



# California Regulatory Notice Register

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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.

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**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: Ocean Protection Council  
MULTI-COUNTY: Dublin San Ramon Services  
West Kern Water District  
San Bernardino Community  
College District

A written comment period has been established commencing on May 19, 2017, and closing on July 3, 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 July 3, 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 respective 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 3. DEPARTMENT OF FOOD  
AND AGRICULTURE**

**Division 4. Plant Industry  
Chapter 2. Field Crops  
Subchapter 5. Rice Identity Preservation**

NOTICE OF PROPOSED RULEMAKING

Notice is hereby given that the Department of Food and Agriculture (Department) has adopted the regulations in the California Code of Regulations (CCR), Title 3, Division 4, Chapter 2, Subchapter 5, section 2852.5, and amended sections 2850, 2851, 2852, 2853, 2854, 2855, and 2856 on an emergency basis. These emergency regulations became effective on March 13, 2017, and will remain in effect for a period of 180 days. The purpose of this rulemaking is to adopt the emergency regulations on a permanent basis.

A public hearing is not scheduled for this proposal. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Any interested person may present statements or arguments in writing relevant to the action proposed to the person designated in this notice as the contact person beginning May 19, 2017, and ending at 5:00 p.m. on July 3, 2017.

Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, the Department upon its own motion, or at the insistence 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 re-

lated to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCES

Pursuant to the authorities vested by Sections 403 and 407, of Chapter 3, Division 1, of the California Food and Agricultural Code (FAC); Section 55022, Chapter 4, Division 20, of the FAC; and Sections 11400.20 and 11445.20 of the Government Code, the Department intends to implement, interpret or make specific certain articles contained in the FAC, Division 20, Chapter 4, beginning with section 55000, and in the Government Code, Title 2, Division 3, Part 1, Chapter 4.5, Article 6, Sections 11425.50 and 11440.30.

CCR SECTIONS AFFECTED

Sections 2850, 2851, 2852, 2852.5, 2853, 2854, 2855, and 2856, CCR, Title 3, Division 4, Chapter 2, Subchapter 5.

INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW

FAC, Section 403, provides that the Department shall prevent the introduction and spread of insect or animal pests, plant diseases, and noxious weeds.

FAC, Section 407, further provides that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of this code which she is directed or authorized to administer or enforce.

The California Rice Certification Act of 2000 (Act), commencing with FAC Section 5500 et seq., was established to protect and maintain the high quality of rice produced, processed or handled in this state. The Act permits the industry to establish terms and conditions for the production, processing and handling of rice, in order to achieve the goal of preventing potential commingling of various types of rice, and to prevent commingling where reconditioning is infeasible or impossible.

Pursuant to the Act, the Rice Certification Committee (Certification Committee), nominated by the California Rice Commission (Commission) and appointed by the Secretary, shall identify rice varieties that have characteristics of commercial impact and recommend to the Secretary that regulations be adopted, amended or repealed to accomplish the purposes of the Act, including, but not limited to: maintaining the integrity and preventing the contamination of rice; preventing the introduction of diseases, weeds or other pests; ensuring enforcement of terms and conditions imposed pursuant to the Act regarding planting, processing or handling of rice; and encouraging research and development of new types of rice. (FAC Sections 55020, 55040 and 55047.)

Upon the receipt of recommendation from the Certification Committee for the promulgation, amendment, or repeal of regulations, the Secretary shall within 30 working days do one of following: (1) initiate the rulemaking process with the regulations as recommended; (2) decline to initiate the rulemaking process; or (3) request that the committee provide additional information regarding the recommended regulations. (FAC Section 55022.)

In 2004, the Certification Committee recommended and the Secretary initiated a rulemaking process that created the Rice Identity Preservation regulations as published in the California Code of Regulations. This set of regulations established protocol for the production and handling of specified rice varieties, which preserved California rice integrity and high quality. (CCR, Title 3, Division 4, Chapter 2, Subchapter 5, Section 2850 et seq.)

Objectives/Benefits

The broad objective of the proposed regulations is to eradicate and prevent further infestation of weedy rice, one of the most harmful weeds impacting California’s rice industry. For comparison purposes, weedy rice has infested 62% of Arkansas’ rice growing acreage, causing significant yield reductions.

The single most effective tool in the eradication and control of weedy rice is planting uncontaminated seed. The proposed regulations implement this tool by prohibiting the sale of farm saved seed and requiring rice producers to plant certified seed or seed that has been reviewed by a third party quality assurance program, beginning January 1, 2019. For additional protection, the proposed regulations also require that rice producers, prior to use, inspect rice planting and harvesting equipment that has been used in other rice producing states, for the presence of weedy rice.

The eradication and prevention of further infestation of weedy rice benefits the California rice industry, which provides for economic benefits to the people of this state, including possible job creation opportunities. The continuous marketing of rice as an essential food nutrient promotes good health and wellness to the public. Therefore, the benefits derived from the proposed regulations will create a positive impact to the health and general welfare of the people of California.

EVALUATION OF  
INCONSISTENCY/INCOMPATIBILITY WITH  
EXISTING STATE REGULATIONS

The Department has determined that this proposed

regulation is not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Board has concluded that these are the only regulations that concern Rice Identity Preservation in California.

DOCUMENT RELIED UPON

Weedy Rice Regulation Background Information

FISCAL IMPACT STATEMENTS/DISCLOSURES  
REGARDING THE PROPOSED ACTIONS

*The Department has made the following initial determinations:*

Fiscal impact on public agencies including costs or savings to state agencies or costs/savings in federal funding to the state: None.

Mandate on local agencies and school districts: None, except for the requirement that county agricultural commissioners must inspect rice production equipment that has been used in another rice producing state and brought into California. Based upon meetings between the Commission and county agricultural commissioners, the Department confirmed that no costs will be incurred for conducting the inspections.

Costs to any local agencies or school districts which must be reimbursed in accordance with Government Code Sections 17500 through 17630: None and there are no nondiscretionary costs or savings to local agencies or school districts.

Significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states: The Department has made the initial determination that the proposed regulations would not have a significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states, or on representative private persons. This determination was made based on the evidence that confirmed weedy rice could have a devastating impact on the California rice industry. The proposed regulations eradicate and prevent further infestation of weedy rice, therefore protecting the California businesses from potential loss in rice yields and economic impacts associated with lower yields.

RESULTS OF THE ECONOMIC  
IMPACT ASSESSMENT

The Department has determined that the proposed regulations would not affect the creation or the elimination of jobs, the creation of new businesses, the elimination of existing businesses, or the expansion of businesses currently doing business within the state.

Benefits of Regulation:

The eradication and prevention of further infestation of weedy rice benefits the California rice industry, which provides for economic benefits to the people of this state, including possible job creation opportunities. The continuous marketing of rice as an essential food nutrient promotes food health and wellness to the public. Therefore, the benefits derived from the proposed regulations will create a positive impact to the health and general welfare of the people of California.

Cost impacts on a representative private person or business:

The Department has determined that the following expenses may be incurred by rice producers for reasonable compliance with the proposed action:

1. The cost to the industry is insignificant. The industry farm gate value in 2015 was \$752 million (CDFA's 2015–2016 Agricultural Statistics Review). The anticipated industrywide cost increase is less than one percent (0.37%) of that farm gate value. The total cost to the industry is approximately \$2,805,000.
2. Rice producers who sell farm saved seed may incur a minimal cost. There are about 2,500 rice producers in California and approximately 20% (500 producers) have farm saved seed. The majority of these producers did not grow the farm saved seed with intent to sell the seed for income, so the cost incurred is insignificant.
3. Producers that intended to use farm saved seed will incur an additional cost; however, this is minimal. Certified seed or seed from a quality assurance program costs \$15 per hundred pounds more than farm saved seed. 170 pounds of seed is applied per acre. The additional cost is \$25.50 per acre. Last year, the average cost for farm saved seed was \$18.37 per acre. The average rice producer has 350 acres. Last year, the approximate total cost for a rice producer using farm saved seed was \$6,429.50. The approximate cost to be incurred by rice producers who intended to use farm saved seed but must use certified seed is \$8,925.

4. The direct costs of enrolling in a seed certification program are consistent with a similar certification program operated by the California Crop Improvement Association that charges the following fees for its services: \$100 application fee; \$3.50 per acre for foundation seed; and \$2.50 per acre for certified seed.
5. A rice producer who intended to use his/her own farm saved seed, will incur a lot certification fee of \$0.08 per hundred pounds for certified seed plus a \$2.50 per acre application fee. Based on average yields of 8,300 pounds per acre the calculated additional cost is \$0.11 cents per hundred pounds of certified seed, if only one acre of seed is produced. The current value of grade seed (non-certified) would be assumed to be the same as paddy rice which is priced today at \$13.00 per hundred pounds.
6. Indirect costs of agronomic practices required under seed certification programs are considered by industry to be appropriate seed production practices and likely are already employed by all breeding programs.
7. The California Rice Commission is responsible for enforcing the regulations. Based upon the Department's review of cost associated with enforcing the Rice Identity Preservation regulation, the Department has determined that no additional costs will be incurred by the Commission for the enforcement of the proposed regulations.

Significant effect on housing costs: None.

Small business determination: The Department has made the initial determination that the proposed regulations will have a minimal statewide economic impact directly affecting businesses that will not impact the ability of California businesses to compete with businesses in other states, or on representative private persons. An initial determination has been made that there is no impact because the additional costs to California rice producers are minimal, as described in the Economic Impact Analysis included in the Initial Statement of Reasons.

ALTERNATIVES CONSIDERED

In accordance with Government Code section 11346.5(a)(13), the Department must determine that no reasonable alternative it considered or that has been identified would either be more effective in carrying out the purpose for which the action is proposed, or 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, than the proposal described in this notice.

The Department invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period or, if requested, at a scheduled hearing.

#### CONTACT PERSON

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed regulations, location of the rulemaking files, and request for a public hearing may be directed is:

Amy Uber, Senior Agricultural Economist  
California Department of Food and Agriculture  
Marketing Branch  
1220 N Street  
Sacramento, CA 95814  
Email: [amy.uber@cdfa.ca.gov](mailto:amy.uber@cdfa.ca.gov)  
Telephone: 916-900-5018

In the absence of Amy Uber, you may contact Tim Johnson, President, California Rice Commission, at 916-987-2264.

Written comments should include the author's name and mailing address in order for the Department to provide copies of any notice for proposed changes to the regulation text on which additional comments may be solicited.

#### AVAILABILITY OF DOCUMENTS ON THE INTERNET

The Department has posted the information regarding this proposed regulatory action on its website, <https://www.cdfa.ca.gov/mkt/regulations.html>.

#### AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon

request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named above.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the contact person named above.

### TITLE 14. DEPARTMENT OF CONSERVATION

#### REQUIREMENTS FOR CALIFORNIA UNDERGROUND GAS STORAGE PROJECTS

#### TITLE 14. NATURAL RESOURCES DIVISION 2. DEPARTMENT OF CONSERVATION CHAPTER 4. DIVISION OF OIL, GAS, AND GEOTHERMAL RESOURCES SUBCHAPTER 1. ONSHORE WELL REGULATIONS

**NOTICE IS HEREBY GIVEN** that the California Department of Conservation (Department) proposes to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action. With this rulemaking the Department will propose permanent regulations, after the consideration of all comments, objections, or recommendations.

#### WRITTEN COMMENT PERIOD AND PUBLIC COMMENT HEARINGS

Any person, or his or her authorized representative, may submit written statements, arguments, or comments related to the proposed regulatory action to the Department. Comments may be submitted by email to: [DOGGR\\_GasStorageRegs@conservation.ca.gov](mailto:DOGGR_GasStorageRegs@conservation.ca.gov)

By mail:

Department of Conservation  
801 K Street, MS (24-02)  
Sacramento, CA 95814  
ATTN: Underground Gas Storage Regulations

Or by facsimile (FAX) to (916) 324-0948

**The written comment period closes at 5:00 p.m. on July 13, 2017.** The Department will consider only comments received at the Department’s office by that time.

