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*Time-  
Dated  
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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 14. BOARD OF FORESTRY AND FIRE PROTECTION**

**NOTICE OF PROPOSED RULEMAKING**

**Napa County Rules 2004**

The Board of Forestry and Fire Protection (Board) proposes to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

**PROPOSED REGULATORY ACTION**

The Board proposes to amend the following sections of Title 14 of the California Code of Regulations (14 CCR):

- § 946 Napa County Rules [Napa County]
- § 946.1 Definitions [Napa County]
- § 946.2 Assessment Areas [Napa County]
- § 946.3 Special Harvesting Practices [Napa County]
- § 946.4 Retention Standards and Re-Entry Periods [Napa County]
- § 946.5 Log Hauling [Napa County]
- § 946.6 Flagging [Napa County]
- § 946.7 Soil: Timber Operation and Road Construction Debris Deposition [Napa County]
- § 946.8 Performance Bonding [Napa County]
- § 946.9 Hours of Operation [Napa County]
- § 946.10 Tractor Yarding [Napa County]
- § 946.11 Watercourse Mapping [Napa County]
- § 946.12 Domestic Water Supply Protection: Equipment Limitation Zones [Napa County]
- § 946.13 Reduction of Soil Loss [Napa County]
- § 946.14 Domestic Water Supply Protection [Napa County]
- § 946.15 Biotic Resources [Napa County]
- § 946.16 Road Construction [Napa County]
- § 946.17 Design of Drainage Structures and Watercourse Crossings [Napa County]
- § 946.18 Maintenance Period [Napa County]
- § 946.19 Domestic Water Supply Protection: Road Maintenance [Napa County]

- § 946.20 Plan Submittal and Notice of Intent [Napa County]
- § 946.21 Domestic Water Protection: Request for Information [Napa County]
- § 946.22 Contents of Plan: Plan Area Description [Napa County]
- § 946.23 Contents of Plan: Mapping Requirements [Napa County]
- § 946.24 Registered Professional Forester Responsibility [Napa County]
- § 946.25 Notice of Filing: Distribution [Napa County]
- § 946.26 Review Teams to be Established [Napa County]
- § 946.27 Review Period Waiver [Napa County]
- § 946.28 Exemption Form: Mapping Requirements [Napa County]
- § 946.29 Emergency Notice: Mapping [Napa County]
- § 946.30 Emergency Notice: Waiting Period [Napa County]
- § 946.31 Conversion Exemptions: Distribution of Notice of Conversion Exemption [Napa County]
- § 946.32 Conversion Exemptions: Mapping Requirements [Napa County]
- § 946.33 Conversion Exemptions: Project Description [Napa County]

**PUBLIC HEARING**

The Board will hold a public hearing starting at 9:00 A.M., on Wednesday, March 3, 2004, at the Resources Building Auditorium, 1<sup>st</sup> Floor, and 1416 Ninth Street, Sacramento, California. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. Additionally, pursuant to Government Code § 11125.1, any information presented to the Board during the open hearing in connection with a matter subject to discussion or consideration becomes part of the public record. Such information shall be retained by the Board and shall be made available upon request.

**WRITTEN COMMENT PERIOD**

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period ends at 5:00 P.M., on Monday, March 1, 2004. The Board will consider only written comments received at the Board office by that time (in addition to

those written comments received at the public hearing). The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection  
Attn: Christopher Zimny  
Regulations Coordinator  
P.O. Box 944246  
Sacramento, CA 94244-2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection  
Room 1506-14  
1416 9<sup>th</sup> Street  
Sacramento, CA

Written comments may also be sent to the Board via facsimile at the following phone number:

(916) 653-0989

Written comments may also be delivered via e-mail at the following address:

board.public.comments@fire.ca.gov

#### AUTHORITY AND REFERENCE

Public Resources Code (PRC) § 4551, 4553 and 4561 authorizes the Board to adopt such rules and regulations as it determines are reasonably necessary to enable it to implement, interpret or make specific sections 4512, 4513 and 4561.1 of the Public Resources Code.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

As Napa County population continues to grow and dispersal of residential uses and agricultural operations continues its incursion into the County's wildland base, the impacts associated with forestry operations and wildland conversion are having greater influences on the quality of life that makes Napa County unique. Timberland conversions are causing greater and greater controversy in the community.

