.5	Title 28
03/09/17	AMEND: 64806	03/21/17 AMEND: 1300.67.241 11/28/16 AMEND: 1300.67.005
01/11/17	REPEAL: 98000, 98001, 98002, 98003, 98004, 98005, 98006, 98007, 98008, 98009, 98010, 98020, 98100, 98101, 98102, 98110, 98111, 98200, 98210, 98211, 98220, 98221, 98222, 98223, 98230, 98231, 98232, 98233, 98234, 98235, 98236, 98237, 98238, 98240, 98241, 98242, 98243, 98244, 98250, 98251, 98252, 98253, 98254, 98255, 98256, 98257, 98258, 98259, 98260, 98261, 98262, 98263	Title MPP
01/10/17	AMEND: 2706-2, 2706-7, 2708(b)-1, 3302-1, 3302-2	04/25/17 AMEND: 44-211 04/04/17 AMEND: 40-105, 40-131, 40-161 01/20/17 AMEND: 42-711, 82-812 01/06/17 AMEND: 47-201, 47-230, 47-240, 47-401, 47-420
12/28/16	AMEND: 66262.34	
11/30/16	AMEND: 97174, 97176 REPEAL: 97178, 97180, 97182, 97184, 97186, 97188, 97190, 97192, 97196, 97198	
11/28/16	AMEND: 40679	
Title 22, MPP		
02/09/17	ADOPT: 85300, 85301, 85302, 85322, 85361, 85365, 85368, 85368.2, 85368.3, 85369, 85375, 89900, 89901, 89918, 89920, 89922, 89940, 89942, 89964, 89965, 89968.1, 89968.2, 89970, 89987,	