Any interested person, or their authorized representative, may present statements or arguments orally or in writing relevant to the proposed action at one of the public hearings to be held at the following times and places:

- Sacramento — July 10, 4:00 p.m. — 7:00 p.m. Natural Resources Agency Auditorium, 1416 Ninth Street, Sacramento, CA 95814
- Los Angeles — July 12, 1:00 p.m. — 4 p.m. Ronald Reagan State Building, 300 South Spring Street, Los Angeles, CA 90013

#### AUTHORITY AND REFERENCE

Pursuant to the authority vested by sections 3013, 3106, and 3080 of the Public Resources Code, and to implement, interpret, or make specific sections 3106, 3180, 3181, 3183, 3184, 3220 and 3403.5 of the Public Resources Code, the Department proposes to delete section 1724.9 of the California Code of Regulations, title 14, division 2, chapter 4, subchapter 1, article 3. Concurrently, the Division proposes to add to title 14, division 2, chapter 4, subchapter 1 of the California Code of Regulations a new article 4, entitled “Requirements for Underground Gas Storage Projects,” consisting of new sections 1726, 1726.1, 1726.2, 1726.3, 1726.3.1, 1726.4, 1726.4.1, 1726.4.2, 1726.5, 1726.6, 1726.7, 1726.8, 1726.9, and 1726.10.

#### POLICY STATEMENT OVERVIEW/INFORMATIVE DIGEST

##### Existing Law

The Department’s Division of Oil, Gas, and Geothermal Resources (Division) supervises the drilling, operation, maintenance, and plugging and abandonment of onshore and offshore oil, gas, and geothermal wells. The Division carries out its regulatory authority to encourage the wise development of oil and gas resources while preventing damage to life, health, property, and natural resources. (Pub. Resources Code, § 3106.) The Division regulates the injection of natural gas into large underground reservoirs for storage before the gas is later withdrawn for sale to residential, commercial, and industrial customers and natural gas power plants. The Division oversees underground gas storage (UGS) facilities to ensure that the original reserves are not lost, that drilling of new wells is conducted safely, and to minimize the risk of damage to public health and the en-

vironment. (Pub. Resources Code, §§ 3106, 3180, 3181, 3220 and 3403.5.)

UGS projects are subject to the requirements of the Division’s existing regulations for underground injection projects (commonly referred to as the “UIC regulations”). (Cal. Code Regs., tit. 14, §§ 1724.6 to 1724.10.) The existing regulations require written approval from the Division before any subsurface injection associated with underground gas storage can begin, and set forth specific data requirements that an applicant must satisfy before the Division will approve a subsurface injection project. (Cal. Code Regs., title 14, §§ 1714, 1724.6, and 1724.7.) Project data requirements include engineering studies (including reservoir characteristics and casing diagrams), geologic studies (including structural contour and isopachous maps), and injection plans (including identification of the proposed maximum anticipated surface injection pressure and proposed monitoring system or methods to ensure no damage is occurring). (Cal. Code Regs., title 14, § 1724.7.) For underground gas storage projects, the applicant must also submit additional information about the proposed storage reservoir, a list of proposed surface and subsurface safety devices and measures to ensure the safety of the project, and the proposed waste water disposal method. (Cal. Code Regs., title 14, § 1724.9.)

Approved injection projects are subject to additional filing, notification, operating and testing requirements throughout their operational lifespan. (See Cal. Code Regs., § 1724.10.) Among other requirements, Division regulations require operators to ensure that all piping, valves and facilities meet or exceed design standards for the maximum anticipated injection pressure, and that such facilities and equipment be maintained in a safe and leak-free condition. (Cal. Code Regs., § 1724.10, subd. (f).) Accurate operating pressure gauges or recording devices must be available at all times, and wells must be equipped for installation and operation of such devices. (Cal. Code Regs., § 1724.10, subd. (e).) The operator must also perform tests to establish the maximum allowable surface injection pressure and mechanical integrity of the well, and maintain data to establish that no damage to life, health, property or natural resources is occurring by reason of the injection project. (Cal. Code Regs., § 1724.10, subds. (h), (i) and (j).)

On February 5, 2016, the Division adopted emergency regulations requiring gas storage facilities in California meet safety and reliability measures, including: (1) at least daily inspection of gas storage well heads using leak detection technology such as infrared imaging; (2) ongoing verification of the mechanical integrity of all gas storage wells; (3) ongoing measurement of annular gas pressure or annular gas flow within wells; (4) regular testing of all safety valves used in wells; (5) mini-

imum and maximum pressure limits for each gas storage facility; and (6) submittal of comprehensive risk management plans that prepare for risks at each facility, including the corrosion potential of pipes and equipment. The emergency regulations, which were readopted on July 22, 2016, ensure that protective standards are in place while the Division completes the permanent rule-making process for permanent regulations described in this Notice.

Effective January 1, 2017, Senate Bill 887 (Pavley, Chapter 673 statutes of 2016) (SB 887) established a number of significant new statutory requirements for UGS facilities. The bill mandates that the Division's regulations require that no single point of failure poses an immediate threat of loss of control of fluids, and it provides detailed specifications for ensuring well construction integrity. It requires operators to commence a stringent mechanical integrity testing regime on all gas storage wells by January 1, 2018, and it includes extensive requirements for providing risk management planning and project data to the Division. The bill also requires that operators develop and maintain employee gas storage well training and mentoring programs.

Proposed Regulations

On October 23, 2015, a natural gas leak was discovered from an injection and production well in the Aliso Canyon Natural Gas Storage Facility in Los Angeles County. The leak represented a significant threat to the public peace, health, safety and general welfare. It resulted in the relocation of thousands of people from the areas proximal to the facility and, according to the California Air Resources Board, released 109,000 metric tons of methane. On February 11, 2016, the operator temporarily controlled the leak by injecting mud from a relief well intersecting the bottom of the leaking well. A permanent seal of the well was announced by the Division on February 18, 2016.

In response to that incident, the Division promulgated emergency regulations on February 5, 2016, imposing requirements on all UGS facilities in the state. The emergency regulations require at least a daily inspection of gas storage well heads using gas leak detection technology such as infrared imaging, ongoing verification of the mechanical integrity of all gas storage wells, ongoing measurement of annular gas pressure or annular gas flow within wells, regular testing of all safety valves used in wells, establishment of minimum and maximum pressure limits for each gas storage facility in the state, and development of a comprehensive Risk Management Plan (RMP) that evaluates, mitigates, and prepares for risks at each UGS facility.

Prior to the emergency regulations with their specific UGS emphasis, the UIC program broadly covered UGS facilities. However, UGS facilities have differing and distinct concerns and practices from other types of injection projects regulated by the Division under its UIC program. UGS facilities are generally used to store larger quantities of gas during off-peak months, while during peak summer and winter months the gas volume is lower when subject to higher demand. Therefore, the operation of gas storage wells is cyclical throughout the year, subjecting the wells to a wider range of pressures than other types of injection operations associated with oil and gas production. Gas storage wells present unique engineering challenges and warrant differing construction standards, testing, monitoring, and inspections.

Building upon the emergency regulations in place for UGS facilities, the proposed regulations address a more complete regulatory scheme tailored specifically to UGS facilities and gas storage wells. The proposed regulations also provide necessary clarifications and specificity to implement the statutory requirements added by SB 887. The broad objectives of the proposed regulations are to establish:

- A comprehensive regulatory framework tailored to the regulatory concerns specific to UGS projects
- Well construction standards for gas storage wells
- Mechanical integrity testing requirements specific to gas storage wells
- Standards and specifications for risk management plans for UGS projects
- Standards and specifications for emergency response plans for UGS projects to ensure rapid and safe responses when emergency situations arise
- Standards and specifications for UGS project data requirements, including protocols for operators' retention and management of records
- Monitoring and inspection requirements for gas storage wells or the UGS project as a whole to ensure early detection of any indication of integrity concerns
- Standards and specifications for the inspection, testing, and maintenance of wellheads and valves
- Protocols for the decommissioning of a UGS project
- Implementation of the well reporting and response requirements of Public Resources Code sections 3183 and 3184

The proposed regulations will further the statutory mandates and goals for UGS projects; reduce risks to health, safety and the environment; and facilitate thorough and transparent oversight, evaluation, and risk assessment of UGS projects.

Consistency with Comparable Federal Regulation or Statute

In June 2016, Congress enacted the “Securing America’s Future Energy: Protecting our Infrastructure of Pipelines and Enhancing Safety Act of 2016” or “Safe Pipes Act.” The Safe Pipes Act amended an existing body of pipeline safety laws set forth in sections 49 U.S.C. §§ 60101–60503, including adding a new section entitled “Standards for Underground Natural Gas Storage Facilities.” (49 U.S.C. § 60141.) The new section directs the federal Pipeline and Hazardous Materials Safety Administration (“PHMSA”), within the Department of Transportation, to issue “minimum safety standards” for underground natural gas storage facilities within two years of the Safe Pipes Act’s enactment. (*Id.* § 60141, subd. (a).) On December 19, 2016, PHMSA issued an “Interim Final Rule” establishing standards for wells and downhole aspects of underground gas storage facilities. (See 81 Fed. Reg. 91,860 (Dec. 19, 2016).) The Interim Final Rule incorporates and makes mandatory two sets of industry “best practices” issued by the American Petroleum Institute (“API”) (specifically, API Recommended Practice 1170, Design and Operation of Solution–mined Salt Caverns used for Natural Gas Storage; and API Recommended Practice 1171, Functional Integrity of Natural Gas Storage in Depleted Hydrocarbon Reservoirs and Aquifer Reservoirs). The Interim Final Rule took effect on January 18, 2017.

The proposed regulations are consistent with and are more stringent and comprehensive than the minimum federal standards. The Division consulted API RP 1171 as a starting point in developing the proposed regulations. (Recommended Practice 1170 was not consulted because there are no solution–mined salt caverns used for natural gas storage in California). The Division’s proposed regulations would include additional detail and definition as to requirements in comparison to API RP 1171, which tends to apply requirements based on more open–ended case–by–case assessments. Examples of greater definition and stringency in the Division’s proposed regulations include more stringent and defined well construction standards, a clear regulatory framework for risk management planning, more detailed requirements for mechanical integrity testing and monitoring, more frequent testing of safety valves, and stronger Division oversight through project data requirements.

PHMSA’s January 18, 2017 Interim Final Rule establishing minimum standards for underground natural gas storage facilities addresses many of the same issues as the Division’s proposed regulations. Both sets of regulations are intended to minimize the environmental and public health risks associated with such facilities. However, PHMSA minimum standards only provide a floor for regulation of UGS projects, and the Division’s proposed regulations are necessary to achieve greater protection of health and safety and to meet statutory requirements for the regulations of UGS projects under state law.

SB 887 directs the Division to promulgate standards for the design, construction, and maintenance of all gas storage wells in California to ensure that any integrity concerns with a gas storage well are identified and addressed before they can become a threat to life, health, property, the climate, or natural resources. (Pub. Resources Code, § 3180; see also Pub. Resources Code, § 3403.5 [charging the Division with responsibility to ensure that no damage occurs to the environment by reason of injection and withdrawal of gas at underground storage facilities].) The federal Safe Pipes Act of 2016 authorizes states to adopt additional or more stringent safety standards for intrastate underground natural gas storage facilities if such standards are “compatible” with PHMSA’s minimum standards. (49 U.S.C. § 60141, subd. (e).) The Division’s proposed regulations are compatible with the newly adopted federal standards, and nothing in the Division’s proposed regulations would prevent compliance with the federal standards.

Consistency with Existing State Regulations

The Division has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations. After conducting a review for any regulations that would relate to or affect this area the Division concluded that there are no existing state regulations imposing safety standards for underground gas storage facilities specifically. To the extent other state agencies may enforce health, safety, or environmental protection standards that could apply to underground gas storage facilities because they are regulations of general application affecting a wider range of industrial activities, those regulations are not expected to be inconsistent or incompatible with the regulations proposed here.