The Z'Berg-Nejedly Forest Practice Act of 1973, Section 4516.5, provides the opportunity for California counties to apply for additional rules and regulations to the Board of Forestry and Fire Protection (Board) in order to take into account local needs. This section not only establishes the right of counties to apply for special rules but also describes the aspects that can be addressed. The proposed changes to the Forest Practice Rules are in response to a recommendation from Napa County, for local rules addressing the contents of timber harvesting plans, timberland conversion permits, conversion permit

exemptions and emergency timber harvesting operations and for the conduct of timber operations permitted by these plans.

To ensure that the County has greater control over forestry operations and timberland conversion, the Napa County Board of Supervisors (BOS) adopted local timber harvest rules on June 10, 2003 as one way to control timberland conversions and forestry operations. The result was a rule package involving changes to thirty-four (34) separate rules to be adopted into the State Forest Practice Rules to cover timber harvest operations and timberland conversions, which do not currently come under the County's enhanced Conservation Regulations.

Several elements associated with Napa County's natural resource base and socioeconomic condition were identified and determined unique to the County and the associated lifestyle these elements afford. These conditions, and their sensitivity to the types of impacts normally associated with forestry-related operations and uses subsequent to timberland conversions, provide the basis for the condition or circumstance the regulation is intended to address. These conditions (addressed as issues) are described below:

- How can we protect the municipal water supply facilities and functioning;
- How do we address potential impacts on the rural residential population; and
- How do we address maintaining high levels of scenic and ambiance levels in support of the tourism industry

These are the issues the proposed local rules are intended to address. To address these issues, the proposed local rules require three types of actions that are additional or enhance existing rules:

- 1) Provide additional disclosure of the sensitive resources and interaction with timber operations.

**§ 946.11, Watercourse Mapping**—this rule requires additional watercourse examination and map labeling requirements for timber operations located within a Domestic Water Supply Watershed (DWSW).

**§ 946.15, Biotic Resources**—this rule requires inclusion of information pertaining to locally unique plant communities, animal species, and sensitive habitats as provided by Napa County, using information contained in the Napa County's Environmental Resource Mapping System.

**§ 946.16, Road Construction**—this rule is proposed to help lessen the impact of logging roads on resources deemed sensitive by the County and requires a map and explanation of how new road construction proposed within a DWSW or within 200 feet of a DSR is integrated into the existing truck roads for property owned by the plan submitter. The County is also proposing new roads be planned to stay out of

Watercourse and Lake Protection Zones, and, for TCPs, the construction of tractor roads or logging roads on slopes of 30% or greater not commence until a use permit or variance has been approved by Napa County.

**§ 946.22, Contents of Plan: Plan Area Description**—this rule requires additional information on the description of the plan area relative to watershed and drainage names that are consistent with information used by the County to assess any domestic water interactions with the plan.

**§ 946.23, Contents of Plan: Mapping Requirements**—this rule requires additional specific map details regarding the THP area including detailed mapping of TCPs; preferences for preparation of mapping in digital formats; a series of maps at a detail sufficient to assess site specific impacts on water quality and vegetation cover in DWSRs; mapping of the Designated Scenic Roads (DSRs); location of all watercourse crossings when in a DWSW; and labeling of all watercourses in a DWSW with the annotation “DWS”.

**§ 946.28, Exemption Form: Mapping Requirements**—the rule requires, when operations are exempt from a THP, the plan applicant will provide additional mapping information related to DWSWs and DSRs.

**§ 946.29, Emergency Notice: Mapping**—this rule requires, before cutting or removing timber on an emergency basis, an RPF submit a Notice of Emergency Timber Operations with additional mapping requirements including where timber operations are within a DWSW, or are visible within 2000 feet of a DSR, and map annotations “DWS” on watercourse classifications and DSRs be identified.

**§ 946.30, Emergency Notice: Waiting Period**—this rule proposes additional requirements before the Director can waive a waiting period for commencement of timber operations pursuant to an Emergency Notice. The additional requirements include the waiting period shall not be waived when the proposed operation is located within in a DWSW or is visible within 2000 feet of a DSR. In addition, the County is proposing a copy of the Emergency Notice and Notice of Acceptance be sent to the Planning Director.