Certain aspects of the Division’s proposed regulations would apply to intrastate natural gas pipelines and associated facilities that are located within the gas storage field. These pipelines also fall under the regulatory jurisdiction of the California Public Utilities Commission (“CPUC”) and are subject to CPUC General Order

No. 112–E. To the extent the Division’s proposed regulations overlap with CPUC’s requirements as applied to certain pipelines, the Division’s regulations would not be inconsistent or incompatible with CPUC’s requirements. For example, while CPUC’s General Order requires leakage surveys at periodic intervals ranging from once to four times per year depending on site-specific conditions (*see* General Order No. 112–E, 101.2 [incorporating by reference 49 C.F.R. § 192.706]), the Division’s proposed regulations would require at least daily inspection of certain attached pipelines. The Division’s requirement for more frequent testing would not prevent compliance with the CPUC requirements. The Division and CPUC have a Memorandum of Agreement in place to ensure coordinated, consistent, and non-duplicative regulation of pipelines and facilities associated with UGS projects.

The proposed regulations include a requirement for operators to develop and implement an inspection and leak detection protocol for inspection of the wellhead assembly and attached pipelines for each gas storage well, and the surrounding area within a 100-foot radius of each gas storage well. The inspection protocol must provide for inspection at least once a day, employing effective gas leak detection technology such as infrared imaging. This requirement was developed in consultation with the California Air Resources Board (CARB) and was adopted by emergency regulation in response to one of the mandates of Governor Brown’s January 1, 2016 Emergency Proclamation. This requirement ensures early discovery of leaks or other irregularities in the wellhead assembly and attached pipelines. CARB is in the process of adopted equivalent requirements for UGS facilities, and, in order to avoid unnecessary duplication, the Division’s proposed regulation provides that it will no longer apply once CARB has adopted and implemented its requirements.

#### PLAIN ENGLISH REQUIREMENT

The Division staff prepared the proposed regulations pursuant to the standard of clarity provided in Government Code Section 11349 and the plain English requirements of Government Code Sections 11342.580 and 11346.2(a)(1). The proposed regulations are written to be easily understood by the parties that will use them.

#### LOCAL MANDATE

This proposal does not impose a mandate on local agencies or school districts.

#### COST TO LOCAL AGENCIES

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. This proposal does not impose other nondiscretionary cost or savings on local agencies. This proposal does not result in any cost or savings in federal funding to the state.

#### COST OR SAVINGS TO STATE AGENCIES

Implementation of the requirements of the proposed regulations would require a baseline appropriation of approximately \$4.172 million the first year, \$3.269 million the second year, and \$3.269 million ongoing. These expenditures have been approved by the Legislature in order to fund the emergency regulations, which are currently in place.

#### EFFECT ON HOUSING COSTS

The Division has determined that the proposed regulation will not have a significant effect on housing costs.

#### IMPACT ON BUSINESS

The proposed regulation will affect owners and operators of UGS facilities. The following reporting, recordkeeping, and compliance requirements will result from the proposed regulations:

- Well construction requirements for gas storage wells
- Mechanical integrity testing requirements for gas storage wells
- Requirements for developing, implementing, and updating risk management plans, including emergency response plans
- Requirements for developing, updating, and maintaining data and analysis supporting a UGS project
- Monitoring and inspection requirements for gas storage wells or the UGS project as a whole
- Requirements for inspection, testing, and maintenance of wellheads and valves
- Required protocols for the decommissioning of a UGS project
- Documenting and reporting on monitoring and inspections, including reporting leaks and incidents

The Division has made an initial determination that adoption of these regulations may have a significant, statewide adverse economic impact directly affecting business, including the ability of California business to compete with businesses in other states. The Division has considered proposed alternatives that would lessen any adverse economic impact on business and invited you to submit proposals. Submissions may include the following considerations:

- The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to businesses.
- Consolidation or simplification of compliance and reporting requirements for businesses.
- The use of performance standards rather than prescriptive standards.
- Exemption or partial exemption from the regulatory requirements for businesses.

#### RESULTS OF THE STANDARDIZED REGULATORY IMPACT ASSESSMENT

The Division has determined that this rulemaking action is a major regulation and has completed a Standardized Regulatory Impact Assessment (SRIA) for this rulemaking, which has been provided to the Department of Finance (DOF) for review and comment. The SRIA, DOF’s comments on the SRIA, and the Division’s response to DOF’s comments are included in the Initial Statement of Reasons for this rulemaking action.

The SRIA found that, given the economic context of underground gas storage operations, the added economic impacts associated with compliance with the proposed regulations will not deter operators from performing future operations and/or construction. For these reasons, the Department has made the following determinations:

- The proposed regulations will affect the creation or elimination of jobs within the State of California.
- The proposed regulations will not affect the creation of new businesses or the elimination of existing businesses with the State of California.
- The proposed regulations will not affect the expansion of businesses currently doing business in the State of California.
- The proposed regulations will not affect the ability of businesses within California to compete with businesses in other States.
- The proposed regulations will not affect the competitive advantages or disadvantages for businesses currently doing business in the State of California.

- The proposed regulations will not affect the increase or decrease of investment in the State of California.
- The proposed regulations will affect incentives for innovation in products, materials, or processes.

Further, the Division has determined that the proposed regulations will result in nonmonetary benefits such as protection of public health and safety, worker safety, environmental safety, and transparency in government and business. Specifically, the benefits are as follows:

- Prevention of future disasters such as the uncontrolled gas leak at Aliso Canyon
- Decreased risks to health, safety, and the environment associated with operation of UGS projects
- Restoration of public trust in the gas storage industry
- Prevention of disruptions in gas supply
- Prevention of gas waste from leaks
- Prevention of atmospheric greenhouse gas emission leakage
- Reduction of unanticipated and potentially significant costs to private businesses
- New employment as a result of increased testing and well construction requirements for gas storage wells

#### COST IMPACTS ON A REPRESENTATIVE PRIVATE PERSON OR BUSINESS

While the regulatory requirements will impose costs on owners and operators of gas storage facilities, the SRIA also found that that the proposed regulations will provide significant employment opportunities for gas storage facility service providers including contractors for well construction and repair, well integrity testing, consulting, and vendors of materials and equipment necessary to meet the proposed performance standards.

Based on conservative assumptions that may overestimate costs, the average yearly statewide economic impact for the first five years of implementation of these proposed regulations could be up to \$236 million for direct costs and the total economic impact to output average up to \$337 million. These costs would be spread across California’s 14 underground natural gas storage facilities, seven of which are owned by the two principal gas distributors in the state, the Southern California Gas Company and Pacific Gas and Electric Company. In addition, there are five independently operated storage facilities. These independently operated storage sites are connected to and deliver their withdrawals for consumer and wholesale use.

The economic impact for employment is estimated to be an additional 1,700 jobs per year, and the gross state product average is approximately \$190 million per year during the first five years of implementation. As mentioned, these employment benefits would largely fall on gas industry service providers, well construction and repair contractors, testing services, consultants, government employees, and other sectors.

These employment impacts could be tempered by higher electricity and gas costs that could affect the hiring, saving, and consumption decisions in other sectors of California's economy. Thus, the job growth estimated in this economic impact analysis should be considered as an upper bound on the initial change in economic activity.

#### SUMMARY OF DOF COMMENTS ON STANDARDIZED REGULATORY IMPACT ASSESSMENT

DOF generally concurred with the Division's SRIA for the proposed regulations and found that it meets the requirements for a SRIA, but with three critiques of the SRIA. DOF's comments on the SRIA and the Division's responses are summarized as follows:

- *DOF Comment: The SRIA assumes that the costs of compliance with the proposed regulations will not be passed down to consumers in the form of higher prices of gas and electricity, which may be a particular burden for businesses that are intensive users of natural gas. This assumption allows the SRIA to estimate an increase of the state's employment level and gross state product, which may not ultimately occur once energy prices increase.*

Division Response: The Division's conversations with California Public Utilities Commission (CPUC) indicate that the proposed regulations would likely lead to higher energy costs for consumers. For the investor owned utilities such as Southern California Gas and Pacific Gas and Electric Company, who operate 76 percent of the gas storage wells in the state, these impacts would be tempered because the costs imposed by the regulations represent a small fraction of their revenue requirements and would be spread across a large number of ratepayers. For the customers of the independent operators this impact has the potential to be more substantial.

Higher electricity and gas costs could affect the hiring, saving, and consumption decisions by intensive users of natural gas such that some of the estimated economic impacts identified by the SRIA could be muted. Thus, the effects of this economic impact analysis (i.e., the gross output impact, employment impact, and value added) should be considered as an upper bound on the initial change in economic activity.

- *DOF Comment: The SRIA fails to acknowledge that these regulations may have a fiscal impact on other local and state agencies. The analysis only takes into account that the enforcement of these regulations requires a permanent increase of Conservation's workforce (20 positions). But as the Aliso Canyon leakage event showed, the monitoring and the execution of the leak response protocols are all actions that require the coordinated response of multiple agencies. The analysis should discuss whether the enforcement of these regulations has a fiscal effect on other local and state level agencies, and estimate what these effects will be.*

DOC Response: The proposed regulations have the expected effect of minimizing the likelihood of a major gas leakage, thereby reducing the possibility that a local agency would have to take any action in response to an incident. While the SRIA describes the emergency response actions of several local and state agencies, the proposed regulations in no way prescribes what a coordinated response should look like and do not impose any mandates on local agencies. Any monitoring or emergency response actions by local agencies are independent of the proposed regulations. Ultimately, we expect the execution of the proposed regulations to create cost savings in the long-run on local and state agencies due to the decreased risk of a major gas leakage.

- *DOF Comment: These regulations require operators to develop and implement an inspection and leak detection protocol, but provide that once CARB implements regulation which assume responsibility for these protocols, the Division's requirements will cease to apply. CARB's regulations are anticipated to be fully implemented in 2018. In the SRIA, the direct costs of ambient air monitoring associated with the Division's proposed regulations is set to zero in 2018. Finance's methodology for estimating costs requires that they be estimated relative to the*

*currently existing regulatory environment — not relative to future anticipated (but uncertain) regulatory changes. Thus, the direct costs of ambient air monitoring must be included in the analysis throughout the full period (2017–2021).*

DOC Response: The Division has revised the ambient air monitoring costs and the derived economic impact from that cost in the SRIA to reflect the currently existing regulatory environment through 2021, per DOF's comment.

#### CONSIDERATION OF ALTERNATIVES

The Division must determine that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency 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 Division has engaged in substantial pre-rulemaking workshops and discussions, and the SRIA for the proposed regulations evaluates alternatives to the proposed regulations. No alternative considered by the Division would be more effective in carrying out the purposes of the proposed regulations, or would be equally effective but less burdensome to affected private persons and small businesses than the proposed regulations. The proposed regulations will further the statutory mandates and goals for UGS projects; reduce risks to health, safety and the environment; and facilitate thorough and transparent oversight, evaluation, and risk assessment of UGS projects.

#### HOUSING COSTS

The Division has determined that the proposed regulation will have no significant effect on housing costs.

#### FINDING OF NECESSITY OF REPORTS

The Division has found that the proposed requirements for reports are necessary to implement the effective regulation of UGS projects and are necessary for the health, safety, and welfare of the people of the state that the requirements apply to business.

#### SMALL BUSINESS DETERMINATION

The Division has determined that the proposed regulations will not directly affect small businesses, as the

requirements of the proposed regulations apply to operators of UGS projects. Small businesses may incur a detriment from the enforcement of the proposed regulations, to the extent that increased energy costs result. Small businesses in some sectors may benefit from new employment resulting from the enforcement of the proposed regulations.

#### CONTACT PERSONS

Inquiries regarding the proposed rulemaking action may be directed to:

Mr. Tim Shular  
Department of Conservation  
801 K Street, MS 24–02  
Sacramento, CA 95814  
Phone: (916) 322–3080  
Email:  
DOGGR\_GasStorageRegs@conservation.ca.gov

The backup contact person for these inquiries is:

Ms. Blair Gollihur  
Department of Conservation  
801 K Street, MS 24–02  
Sacramento, CA 95814  
Phone: (916) 322–3080  
Email:  
DOGGR\_GasStorageRegs@conservation.ca.gov

#### AVAILABILITY OF RULEMAKING FILE

The Division has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. The Department 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, the documents relied upon, and a standard form 399.

Copies of these documents may be obtained by contacting Mr. Tim Shular at the address and phone number listed above.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the written comment period and any hearing that may be conducted by the Division to accept comments and evidence regarding the adoption of these proposed regulations, the Division will consider all timely and relevant comments received. Thereafter the Divi-

sion may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications that are sufficiently related to the original proposed text, it will make the modified text (with changes clearly indicated) available to the public for at least 15 days before the Division adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Mr. Tim Shular at the address indicated above. The Division will accept written comments on the modified regulations for 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 Mr. Tim Shular at the above address.

**AVAILABILITY OF DOCUMENTS ON THE INTERNET**

Copies of this Notice, the initial statement of reasons, and the text of the proposed regulations can be accessed through our website at: <http://www.conservation.ca.gov>.

**TITLE 14. FISH AND GAME COMMISSION**

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Section 7110 of the Fish and Game Code and to implement, interpret or make specific said section of said Code, proposes to add Section 1.95, Title 14, California Code of Regulations (CCR), relating to a process to conform State recreational fishing regulations to federal regulations.

**INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Pursuant to the Magnuson–Stevens Fishery Conservation and Management Act (16 U.S. Code §1801 et seq.), the federal government exercises exclusive jurisdiction over fishery resources from 3 to 200 miles offshore. However, because these fish stocks also live in State waters, it is important to have consistent State and federal regulations establishing season dates and other management measures, and also important that the State and federal regulations be effective concurrently. Consistency of rules in adjacent waters allows for uniformity of enforcement, minimizes confusion, and allows for a comprehensive approach to resource man-

agement. Consistency with federal regulations is also necessary to maintain State authority over its fisheries and avoid federal preemption under the Magnuson–Stevens Fishery Conservation Act [16 USC §1866 (b)(1)].

Under current State law (Fish and Game Code Section 7110) the Commission has authority to establish through regulation an automatic process to conform State recreational fishing regulations applicable in State waters (zero to three miles offshore) to federal regulations. The conforming actions implemented pursuant to the automatic process are exempt from the Administrative Procedure Act [Chapter 3.5 (commencing with Section 11340) of the Government Code].

Federal regulations may be adopted annually and may be amended more often, if necessary, and serve to implement fishery management measures adopted by the Pacific Fishery Management Council. These measures include those for recreational fishing in federal waters off California.

For species managed under federal fishery management plans or regulations, the Commission has usually taken concurrent action to conform State recreational regulations to federal regulations that have been adopted through an open and deliberative federal rulemaking process, which includes a detailed review of economic impacts. Conforming State recreational regulations is done in recognition of federal jurisdiction and to ensure consistency and ease of use for constituents who are subject to both State and federal laws while fishing, or possessing sport fish. However, the dual process is redundant and inefficient, and historically the lag between federal action and conforming State action has created a period of management inconsistency and confusion. To improve regulatory efficiency, Fish and Game Code Section 7110 was enacted with the goal of reducing redundancies between State and federal rulemaking processes for these species.

Current recreational fishing regulations for salmon and Pacific halibut are a conglomerate of State regulations that conform to federal regulations, and State regulations that are more restrictive than and not in conflict with federal regulations, including State regulations that cover aspects not addressed in federal regulations.

**Proposed Regulations**

Section 1.95 will be added to Title 14, CCR, to describe the process through which State recreational fishing regulations for salmon and Pacific halibut will automatically conform to federal regulations.

The proposed regulation provides that recreational regulations for salmon and Pacific halibut established through the automatic conformance process shall govern unless the Commission adopts regulations using the regular rulemaking process [Chapter 3.5 (commencing

with Section 11340) of Division 3 of Title 2 of the Government Code] and specifically declares at the time of adoption the intent to deviate from the automatic conformance process.

The proposed regulations describe the two processes by which State recreational fishing regulations for salmon and Pacific halibut may conform to federal regulations: the standard conformance process to be used for annual regulations, or corrections to annual regulations, and the conformance process to be used for in-season changes to regulations.

The proposed regulation specifies that the effective date of State regulations conformed pursuant to the automatic conformance process will be the same as the effective date of the federal regulation.

The proposed regulation specifies that nothing in Section 1.95 controls the adoption or validity of Commission regulations pertaining to the identified species on matters that the federal regulations do not address.

Existing species-specific regulations will remain in Title 14. In the future, these sections may be amended to conform to federal regulations pursuant to the process described in Section 1.95, or may be amended pursuant to the regular rulemaking process, as desired by the Commission.

### Goals and Benefits of the Regulation

The proposed regulations will help reduce or eliminate the delay between federal action and conforming State action which leads to a period of management inconsistency and confusion between regulations for federal and State ocean waters. Timely conformance also eliminates the potential for a preemption issued under the Magnuson-Stevens Fishery Conservation and Management Act, and reduces redundant workload for the State.

The proposed regulation may result in future benefits to the environment by the timely conformance to federal regulation, resulting in the sustainable management of California's fish resources.

### Compatibility with Existing State Regulations

The proposed regulations are neither inconsistent nor incompatible with existing State regulations. The Legislature has delegated authority to the Commission to adopt recreational fishing regulations in general (Fish and Game Code Sections 200, 205 and 265); and an automatic process to conform State recreational fishing regulations to federal regulations (Fish and Game Code Section 7110). Commission staff has searched the California Code of Regulations and has found no other State regulations related to conforming recreational fishing regulation to federal regulations.

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Howonquet Hall

Community Center, 101 Indian Court, Smith River, California, on Thursday, June 22, 2017, at 8:00 a.m., or as soon thereafter as the matter may be heard.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Resources Building Auditorium, First Floor, 1416 Ninth Street, Sacramento, California, on Thursday, August 17, 2017, at 8:00 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before 5:00 p.m. on August 3, 2017, at the address given below, or by email to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). **Written comments mailed, delivered, or emailed to the Commission office, must be received before 12:00 noon on August 11, 2017.** All comments must be received no later than August 17, 2017, at the hearing in Sacramento, California. If you would like copies of any modifications to this proposal, please include your name and mailing address.

### Availability of Documents

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation in underline and strikethrough format can be accessed through our website at [www.fgc.ca.gov](http://www.fgc.ca.gov). The regulations as well as all related documents upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Valerie Termini, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above-mentioned documents and inquiries concerning the regulatory process to Valerie Termini or Sherrie Fonbuena at the preceding address or phone number. **Sherrie Fonbuena, phone (916) 653-4899, has been designated to respond to questions on the substance of the proposed regulations.**

### Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

### Impact of Regulatory Action/Results of the Economic Impact Assessment

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following ini-

tial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulation prescribes a procedure the Commission may use to conform State recreational fishing regulations to federal regulations.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

The Commission does not anticipate any impacts on the creation or elimination of jobs in California.

The Commission does not anticipate any impacts on the creation of new businesses, the elimination of existing businesses, or the expansion of businesses in California.

The Commission does not anticipate benefits to the health and welfare of California residents.

The Commission anticipates future benefits to the environment by the timely conformance to federal regulation, resulting in the sustainable management of California's fish resources.

The Commission does not anticipate any benefits to worker safety.

- (c) Cost Impacts on a Representative Private Person or Business:

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

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

The Commission expects time savings for existing staff that will permit both the Commission and Department to devote more staff resources to achieving other core mandates.

- (e) Nondiscretionary Costs/Savings to Local Agencies: None.

- (f) Programs Mandated on Local Agencies or School Districts: None.

- (g) Costs Imposed on any Local Agency or School District that are Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.

- (h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code Sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, 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.

**TITLE 20. PUBLIC UTILITIES COMMISSION**

The California Public Utilities Commission (Commission) proposes to amend regulations described below after considering all comments, objections, or recommendations regarding the proposal.

At a duly noticed regularly scheduled meeting not earlier than June 29, 2017, in the Commission Auditorium, 505 Van Ness Avenue, San Francisco, the Commission will consider a proposal to amend the Rules of Practice and Procedure set forth in Division 1, Chapter 1 of Title 20 of the California Code of Regulations. The proposed amendments implement statutory amendments pursuant to Senate Bill 215, 2016–2017 Reg. Sess. (Ca. 2017), reflect changes in the Commission's administration, streamline certain procedures, and provide greater clarity regarding practice and procedure before the Commission.

**AUTHORITY TO ADOPT RULES**

Article XII, Section 2 of the California Constitution and Section 1701 of the Public Utilities Code authorize the Commission to adopt Rules of Practice and Procedure.

INFORMATIVE DIGEST

The California Public Utilities Commission proposes amendments to its Rules of Practice and Procedure to implement statutory amendments pursuant to Senate Bill (SB) 215, 2016–2017 Reg. Sess. (Ca. 2017), reflect changes in the Commission’s administration, streamline certain procedures, and provide greater clarity regarding practice and procedure before the Commission. In particular, the proposed amendments implement SB 215’s requirements regarding the disqualification of assigned commissioners and administrative law judges, the rules governing ex parte communications, and other procedural requirements in proceedings before the Commission.

AVAILABILITY OF STATEMENT OF REASONS AND PROPOSED TEXT

The proposed rule amendments are set forth in Draft Resolution ALJ–344 and available on the Commission’s web site at <http://docs.cpuc.ca.gov/SearchRes.aspx?docformat=ALL&DocID=185486822>.

The draft resolution includes a more detailed initial statement of the reasons for the rule amendments, and Appendix A of the draft resolution sets forth the complete text of the proposed rule amendments.

COMMENTS AND INQUIRIES

Any interested person may submit written comments concerning the proposed rule amendments. The written comment period closes at 5:00 p.m. on July 3, 2017. All comments must be served on the following contact person:

Hallie Yacknin  
Administrative Law Judge  
California Public Utilities Commission  
Division of Administrative Law Judges  
505 Van Ness Avenue  
San Francisco, CA 94102  
Telephone: (415) 703–1675  
e–mail: [hallie.yacknin@cpuc.ca.gov](mailto:hallie.yacknin@cpuc.ca.gov)

Inquiries concerning the substance of the proposed amendment, requests for copies of the text for the proposed amendment, or other questions should be directed to Judge Yacknin at the above street or e–mail address or telephone number.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the comment period, the Commission may adopt the proposed rule amendments substantially as described in this notice. If modifications are made that are sufficiently related to the originally proposed text, the modified text, with the changes clearly indicated, will be made available to the public for at least 15 days prior to the date on which the Commission adopts the rule amendments. Requests for copies of any modified rule amendments should be sent to the attention of Judge Yacknin at either of the addresses indicated above. The Commission will accept written comments on the modified regulations, if any, for 15 days after the date on which the modifications are made.

**TITLE 27. OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT**

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

**AMENDMENTS TO SECTION 25903(b)(2)(E) AND APPENDIX A CONTENTS OF NOTICES OF VIOLATION**

NOTICE IS HEREBY GIVEN that the Office of Environmental Health Hazard Assessment (OEHHA) proposes amending Section 25903(b)(2)(E) and Appendix A of Title 27 of the California Code of Regulations<sup>1</sup> to clarify the content required in notices of violation served on alleged violators of Proposition 65.

PUBLIC PROCEEDINGS

Any written comments concerning this proposed action, regardless of the form or method of transmission, must be received by OEHHA by 5:00 p.m. on **July 3, 2017**, the designated close of the written comment period. All comments received will be posted on the OEHHA website at the close of the public comment period.

The public is encouraged to submit written information via e–mail, rather than in paper form. Send e–mail comments to [P65Public.Comments@oehha.ca.gov](mailto:P65Public.Comments@oehha.ca.gov). Please include “Notice of Violation Amendments” in the subject line. Hard–copy comments may be mailed,

<sup>1</sup> All further references are to sections of Title 27, Cal. Code of Regs., unless otherwise indicated.

faxed, or delivered in person to the appropriate address below.