**§ 946.32, Conversion Exemptions: Mapping Requirements**—this rule requires specific mapping requirements for conversion exemptions including mapping information at specified scales, mapping locations of DSRs, and mapping the general location of the operations relative to the DWSRs

**§ 946.33, Conversion Exemptions: Project Description**—this rule requires a statement of intention for conversions, disclosures of actions and needed infrastructure associated with post-conversion operations.

2) Require additional on-the-ground protection requirements and actions.

**§ 946.3, Special Harvesting Practices**—this rule limits the use of clearcutting and alternative silvicultural prescriptions having the same aesthetic results as the clearcut silvicultural prescription in specific locations (within 200 feet of the high-water mark of a DWSR or within 200 feet of a DSR). **§ 946.4, Retention Standards and Re-Entry Periods**—this rule proposes specific harvesting limitations, re-entry period, and leave tree standards where timber operations are proposed in a DWSW to address re-occurring ground disturbance or vegetation reduction.

**§ 946.5, Log Hauling**—this rule applies time-of-day restrictions for log hauling when necessary to prevent a serious hazard to traffic flow and safety or to prevent hazardous conditions that would endanger public safety.

**§ 946.7, Soil: Timber Operation and Road Construction Debris Deposition**—this rule requires the locations of the spoil/debris waste deposition areas be identified to ensure that no spoils are placed in areas on properties owned by others.

**§ 946.8, Performance Bonding**—this rule requires the License Timber Operator (LTO) repair damage resulting from log hauling operations on County roads and appurtenant structures and, if requested, post a financial security in an amount not to exceed the actual damage. Under the rule, if repairs are not made the financial security would be forfeited.

**§ 946.9, Hours of Operation**—this rule requires restrictions on the operation of power equipment, except licensed highway vehicles, for specific distances from any occupied dwelling during the hours between 7:00 a.m. and 7:00 p.m., and shall be prohibited on Saturdays, Sundays, and state and nationally designated legal holidays.

**§ 946.10, Tractor Yarding**—this rule requires intervisibly flagging of tractor roads to be used on slopes of 30% or more for timber operations located in a DWSW prior to the Preharvest Inspection and prior to tractor road construction.

**§ 946.12, Domestic Water Supply Protection: Equipment Limitation Zones**—this rule requires additional equipment limitation zones (ELZ), and post harvest canopy and shrub cover requirements where timber operations occur in a DWSW for any Class III watercourse(s). Additional protection measures may also be required including surface cover retention, vegetation protection, and timber falling limitations.

**§ 946.13, Reduction of Soil Loss**—this rule requires, for Timberland Conversion Permits (TCP), mineral soil exceeding 100 continuous square feet in size that has been exposed by timber operations be treated for reduction of soil loss in areas that drain toward a DWSW or are within 150 feet of any



Domestic Water Supply Watercourse. Additionally, the rule requires soil stabilization treatments for any sized disturbed watercourse crossings area in a Domestic Water Supply Watercourse and all Class I, II, III watercourses.

**§ 946.17, Design of Drainage Structures and Watercourse Crossings**—this rule proposes design preference be given for drainage structures and watercourse crossings less prone to failures that could result in increased sediment delivery to the watercourse system (such as bridges and rocked fords).

**§ 946.18, Maintenance Period**—this rule proposes extending the required maintenance period for erosion controls on permanent and seasonal roads and associated landings and drainage structures to three years.

**§ 946.19, Domestic Water Supply Protection: Road Maintenance**—this rule prohibits the use of oil or salt-based soil stabilizing agents used to stabilize un-paved road running surfaces when timber operations are sited within a DWSW.

**§ 946.24, Registered Professional Forester Responsibility**—this rule requires the RPF associated with the plan be retained throughout the operations until the Notice of Completion is approved by the Director, and oversee specific activities related to the plan when a plan is located in DWSW.

3) Provide additional notification of the proposed timber operations.

**§ 926.6, Flagging of Property Lines**—this rule requires flagging of approximate property lines on the site where any truck road, tractor road or harvest area is proposed within 100 feet of a property line.

**§ 946.14, Domestic Water Supply Protection**—this rule requires the CDF Director to consider mitigation measures where proposed timber operation may degrade a domestic water supply or a Domestic Water Supply Reservoir (DWSR), regardless of the operation's distance from the DWSR

**§ 946.20, Plan Submittal and Notice of Intent**—this rule requires the plan applicant to prepare and submit a Notice of Intent to Harvest Timber (NOI) that includes additional specific information about the planned operation, provide additional notification to those near haul routes and timber operation, and additional distribution of the NOI.

**§ 946.21, Domestic Water Protection: Request for Information**—this rule requires the plan applicant to mail notice by letter to any water purveyor(s) in the DWSW when operations are within the DWSW.

**§ 946.25, Notice of Filing: Distribution**—this rule requires the CDF Director distribute the Notice of Filing to the County Planning Director and the affected local Water Purveyor(s) if the project is sited within a DWSW.

**§ 946.26, Review Teams to be Established**—this rule requires a representative of the Planning Department to be part of the THP review team.

**§ 946.27, Review Period Waiver**—this rule provides an option for the CDF Director to waive or shorten the Review Period time if there are no timber operations or related activities within a DWSW, no timberland conversions operations on slopes greater than 30%, no timber operations are proposed within an ELZ, and no timber operations or related activities visible within 2000 feet of any DSR. Additionally, the rule proposes the Director may approve the THP immediately (for the purposes of protection of public health and safety, or the environment) but only after consulting with the Planning Director.

**§ 946.31, Conversion Exemptions: Distribution of Notice of Conversion Exemption**—this rule requires the Notice of Conversion Exemption Timber Operations to be submitted to the Planning Director.

#### DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has determined the proposed action will have the following effects:

- Mandate on local agencies and school districts: None
- Costs or savings to any State agency: None
- Cost to any local agency or school district which must be reimbursed in accordance with the applicable Government Code (GC) sections commencing with GC § 17500: None
- Other non-discretionary cost or savings imposed upon local agencies: None
- Cost or savings in federal funding to the State: None
- The Board has made an initial determination that there will be no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- Cost impacts on representative private persons or businesses: The Board has made an initial determination that there will be minor regional (primarily related to Napa County) adverse financial impacts on a representative private persons or businesses in reasonable compliance with the proposed action.
- Significant effect on housing costs: None
- Adoption of these regulations will not: (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.
- Effect on small business: None. The Board has determined that the proposed amendments will not affect small business.

- The proposed rules do not conflict with, or duplicate Federal regulations.

#### BUSINESS REPORTING REQUIREMENT

The regulation does not require a report, which shall apply to businesses.

#### CONSIDERATION OF ALTERNATIVES

In accordance with Government Code § 11346.5(a)(13), the Board must determine that no reasonable alternative it considers or that has otherwise been identified and brought to the attention of the Board would 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.

#### CONTACT PERSON

Requests for copies of the proposed text of the regulations, the *Initial Statement of Reasons*, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection  
Attn: Christopher Zimny  
Regulations Coordinator  
P.O. Box 944246  
Sacramento, CA 94244-2460  
Telephone: (916) 653-9418

The designated backup person in the event Mr. Zimny is not available is Doug Wickizer, California Department of Forestry and Fire Protection, at the above address and phone.

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

The Board has prepared an *Initial Statement of Reasons* providing an explanation of the purpose, background, and justification for the proposed regulations. The statement is available from the contact person on request.

When the *Final Statement of Reasons* has been prepared, the statement will be available from the contact person on request.

A copy of the express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion, is also available from the contact person named in this notice.

The Board will have the entire rulemaking file, including all information considered as a basis for this proposed regulation, available for public inspection and copying throughout the rulemaking process at its office at the above address. All of the above referenced information is also available on the CDF web site at:

[http://www.fire.ca.gov/BOF/board/board\\_proposed\\_rule\\_packages.html](http://www.fire.ca.gov/BOF/board/board_proposed_rule_packages.html)

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text—with the changes clearly indicated—available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who:

- a) testified at the hearings,
- b) submitted comments during the public comment period, including written and oral comments received at the public hearing, or
- c) requested notification of the availability of such changes from the Board of Forestry and Fire Protection.