**Mailing**

**Address:** Ms. Monet Vela  
Office of Environmental Health  
Hazard Assessment  
P.O. Box 4010, MS-23B  
Sacramento, California  
95812-4010

**Fax:** (916) 323-2610

**Street**

**Address:** 1001 I Street  
Sacramento, California 95814

Please be aware that OEHHA is subject to the California Public Records Act and other laws that require the release of certain information upon request. Comments on all regulatory and other actions are routinely posted on our website. By sending us your comments you are waiving any right to privacy you may have in the information you provide. Individual commenters should advise OEHHA when submitting documents to request redaction of home address or personal telephone numbers. Names of commenters will not be redacted.

A public hearing on this proposed regulatory amendment will be scheduled on request. To request a hearing send an e-mail to Monet Vela at [monet.vela@oehha.ca.gov](mailto:monet.vela@oehha.ca.gov) or to the address listed above by no later than **June 19, 2017**, which is 14 days before the close of the comment period. OEHHA will mail a notice of the hearing to the requester and interested parties on the Proposition 65 mailing list for regulatory public hearings. The notice will also be posted on the OEHHA web site at least ten days before the public hearing date. The notice will provide the date, time, and location of the hearing.

If a hearing is scheduled and you have special accommodation or language needs, please contact Monet Vela at (916) 323-2517 or [monet.vela@oehha.ca.gov](mailto:monet.vela@oehha.ca.gov) at least one week in advance of the hearing. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

**CONTACT**

Please direct inquiries concerning the proposed regulatory action described in this notice to Monet Vela, in writing at the address given above, via e-mail to [monet.vela@oehha.ca.gov](mailto:monet.vela@oehha.ca.gov) or (916) 323-2517. Carl DeNigris will be a back-up contact. He can be contacted at (916) 322-5624 or [carl.denigris@oehha.ca.gov](mailto:carl.denigris@oehha.ca.gov).

**AUTHORITY**

Health and Safety Code Section 25249.12.

**REFERENCE**

Health and Safety Code Sections 25249.5, 25249.6, 25249.7, 25249.9, 25249.10 and 25249.11.

**INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Proposition 65 prohibits a person in the course of doing business from knowingly and intentionally exposing any individual to a chemical that has been listed as known to the state to cause cancer or reproductive toxicity, without first giving clear and reasonable warning to such individual<sup>2</sup>. The Act also prohibits a business from knowingly discharging a listed chemical into water or onto or into land where such chemical passes or probably will pass into any source of drinking water<sup>3</sup>.

Businesses that violate Proposition 65 can be sued by state and local prosecutors or private individuals acting in the public interest.<sup>4</sup> However, a private action can only be started 60 days after the private enforcer has sent the notice of violation to the Attorney General, district attorney, city attorney in the same jurisdiction, and the alleged violator.

Section 25903(b)(2)(E) of the California Code of Regulations, Title 27, describes the contents required for notices of violation involving occupational exposures. Notices alleging an occupational exposure must contain specific language required by the Occupational Health and Safety Regulations in section 338(b) of the CCR, Title 8.<sup>5</sup> However, section 25903(b)(2)(E) does not currently cross-reference section 338(b). The proposed amendments will include a cross-reference to this mandatory language.

Additionally, a notice of violation served upon an alleged violator must include Appendix A of section 25903 as an attachment.<sup>6</sup> Included in the current Appendix A is a Special Compliance Procedure Proof of Compliance Form that must only be provided to the alleged violator for the following types of exposures that occur without a warning pursuant to Health and Safety Code section 25249.7(k):

- An exposure to alcoholic beverages that are consumed on the alleged violator's premises to the extent onsite consumption is permitted by law;

<sup>2</sup> Health and Safety Code section 25249.6.

<sup>3</sup> Health and Safety Code section 25249.5.

<sup>4</sup> Health and Safety Code section 25249.7.

<sup>5</sup> See Appendix I of this Initial Statement of Reasons (required text highlighted).

<sup>6</sup> Health and Safety Code, section 25903(b)(1).

- An exposure to a Proposition 65 listed chemical in a food or beverage prepared and sold on the alleged violator's premises that is primarily intended for immediate consumption on- or off-premises. This only applies if the chemical was not intentionally added to the food, and was formed by cooking or similar preparation of food or beverage components necessary to render the food or beverage palatable or to avoid microbiological contamination;
- An exposure to environmental tobacco smoke caused by entry of persons (other than employees) on premises owned or operated by the alleged violator where smoking is permitted at any location on the premises;
- An exposure to listed chemicals in engine exhaust, to the extent the exposure occurs inside a facility owned or operated by the alleged violator and primarily intended for parking non-commercial vehicles.

The proposed amendments would move the Special Compliance Procedure Proof of Compliance Form to Appendix B in order to clarify that this special procedure is only required for the specific exposures described above,<sup>7</sup> and need not be included with all notices of violation.

Further details on the basis for the proposed amendments to section 25903(b)(2)(E) and Appendix A of section 25903 are provided in the Initial Statement of Reasons for this regulatory amendment, which is available on request from Monet Vela and is posted on the OEHHA web site at [www.oehha.ca.gov](http://www.oehha.ca.gov).

#### ANTICIPATED BENEFITS OF THE PROPOSED REGULATION

Private enforcers and alleged violators will benefit from the proposed amendment because it will clarify the information required in a valid notice of violation. These clarifications will ensure that alleged violators are correctly and fully informed of proper compliance procedures.

#### NO INCONSISTENCY OR INCOMPATIBILITY WITH EXISTING REGULATIONS

OEHHA has determined that the proposed amendment is neither inconsistent nor incompatible with existing state regulations because it does not address com-

pliance with any other law or regulation. These amendments further the purposes of Proposition 65 by ensuring clear notice and compliance procedures.

#### LOCAL MANDATE/FISCAL IMPACT

Because Proposition 65 expressly<sup>8</sup> does not apply to local agencies or school districts, OEHHA has determined the proposed regulatory action would not impose a mandate on local agencies or school districts; nor does it require reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. OEHHA has also determined that no nondiscretionary costs or savings to local agencies or school districts will result from the proposed regulatory action.

#### COSTS OR SAVINGS TO STATE AGENCIES

OEHHA does not anticipate any savings or increased costs for state agencies as a result of the proposed regulatory action.

#### EFFECT ON FEDERAL FUNDING TO THE STATE

Because Proposition 65 expressly<sup>9</sup> does not apply to any federal agency, OEHHA has determined that no costs or savings in federal funding to the State will result from the proposed regulatory action.

#### EFFECT ON HOUSING COSTS

OEHHA has determined that the proposed regulatory action will have no effect on housing costs.

#### SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE

Because the proposed regulatory amendment does not impose any new mandatory requirements on businesses subject to the Act, OEHHA has made an initial determination that this amendment 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.

<sup>8</sup> See Health and Safety Code section 25249.11(b).

<sup>9</sup> See Health and Safety Code section 25249.11(b).

<sup>7</sup> Health and Safety Code section 25249.7(k).

RESULTS OF ECONOMIC IMPACT ANALYSIS  
(Gov. Code section 11346.3(b))

**Impact on the Creation, Elimination, or Expansion of Jobs/Businesses in California**

This regulatory proposal will not affect the creation or elimination of jobs or businesses within the State of California, nor will it impact the expansion of existing businesses in the state. Proposition 65 requires businesses with ten or more employees to provide warnings when they expose people to chemicals that are known to cause cancer or reproductive harm. The law also prohibits the discharge of listed chemicals into sources of drinking water. This regulatory proposal does not create additional compliance requirements. The proposed amendments seek to clarify the requirements for private individuals who serve notices of violation on businesses. These amendments should reduce confusion for both noticing parties and notice recipients.

CONSIDERATION OF ALTERNATIVES

Government Code, section 11346.5(a)(13) requires that OEHHA must determine that no reasonable alternative considered by OEHHA or that has otherwise been identified and brought to the attention of OEHHA 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 than the proposal described in this Notice.

EFFECT ON SMALL BUSINESSES

OEHHA has determined that the proposed regulatory action will not impose any mandatory requirements on small businesses. Proposition 65 expressly exempts businesses with less than 10 employees from the warning and discharge requirements of the law.<sup>10</sup>

<sup>10</sup> Health and Safety Code section 25249.11(b).

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

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

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

OEHHA has prepared and has available for public review an Initial Statement of Reasons for the regulation, which contains the text of the regulation, and all the information upon which the regulation is based (rulemaking file). A copy of the Initial Statement of Reasons and the text of the regulation, as well as the complete rulemaking file, are available upon request from OEHHA at the address, e-mail address and telephone number indicated above. These documents are also posted on OEHHA's Web site at [www.oehha.ca.gov](http://www.oehha.ca.gov).

AVAILABILITY OF CHANGED OR MODIFIED TEXT

The full text of any regulation which is changed or modified from the express terms of this proposed action will be made available at least 15 days prior to the date on which OEHHA adopts the resulting regulation. Notice of the comment period on changed regulations and the full text will be mailed to individuals who testified or submitted written comments at the public hearing, if held, or whose comments were received by OEHHA during the public comment period, and anyone who requests notification from OEHHA of the availability of such changes. Copies of the notice and the changed regulation will also be available on the OEHHA Web site at [www.oehha.ca.gov](http://www.oehha.ca.gov).

AVAILABILITY OF FINAL STATEMENT OF REASONS

A copy of the Final Statement of Reasons may be obtained, when it becomes available, from OEHHA at the address, e-mail address and telephone number indicated above, and on the OEHHA website at [www.oehha.ca.gov](http://www.oehha.ca.gov).

**GENERAL PUBLIC INTEREST**

**DEPARTMENT OF FISH AND WILDLIFE**

**CALIFORNIA ENDANGERED SPECIES ACT  
CONSISTENCY DETERMINATION NO.  
2080–2017–004–01**

**Project:** Big Flat Road at Hurdygurdy Creek  
Bridge Replacement  
**Location:** Del Norte County  
**Applicant:** County of Del Norte

**Background**

The County of Del Norte (Applicant) proposes to replace the existing bridge over Hurdygurdy Creek on Big Flat Road located approximately two miles upstream from the confluence with the South Fork Smith River. The Big Flat Road at Hurdygurdy Creek Bridge Replacement (Project) involves removal of the existing bridge, construction of a new bridge located on the existing bridge alignment, construction of temporary work pads and temporary falsework. Big Flat Road is a fire evacuation route; therefore, a temporary detour and crossing downstream of the construction activities will also be constructed to ensure emergency vehicles can maintain access. Additional construction work includes the placement of rock-slope protection along the north abutment of the new bridge.

The Project activities described above are expected to incidentally take<sup>1</sup> coho salmon (*Oncorhynchus kisutch*), Southern Oregon–Northern California Coast evolutionary significant unit (SONCC coho salmon) where those activities take place within Hurdygurdy Creek. In particular, SONCC coho salmon could be incidentally taken as a result of the construction of the temporary detour, construction of temporary falsework, in-channel temporary work pads, and removal of the existing bridge and in-stream pier. SONCC coho salmon are designated as a threatened species pursuant to both the federal Endangered Species Act (ESA) (16 U.S.C., § 1531 et seq.) and the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.). (See Cal. Code Regs., tit. 14, § 670.5, subd. (b)(2)(D).)

<sup>1</sup> Pursuant to Fish and Game Code section 86, “‘Take’ means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” See also *Environmental Protection Information Center v. California Department of Forestry and Fire Protection* (2008) 44 Cal.4th 459, 507 (for purposes of incidental take permitting under Fish and Game Code section 2081, subdivision (b), “‘take’ . . . means to catch, capture or kill”).

SONCC coho salmon have been documented as present at the Project site and there is suitable non-natal rearing habitat within and adjacent to the Project site. Because of the occurrences of juvenile SONCC coho salmon at the Project site, the known dispersal patterns of SONCC coho salmon, and the presence of suitable SONCC coho salmon habitat within the Project site, the National Marine Fisheries Service (Service) determined that SONCC coho salmon is reasonably certain to occur within the Project site and that Project activities are expected to result in the incidental take of SONCC coho salmon.

According to the Service, the Project will result in the temporary loss of 0.08 acre of instream SONCC coho salmon habitat and 0.009 acre of riparian habitat, totaling 0.089 acre of temporary habitat loss. However, the removal of the existing in-stream pier and revegetation of riparian vegetation at a 3:1 ratio will result in a net gain of both instream and riparian habitat (0.27 acre total). No permanent habitat loss of aquatic SONCC coho habitat will occur because the new bridge will not have in-water piers. The Service determined that up to ten fish may be present and relocated during construction activities, and the relocation may result in death or injury of up to one juvenile SONCC coho salmon.

Because the Project is expected to result in take of a species designated as threatened under the federal ESA, the California Department of Transportation, as a Federal Highway Administration Agent, consulted with the Service as required by the ESA. On August 19, 2014, the Service issued a biological opinion (Service file No. SWR–2014–9851) (BO) to the California Department of Transportation. The BO describes the Project, requires the Applicant to comply with terms of the BO and its incidental take statement (ITS), and incorporates additional measures. The BO also requires the Applicant to implement and adhere to measures contained within the biological assessment (BA) and Essential Fish Habitat Assessment.

On April 4, 2017, the Director of the Department of Fish and Wildlife (CDFW) received a notice from the Applicant requesting a determination pursuant to Fish and Game Code section 2080.1 that the BO and its related ITS are consistent with CESA for purposes of the Project and SONCC coho salmon. (Cal. Reg. Notice Register 2010, No. 15–Z, p. 548.)

**Determination**

CDFW has determined that the ITS and associated BO are consistent with CESA as to the Project and SONCC coho salmon because the mitigation measures contained in the ITS, its associated BO, and conditions in the BA, meet the conditions set forth in Fish and Game Code section 2081, subdivisions (b) and (c), for authorizing incidental take of CESA-listed species.

Specifically, CDFW finds that: (1) take of SONCC coho salmon will be incidental to an otherwise lawful activity; (2) the mitigation measures identified in the BO, ITS, and BA will minimize and fully mitigate the impacts of the authorized take and in particular these measures are roughly proportional in extent to the authorized taking and are capable of successful implementation; (3) adequate funding is ensured to implement the required avoidance, minimization and mitigation measures and to monitor compliance with, and effectiveness of those measures; and (4) the Project will not jeopardize the continued existence of SONCC coho salmon. The mitigation measures in the BO, ITS, and BA include, but are not limited to, the following:

Avoidance, Minimization, and Mitigation Measures

- The Applicant shall remove the existing in-channel bridge pier and shall subsequently restore the channel hydraulic capacity and fluvial function.
- The Applicant shall minimize disturbance of riparian vegetation and shall replant riparian vegetation that is disturbed as a result of the Project at a 3:1 ratio.
- The Applicant will conduct in-channel work and any dewatering activities during the dry season (June 1–October 15).
- The Applicant shall ensure that stream dewatering and any fish relocation activities will be phased so as to minimize effects to SONCC coho salmon, including installation of fish exclusion devices, incremental dewatering of the stream so as to minimize stranding, and capture and relocation of fish according to the Service and CDFW guidelines.
- The Applicant shall ensure that qualified fisheries biologists are on-site to monitor work while the project is underway in order to minimize adverse impacts to SONCC coho salmon.

Monitoring and Reporting Measures

- The Applicant shall ensure that post-construction monitoring reports are provided to CDFW as required by the BA.
- The Applicant shall conduct annual monitoring and reporting of performance of riparian wetland mitigation for a period of five years following construction and shall provide a copy of these monitoring reports to CDFW.

Financial Assurances

- The Applicant has provided financial assurances consistent with CESA, in the form of documentation from the Federal Highway Administration Highway Bridge Program

confirming that \$1,927,000 has been approved (Expenditure Authorization No. BRLO–5901(045)) for the Project including all associated best management practices, avoidance and minimization measures, and post-project monitoring.

Pursuant to Fish and Game Code section 2080.1, take authorization under CESA is not required for the Project for incidental take of SONCC coho salmon, provided the Applicant implements the Project as authorized in the ITS, including adherence to all measures contained therein and in the BO, and complies with the mitigation measures and other conditions described in the BO, ITS and the BA. If there are any substantive changes to the Project, including changes to the mitigation measures, or if the Service amends or replaces the BO and ITS or the BA, the Applicant shall be required to obtain a new consistency determination or a CESA incidental take permit for the Project from CDFW. (See generally Fish & G. Code, §§ 2080.1; 2081, subs. (b) and (c)).

**DEPARTMENT OF HEALTH  
CARE SERVICES**

**NOTICE IS HEREBY GIVEN** that the Department of Health Care Services (DHCS) is submitting an Amendment to the Pediatric Palliative Care (PPC) Waiver to the Centers for Medicare and Medicaid Services (CMS). The PPC Waiver serves children who have a California Children’s Services (CCS) eligible medical condition with a complex set of needs. The PPC Waiver is based on the principle that curative treatments, along with palliative care, can improve the quality of life for children and families, and reduce institutionalizations.

PPC Waiver Home Health and Hospice agencies have expressed concern over their ability to recruit and retain an adequate provider pool. Serving PPC Waiver participants requires specialized training and certification, and there is a significant administrative responsibility of Home Health and Hospice agencies to ensure the necessary conflict of interest safeguards are in place. In order to address these concerns, the State is submitting a Waiver Amendment to implement a supplemental payment to Home Health and Hospice agencies.

This notice is to inform stakeholders that the Waiver Amendment is available for public input, and to invite all interested parties to review and comment on the proposed Amendment. The 30-day public input period will begin May 15, 2017, and will end on June 14, 2017. The Waiver Amendment can be found at the following address: <http://www.dhcs.ca.gov/services/ppc/Pages/default.aspx>. If you would like to request a hard copy,

please email [CCSPPC@dhcs.ca.gov](mailto:CCSPPC@dhcs.ca.gov) or call (916) 750-3585.

Please submit comments to [CCSPPC@dhcs.ca.gov](mailto:CCSPPC@dhcs.ca.gov), or by mail to the following address:

ATTN: PPCW Public Input  
Department of Health Care Services  
1501 Capitol Ave. MS 0018  
Sacramento, CA 95814-5005

The State will review any feedback received and will incorporate public comment, as necessary.

## PROPOSITION 65

### OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

#### PROPOSITION 65 EXTENSION OF COMMENT PERIOD AND NOTICE OF PUBLIC HEARING — PROPOSED SPECIFIC REGULATORY LEVEL CHEMICAL CAUSING CANCER: GLYPHOSATE

#### TITLE 27, CALIFORNIA CODE OF REGULATIONS SECTION 25705

The Office of Environmental Health Hazard Assessment (OEHHA) has proposed a No Significant Risk Level (NSRL) for the chemical glyphosate to be adopted into regulation in Title 27, California Code of Regulations, section 25705. NSRLs assist interested parties in determining whether warnings are required for exposures to chemicals listed as known to the state to cause cancer, and whether discharges of listed chemicals to sources of drinking water are prohibited.

A Notice of Proposed Rulemaking announcing the proposed NSRL for Glyphosate was published in the California Regulatory Notice Register on April 7, 2017 (Register 2017, No. 14-Z) and initiated a 45-day public comment period that was scheduled to close on May 22, 2017. OEHHA has received multiple requests to hold a public hearing on the proposed NSRL for glyphosate.

OEHHA has scheduled a public hearing on Wednesday, June 7, 2017 at the California Environmental Protection Agency Headquarters Building, Sierra Hearing Room, located at 1001 I Street, 2nd Floor, Sacramento, California. The public hearing will begin at 1:30 p.m. and continue until all business has been conducted, or 5:00 p.m. If you have special accommodation or lan-

guage needs, please contact Esther Barajas-Ochoa at (916) 322-2068 or [esther.barajas-ochoa@oehha.ca.gov](mailto:esther.barajas-ochoa@oehha.ca.gov) by May 31, 2017. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

OEHHA hereby extends the public comment period on this proposed amendment to 5:00 p.m., Wednesday, June 21, 2017. The public is encouraged to submit written information via e-mail or at <https://oehha.ca.gov/comments> rather than in paper form. Send e-mail comments to [P65Public.Comments@oehha.ca.gov](mailto:P65Public.Comments@oehha.ca.gov). Please include "GLYPHOSATE NSRL" in the subject line. Hard-copy comments may be mailed, faxed, or delivered in person to the appropriate address below.

Esther Barajas-Ochoa  
Regulations Coordinator  
Office of Environmental Health Hazard  
Assessment  
P.O. Box 4010, MS-12B  
101 I Street  
Sacramento, California 95812  
or via e-mail to  
[esther.barajas-ochoa@oehha.ca.gov](mailto:esther.barajas-ochoa@oehha.ca.gov)  
Fax: (916) 323-2265

### OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

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

#### NOTICE TO INTERESTED PARTIES

#### ACCEPTANCE OF A REQUEST FOR A SAFE USE DETERMINATION FOR DIISONONYL PHTHALATE (DINP) IN INTERFACE GLASBAC® and GLASBAC®RE MODULAR CARPET TILE AND OPPORTUNITY FOR PUBLIC COMMENT

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as Proposition 65, codified at Health and Safety Code section 25249.5 *et seq.*). OEHHA has received a request for a Safe Use Determination (SUD) for the use of diisononyl phthalate (DINP) in Interface GlasBac® and GlasBac®RE modular carpet tile, specifically that exposures to DINP in the carpet tile do not present significant cancer risks un-

der Proposition 65, and therefore do not require a warning. The request is made by Interface, Inc. pursuant to Title 27 of the California Code of Regulations, section 25204(b)(3).

This SUD request is limited to exposures to DINP in Interface GlasBac® and GlasBac®RE modular carpet tiles. Exposure to other listed substances, if any, which may be present in the Interface GlasBac® and GlasBac®RE modular carpet tiles will not be reviewed by OEHHA in the context of this request.

In accordance with the process set forth in section 25204(f)<sup>1</sup>, interested persons may comment on the request in writing within a 30-day public comment period. A public hearing on this request for a SUD will be scheduled upon request. To request a hearing, send an e-mail to Michelle Ramirez at [Michelle.Ramirez@oehha.ca.gov](mailto:Michelle.Ramirez@oehha.ca.gov) or to the address listed below by no later than June 5, 2017, which is 15 days before the close of the comment period. If requested, the hearing shall be held on a date not less than 30 days after the notice is published. OEHHA will mail a notice of the hearing to the requester and the notice will also be posted on the OEHHA website at least ten days before the public hearing date. The notice will provide the date, time, and location of the hearing.

If a hearing is scheduled and you have special accommodation needs, please contact Michelle Ramirez at (916) 445-6900 or [Michelle.Ramirez@oehha.ca.gov](mailto:Michelle.Ramirez@oehha.ca.gov) at least one week in advance of the hearing. TTY/TDD/Speech-to-Speech users dial 7-1-1 for the California Relay Service.

In order for public comments to be considered, **OEHHA must receive written comments by 5:00 p.m. on Monday, June 19, 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 may 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](mailto:Michelle.Ramirez@oehha.ca.gov) or (916) 445-6900.

**DISAPPROVAL DECISION**

Printed below is the summary of an Office of Administrative Law disapproval decision. The full text of the disapproval decision is available at [www.oal.ca.gov](http://www.oal.ca.gov) under the “Publications” tab. You may also request a copy of a decision by contacting the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339, (916) 323-6225 — FAX (916) 323-6826. Please request by OAL file number.

**DEPARTMENT OF PARKS AND RECREATION**

**State of California  
Office of Administrative Law**

**In re:**  
**Department of Parks and Recreation**

**Regulatory Action:**  
**Title 14, California Code of Regulations**

**Adopt sections: 4325**

**DECISION OF DISAPPROVAL OF REGULATORY ACTION**

**Government Code Section 11349.3**

**OAL Matter Number: 2017-0317-02**

**OAL Matter Type: Regular (S)**

**SUMMARY OF REGULATORY ACTION**

This action by the Department of Parks and Recreation (Department) proposed to adopt section 4325 in title 14 of the California Code of Regulations to restrict public off-trail use in units classified as Natural Preserves, Cultural Preserves, State Cultural Reserves, and State Natural Preserves. On March 17, 2017, the Department submitted the above-referenced regulatory action to the Office of Administrative Law (OAL) for review. On May 1, 2017, OAL notified the Department of the disapproval of this regulatory action.

<sup>1</sup> All referenced sections are from Title 27 of the Cal. Code of Regulations.

**DECISION**

The reason for the disapproval was failure to comply with the “clarity” standard of Government Code section 11349.1. This Decision of Disapproval of Regulatory Action explains the reasons for OAL’s action.

**CONCLUSION**

For the reasons set forth above, OAL disapproved this regulatory action. Pursuant to Government Code section 11349.4, subdivision (a), the Department may resubmit this rulemaking action within 120 days of its receipt of this Decision of Disapproval. A copy of this disapproval decision will be e-mailed to the Department contact person on the date this decision is signed below.

Any changes made to the regulation text to address the clarity issues discussed above must be made available for at least 15 days for public comment pursuant to Government Code section 11346.8 and section 44 of title 1 of the CCR prior to adoption by the Department. Additionally, any supplement to the ISR or other document the Department may create or otherwise propose to add to the record must be made available for at least 15 days for public comment pursuant to Government Code section 11347.1 prior to adoption by the Department.

If you have any questions, please contact me at (916) 323-8916.

Date: May 8, 2017

Kevin D. Hull  
Senior Attorney

For: Debra M. Cornez  
Director

Original: Lisa Mangat, Director  
Copy: Alexandra Stehl

**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# 2017-0328-05  
BOARD FOR PROFESSIONAL ENGINEERS,  
LAND SURVEYORS AND GEOLOGISTS  
Structural & Geotechnical Engineers Qualifying  
Experience

In this regulatory action, the Board amends Title 16, sections 426.10, 426.14, and 426.50, of the California Code of Regulations to clarify that an applicant’s qualifying experience begins at the date of licensure rather than the date of passing the examination to gain licensure. Further, the Board amends subdivision 426.50(b) to reflect that the Board has the option to grant up to one year credit of qualifying experience for possession of post graduate degree(s) from a Board-approved school of engineering with major studies in soil engineering.

Title 16  
AMEND: 426.10, 426.14, 426.50  
Filed 05/10/2017  
Effective 07/01/2017  
Agency Contact: Billie Baldo (916) 263-2277

File# 2017-0321-02  
BOARD OF EQUALIZATION  
Retail Stock

This action expands upon the statutory term “retail stock” to clarify when cigarettes and tobacco products are distributed and taxable by being placed in retail stock for the purpose of selling the products to consumers. (Rev. & Tax. Code, § 30008(c).)

Title 18  
ADOPT: 4001  
Filed 05/03/2017  
Effective 07/01/2017  
Agency Contact: Richard Bennion (916) 445-2130

File# 2017-0321-01  
BOARD OF FORESTRY AND FIRE PROTECTION  
Safety Element Review, 2017

The Board of Forestry and Fire Protection (Board) proposed this action to adopt four sections under a new article into title 14 of the California Code of Regulations and to incorporate by reference the “General Plan Safety Element Assessment” to establish standardized procedures and criteria for Board review of the safety element in local government general plans.

Title 14  
ADOPT: 1265.00, 1265.01, 1265.02, 1265.03  
Filed 05/03/2017  
Effective 07/01/2017  
Agency Contact: Edith Hannigan (916) 862-0120

File# 2017-0322-05  
**BOARD OF OCCUPATIONAL THERAPY**  
 Fees

This action by the Board of Occupational Therapy increases various licensure fees for Occupational Therapists and Occupational Therapy Assistants.

Title 16  
 AMEND: 4130  
 Filed 05/04/2017  
 Effective 07/01/2017  
 Agency Contact: Heather Martin (916) 263-2294

File# 2017-0425-03  
**CALIFORNIA ALTERNATIVE ENERGY AND  
 ADVANCED TRANSPORTATION FINANCING  
 AUTHORITY**  
 Sales and Use Tax Exclusion Program

This second emergency readopt by the California Alternative Energy and Advanced Transportation Financing Authority (previous OAL File Nos. are 2017-0201-01EE and 2016-0801-06E) amends sections 10031, 10032, 10033, 10035, and 10036 in title 4 of the California Code of Regulations. These amendments incorporate Recycled Feedstock projects into the existing sales and use tax exclusion program for Alternative Source, Advanced Transportation, and Advanced Manufacturing projects (the "Program"). Additionally, these regulations further clarify and specify the underlying statutes and address "lessons learned" from earlier implementation of the Program.

Title 4  
 AMEND: 10031, 10032, 10033, 10035, 10036  
 Filed 05/04/2017  
 Effective 05/09/2017  
 Agency Contact: Alejandro Ruiz (916) 651-5101

File# 2017-0327-02  
**CALIFORNIA POLLUTION CONTROL  
 FINANCING AUTHORITY**  
 Americans with Disabilities Act Small Business Capital Access Program

This Certificate of Compliance filing by the California Pollution Control Financing Authority ("CPCFA") makes permanent the adoption of sections 8078.8, 8078.9, 8078.10, 8078.11, 8078.12, 8078.13, and 8078.14 in title 4 of the California Code of Regulations. These sections establish the California Americans with Disabilities Act Small Business Capital Access Financing Program, which is administered by CPCFA's California Capital Access Program.

Title 4  
 ADOPT: 8078.8, 8078.9, 8078.10, 8078.11,  
 8078.12, 8078.13, 8078.14  
 Filed 05/08/2017  
 Effective 05/08/2017  
 Agency Contact: Bianca Smith (916) 653-5408

File# 2017-0327-01  
**DEPARTMENT OF DEVELOPMENTAL SERVICES**  
 Enhanced Behavioral Supports Home

The Department of Developmental Services submitted this timely certificate of compliance to make permanent the regulations adopted in OAL File No. 2016-0128-02E. The emergency regulatory action adopted sections in CCR title 17, to enable eligible consumers to reside in Enhanced Behavioral Supports Homes and avoid placement in more restrictive or out-of-state living arrangements. This rulemaking implements SB 856 and the Lanterman Act, Welfare and Institutions Code section 4500 et seq., enacted to reduce institutionalization of people with developmental disabilities and prevent dislocation from home communities.

Title 17  
 ADOPT: 59050, 59051, 59052, 59053, 59054,  
 59055, 59056, 59057, 59058, 59059, 59060, 59061,  
 59062, 59063, 59064, 59065, 59066, 59067, 59068,  
 59069, 59070, 59071, 59072  
 Filed 05/09/2017  
 Effective 05/09/2017  
 Agency Contact: Tiffani Andrade (916) 654-3016

File# 2017-0403-01  
**DEPARTMENT OF DEVELOPMENTAL SERVICES**  
 DDS End of Life Option Act Regulations

The Department of Developmental Services (Department) submitted this timely certificate of compliance action to make permanent three sections adopted into title 17 of the California Code of Regulations as an emergency. 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 05/10/2017  
 Effective 05/10/2017  
 Agency Contact: Alyssa Carroll (916) 654-3405

File# 2017-0328-02  
**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 emer-

gency action (OAL File No.: 2016–0927–01E) that expanded the quarantine area for the Asian Citrus Psyllid ((ACP) *Diaphorina citri*) by approximately 14 square miles in the Arvin area of Kern County. The amendment provides permanent authority for the state to continue performing quarantine activities against ACP within this area.

Title 3  
 AMEND: 3435(b)  
 Filed 05/04/2017  
 Agency Contact: Sara Khalid (916) 403–6625

File# 2017–0328–03  
 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 file no. 2016–1003–02E) that established a quarantine area for the Asian Citrus Psyllid ((ACP) *Diaphorina citri*) of approximately 118 square miles in the Lincoln area of Placer County. The effect of this action provides permanent authority for the state to perform quarantine activities against ACP within this established area, along with the many already existing regulated areas in the state.

Title 3  
 AMEND: 3435(b)  
 Filed 05/09/2017  
 Agency Contact: Sara Khalid (916) 403–6625

File# 2017–0411–05  
 DEPARTMENT OF FOOD AND AGRICULTURE  
 Apricots

This regular rulemaking by the Department of Food and Agriculture (the “Department”) amends sections 1402.7 and 1402.8 in title 3 of the California Code of Regulations. On October 18, 2016, the California Fresh Fruit Association (the “Association”) submitted a petition to the Department wherein the Association requested that the Department revise marking and size nomenclature in Section 1402.7 and 1402.8 so that the regulations are consistent with industry packaging and marking practices. In response to the Association’s petition, the Department is deleting (1) an apricot variety marking requirement and (2) expired apricot parenthetical descriptive size designation marking requirements.

Title 3  
 AMEND: 1402.7, 1402.8  
 Filed 05/08/2017  
 Effective 05/08/2017  
 Agency Contact: Laurel Rudolph (916) 900–5322

File# 2017–0502–01  
 DEPARTMENT OF FOOD AND AGRICULTURE  
 Huanglongbing Disease Interior Quarantine

This emergency action by the Department of Food and Agriculture expands the quarantine area for the Huanglongbing (HLB) disease by approximately 56 square miles in the La Habra area of Los Angeles and Orange counties in response to the confirmation of HLB on April 11, 2017. The expansion of the quarantine area results in combining the Hacienda Heights and San Gabriel area quarantine with the Cerritos area quarantine. This emergency action provides authority for the state to perform quarantine activities against HLB within these areas.

Title 3  
 AMEND: 3439(b)  
 Filed 05/08/2017  
 Effective 05/08/2017  
 Agency Contact: Sara Khalid (916) 403–6625

File# 2017–0502–02  
 Department Of Food And Agriculture  
 Asian Citrus Psyllid Interior Quarantine

This emergency regulatory action by the Department of Food and Agriculture will expand the quarantine area for the Asian Citrus Psyllid ((ACP) *Diaphorina citri*) in the Waco area of Kern County. The effect of the emergency action provides authority for the state to perform quarantine activities against ACP within this established area, along with the many already existing regulated areas in the state.

Title 3  
 AMEND: 3435(b)  
 Filed 05/04/2017  
 Effective 05/04/2017  
 Agency Contact: Sara Khalid (916) 403–6625

File# 2017–0502–03  
 DEPARTMENT OF FOOD AND AGRICULTURE  
 Melon Fruit Fly Eradication Area

The Department of Food and Agriculture submitted this emergency action to amend section 3591.15 of title 3 of the California Code of Regulations to add Riverside County as an eradication area for melon fruit fly, *Bactrocera cucurbitae*.

Title 3  
 AMEND: 3591.15  
 Filed 05/04/2017  
 Effective 05/04/2017  
 Agency Contact: Sara Khalid (916) 403–6625

File# 2017-0324-03  
 DEPARTMENT OF RESOURCES RECYCLING  
 AND RECOVERY  
 Used Oil Regulation

In this rulemaking action, the Department of Resources, Recycling and Recovery adopts, amends, and repeals numerous sections in Title 14 of the California Code of Regulations to conform Title 14 regulations to statutory changes made by Senate Bill 546, Chapter 353, Statutes of 2009, concerning the California Oil Recycling Enhancement Act. The action also clarifies procedures and processes utilized in the Used Oil Recycling Program and enhances fiduciary oversight of the Used Oil Recycling Fund.

Title 14  
 ADOPT: 18651.10, 18657.0, 18657.1 AMEND:  
 18600, 18601, 18611, 18612, 18613, 18614,  
 18614.1, 18616, 18619.1, 18619.2, 18619.3,  
 18619.4, 18619.5, 18620, 18621, 18622, 18623,  
 18624, 18625, 18626, 18627, 18631, 18632, 18633,  
 18634, 18641, 18642, 18643.0, 18643.2, 18643.3,  
 18643.4, 18643.5, 18643.6, 18643.7, 18650.1,  
 18650.2, 18650.3, 18650.4, 18650.5, 18650.6,  
 18650.61, 18650.7, 18650.8, 18650.9, 18651.0,  
 18651.1, 18651.2, 18651.3, 18651.4, 18651.5,  
 18651.6, 18651.7, 18651.8, 18651.9, 18653.0,  
 18653.1, 18653.2, 18653.3, 18653.4, 18653.5,  
 18653.6, 18655.1, 18655.2, 18655.3, 18655.5,  
 18655.51, 18655.6, 18655.7, 18655.8, 18656.0 RE-  
 PEAL: 18615, 18643.1, 18655.4, 18655.9, 18658.0,  
 18658.1, 18658.2, 18658.3, 18659.0, 18659.1,  
 18659.2, 18659.3, 18659.4, 18659.5  
 Filed 05/08/2017  
 Effective 07/01/2017  
 Agency Contact: Ron Darbee (916) 341-6695

File# 2017-0404-01  
 DEPARTMENT OF SOCIAL SERVICES  
 Residential Care Facilities for the Elderly Licensing  
 and Reporting, Section 100

This action makes changes to Title 22 and the Department of Social Services Manual of Policies and Procedures (MPP) to conform to changes made to the Health and Safety Code by Senate Bill 897, Chapter 376, Statutes of 2011 and Assembly Bill 1899, Chapter 700, Statutes of 2014 concerning Residential Care Facilities for the Elderly and the denial of applications for licensure and suspension or revocation of licenses, updates outdated statutory cross-references, amends reference citations and updates the MPP Handbook sections.

Title 22, MPP  
 AMEND: 87163, 87217, 87775  
 Filed 05/09/2017  
 Agency Contact: Oliver Chu (916) 657-3588

File# 2017-0321-03  
 OFFICE OF ENVIRONMENTAL HEALTH  
 HAZARD ASSESSMENT  
 Proposition 65 MADLs for Triazines Chemicals

The Office of Environmental Health Hazard Assessment proposed this action to establish maximum allowable dose levels (MADLs) for oral exposure to six chemicals by amending title 27, California Code of Regulations, section 25805(b). The six chemicals are atrazine, propazine, simazine, 2,4-diamino-6-chloro-s-triazine (DACT), des-ethyl atrazine (DEA), and des-isopropyl atrazine (DIA). The MADL for each of the six chemicals is 100 micrograms per day.

Title 27  
 AMEND: 25805  
 Filed 05/03/2017  
 Effective 07/01/2017  
 Agency Contact: Monet Vela (916) 323-2517

File# 2017-0323-03  
 OFFICE OF ENVIRONMENTAL HEALTH  
 HAZARD ASSESSMENT  
 Prop 65 Styrene No Significant Risk Levels (NSRL)

This action by the Office of Environmental Health Hazard Assessment adds an exposure level of 27 micrograms per day of the chemical Styrene to the list of chemicals deemed to pose no significant risk.

Title 27  
 AMEND: 25705  
 Filed 05/04/2017  
 Effective 07/01/2017  
 Agency Contact:  
 Esther Barajas-Ochoa (916) 322-2068

File# 2017-0330-01  
 PHYSICAL THERAPY BOARD OF CALIFORNIA  
 English Proficiency

This rulemaking action by the Physical Therapy Board of California amends section 1398.25 and adopts section 1398.26.3 in title 16 of the California Code of Regulations to set a passing score on the Test of English as a Foreign Language (TOEFL) exam for applicants who graduated from a physical therapist education program that is not approved by the Board and is not located in the United States. This action also requires the passing score to be achieved within a single administration of the TOEFL exam and provides additional clarification regarding reporting requirements.

Title 16  
 ADOPT: 1398.26.3 AMEND: 1398.25  
 Filed 05/08/2017  
 Effective 07/01/2017  
 Agency Contact: Brooke Arneson (916) 561-8260

**Title 3**  
 05/09/17 AMEND: 3435(b)  
 05/08/17 AMEND: 1402.7, 1402.8  
 05/08/17 AMEND: 3439(b)  
 05/04/17 AMEND: 3435(b)  
 05/04/17 AMEND: 3435(b)  
 05/04/17 AMEND: 3591.15  
 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  
 01/05/17 AMEND: 6625  
 01/04/17 AMEND: 3435(b)  
 01/03/17 AMEND: 3435(b)

**CCR CHANGES FILED  
 WITH THE SECRETARY OF STATE  
 WITHIN December 7, 2016 TO  
 May 10, 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

**CALIFORNIA REGULATORY NOTICE REGISTER 2017, VOLUME NO. 20-Z**

- 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
  
- Title 4**
- 05/08/17 ADOPT: 8078.8, 8078.9, 8078.10, 8078.11, 8078.12, 8078.13, 8078.14
- 05/04/17 AMEND: 10031, 10032, 10033, 10035, 10036
- 05/02/17 ADOPT: 10325.5 AMEND: 10337
- 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
  
- 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
  
- 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
  
- 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
- 01/02/17 AMEND: 2594, 2594.1, 2594.2, 2594.3, 2594.4
- 12/15/16 ADOPT: 3733
- 12/12/16 AMEND: 2695.8(e)
- 12/12/16 AMEND: 6658, 6660, 6664
  
- 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

**CALIFORNIA REGULATORY NOTICE REGISTER 2017, VOLUME NO. 20-Z**

- 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
- Title 13**  
04/19/17 AMEND: 26.01, 26.02  
04/17/17 AMEND: 2222  
04/06/17 AMEND: 1157.21  
02/22/17 AMEND: 1153  
02/21/17 ADOPT: 26.01, 26.02  
02/21/17 AMEND: 553.70  
02/16/17 ADOPT: 15.01 AMEND: 15.00  
02/02/17 AMEND: 2467, 2467.1, 2467.2, 2467.3, 2467.4, 2467.5, 2467.6, 2467.7, 2467.8, 2467.9  
01/19/17 AMEND: Article 3.6 Ch. 1 Div. 1 — Heading  
01/19/17 AMEND: 170.12  
01/18/17 AMEND: 1159  
12/21/16 AMEND: 330.42
- Title 14**  
05/08/17 ADOPT: 18651.10, 18657.0, 18657.1 AMEND: 18600, 18601, 18611, 18612, 18613, 18614, 18614.1, 18616, 18619.1, 18619.2, 18619.3, 18619.4, 18619.5, 18620, 18621, 18622, 18623, 18624, 18625, 18626, 18627, 18631, 18632, 18633, 18634, 18641, 18642, 18643.0, 18643.2, 18643.3, 18643.4, 18643.5, 18643.6, 18643.7, 18650.1, 18650.2, 18650.3, 18650.4, 18650.5, 18650.6, 18650.61, 18650.7, 18650.8, 18650.9, 18651.0, 18651.1, 18651.2, 18651.3, 18651.4, 18651.5, 18651.6, 18651.7, 18651.8, 18651.9, 18653.0, 18653.1, 18653.2, 18653.3, 18653.4, 18653.5, 18653.6, 18655.1, 18655.2, 18655.3, 18655.5, 18655.51, 18655.6, 18655.7, 18655.8, 18656.0 REPEAL: 18615, 18643.1, 18655.4, 18655.9, 18658.0, 18658.1, 18658.2, 18658.3, 18659.0, 18659.1, 18659.2, 18659.3, 18659.4, 18659.5  
05/03/17 ADOPT: 1265.00, 1265.01, 1265.02, 1265.03  
05/01/17 AMEND: 27.80  
05/01/17 AMEND: 28.20  
04/18/17 AMEND: 1038  
04/13/17 ADOPT: 3805.1  
04/12/17 ADOPT: 111
- 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  
03/14/17 REPEAL: 8600  
03/07/17 ADOPT: 749.9  
03/03/17 ADOPT: 16500  
03/02/17 ADOPT: 748.6  
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  
02/28/17 AMEND: 1.74, 5.05, 5.20, 5.35, 5.40, 5.60, 7.00, 7.50, 29.45, 43, 671  
02/27/17 ADOPT: 715 AMEND: 702  
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  
02/17/17 AMEND: 632  
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  
01/23/17 AMEND: 870.15, 870.17, 870.19, 870.21  
01/03/17 AMEND: 1724.9  
12/27/16 AMEND: 29.15  
12/22/16 AMEND: 472  
12/21/16 AMEND: 782  
12/12/16 AMEND: 28301  
12/08/16 ADOPT: 782.1
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04/17/17 AMEND: 3000, 3030, 3190, 3269  
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  
04/03/17 ADOPT: 3999.22  
03/22/17 AMEND: 8006  
03/21/17 ADOPT: 8900 AMEND: 8901  
03/14/17 AMEND: 8004, 8004.3

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03/07/17 AMEND: 3332, 3343  
 02/22/17 AMEND: 3173.2  
 02/09/17 AMEND: 3000, 3090, 3177, 3323, 3375, 3375.1, 3375.2, 3375.3, 3375.4, 3375.5, 3377.1, 3377.2, 3379  
 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

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05/10/17 AMEND: 426.10, 426.14, 426.50  
 05/08/17 ADOPT: 1398.26.3 AMEND: 1398.25  
 05/04/17 AMEND: 4130  
 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

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05/10/17 ADOPT: 51000, 51001, 51002  
 05/09/17 ADOPT: 59050, 59051, 59052, 59053, 59054, 59055, 59056, 59057, 59058, 59059, 59060, 59061, 59062, 59063, 59064, 59065, 59066, 59067, 59068, 59069, 59070, 59071, 59072  
 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

**Title 18**

05/03/17 ADOPT: 4001  
 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

**Title 19**

05/01/17 AMEND: 2020, 2021  
 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,

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	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		85369, 85375, 89900, 89901, 89918, 89920, 89922, 89940, 89942, 89964, 89965, 89968.1, 89968.2, 89970, 89987, 89990AMEND: 80001, 80020, 80022, 80028, 80065, 80068, 80070, 80072, 80087, 85000, 85068.2
02/09/17	ADOPT: 2020, 2021, 2030 AMEND: 2000		
<b>Title 20</b>		01/18/17	AMEND: 87101, 87464, 87507, 87706
03/27/17	AMEND: 2909	<b>Title 23</b>	
03/27/17	AMEND: 1602, 1606	03/16/17	ADOPT: 3929.15
03/27/17	AMEND: 1606, 1607	03/08/17	ADOPT: 3949.12
01/05/17	AMEND: 2401, 2402	03/07/17	ADOPT: 6000, 6001, 6002, 6003, 6004, 6005, 6006, 6007, 6008, 6009, 6010, 6011, 6012, 6013, 6014, 6015
<b>Title 21</b>		02/27/17	ADOPT: 863, 864, 864.5, 865, 866
01/19/17	ADOPT: 1413, 1413.1, 1413.2, 1413.3, 1413.4	01/30/17	AMEND: 3969.1
<b>Title 22</b>		01/03/17	ADOPT: 1066.5
04/19/17	ADOPT: 69511, 69511.1	12/13/16	ADOPT: 3919.17
04/18/17	REPEAL: 97770, 97771, 97772	<b>Title 25</b>	
04/10/17	ADOPT: 64300, 64305, 64310, 64315	01/23/17	ADOPT: 5535, 5535.5, 5536, 5536.5
03/27/17	AMEND: 51121	<b>Title 27</b>	
03/16/17	AMEND: 20100.5	05/04/17	AMEND: 25705
03/09/17	AMEND: 64806	05/03/17	AMEND: 25805
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	04/04/17	AMEND: 25805
01/10/17	AMEND: 2706-2, 2706-7, 2708(b)-1, 3302-1, 3302-2	03/21/17	AMEND: 27000
12/28/16	AMEND: 66262.34	02/08/17	AMEND: 27001
<b>Title 22, MPP</b>		01/27/17	AMEND: 25204(f)
05/09/17	AMEND: 87163, 87217, 87775	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
05/02/17	AMEND: 80001, 80061, 81001, 81061, 82001, 82061, 82065, 87101, 87211	<b>Title 28</b>	
04/27/17	AMEND: 101216.4, 101417	03/21/17	AMEND: 1300.67.241
02/09/17	ADOPT: 85300, 85301, 85302, 85322, 85361, 85365, 85368, 85368.2, 85368.3,	<b>Title MPP</b>	
		05/01/17	AMEND: 44-211
		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