Requests for copies of the modified text of the regulations may be directed to the contact person listed in this notice. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

### TITLE 14. FISH AND GAME COMMISSION

#### NOTICE OF PROPOSED CHANGES IN REGULATIONS

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 215, 220, 7071, and 8587.1 of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 205, 206, 210, 215, 220, 5517, 7071, 7923, 8585.5 and 8587.1 of said Code, proposes to amend sections 27.60 27.67, 27.82, 28.28, 28.29 and 28.55, Title 14, California Code of Regulations, relating to bag limits for rockfishes, cabezon and greenlings, and fishery closure process.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing regulations establish recreational bag and sub-bag limits for rockfish, cabezon and greenlings, and establish provisions for closing the recreational fisheries for lingcod, rockfish, a subgroup of rockfish, and/or California scorpionfish. The proposed regulations will: (1) eliminate the sub-bag limit for shallow nearshore rockfish with in the bag limit for the Rockfish, Cabezon and Greenlings Complex (RCG complex); (2) establish statewide bag limits for rockfish, cabezon and greenlings; and (3) add a number of fisheries to the list of recreational fisheries

that the Department of Fish and Game (Department) may close if an annual harvest limit (optimum yield) for lingcod, rockfish, a subgroup of rockfish, and/or California scorpionfish has been exceeded or is projected to be exceeded. In addition, some technical, non-substantive changes are proposed for clarity or consistency.

(1) Eliminate the sub-bag limit for shallow nearshore rockfish (Sections 27.60 and 28.55, Title 14, CCR)

Existing regulations establish a 10-fish bag limit for the RCG complex in the Central and Southern Rockfish and Lingcod Management Areas (RLMA). Within the 10-fish RCG complex bag limit, there is a sub-bag limit of two for shallow nearshore rockfish (black-and-yellow, China, gopher, grass, and kelp rockfishes). The proposed regulations would eliminate the sub-bag limit for shallow nearshore rockfish.

(2) Establish statewide bag and sub-bag limits for rockfish, cabezon, and greenlings (Sections 27.60, 28.28, 28.29, and 28.55, Title 14, CCR)

Existing regulations establish different bag limits for rockfish, cabezon, and greenlings in the Northern RLMA than in the Central and Southern RLMAs. The proposed regulations would establish either the same bag and sub-bag limits for cabezon, greenlings, and all rockfish statewide, or the same bag and sub-bag limits for cabezon, greenlings, and all rockfish except bocaccio statewide. The proposed regulations provide the option of keeping the sub-bag limit for bocaccio at two fish in the Northern RLMA. The bag and sub-bag limits would remain the same in the Central and Southern RLMAs. The proposed regulations would establish a RCG Complex (including all species of rockfish, cabezon and greenlings) bag limit in the Northern RLMA of 10 fish in combination with the following sub-bag limits: bocaccio—either 1 or 2 fish; canary, cowcod, and yelloweye rockfishes—no retention; cabezon—3 fish; and kelp and rock greenlings—2 fish in combination.

(3) Modify subsection 27.82(g), Title 14, CCR regarding fishery closures

Current regulations authorize the Department to close recreational fisheries for lingcod, rockfish, a subgroup of rockfish, and/or California scorpionfish in all or part of the Northern, Central, or Southern RLMA when the Department determines that the annual harvest limit established in regulations by the National Oceanic and Atmospheric Administration Fisheries (NOAA Fisheries, formerly National Marine Fisheries Service) for lingcod, rockfish, a subgroup of rockfish, and/or California scorpionfish has been exceeded or is projected to be exceeded prior to the end of the year. Under the proposed regulations, recreational fisheries for greenlings of the genus *Hexagrammos*, California

sheephead, ocean whitefish, and any of the 82 federal groundfish species (including lingcod, rockfish, a subgroup of rockfish, California scorpionfish, and cabezon) could also be closed by the Department when an annual harvest limit for lingcod, rockfish or a subgroup of rockfish, cabezon\* and/or California scorpionfish has been exceeded or is projected to be exceeded prior to the end of the year.

The current regulations only allow for closing a fishery for the entire remainder of the year. The proposed regulations would provide the option of closing a fishery for just part of the year. This would provide the flexibility to open a fishery for an associated species during time periods when it is expected that there would be no bycatch of the species/species groups for which the annual harvest limits had been exceeded.

(4) Technical non-substantive changes for clarity or consistency

Reference sections were added, where applicable, to the table in subsection 27.60(b)(2), Title 14, CCR, to help the angler or diver learn of any additional regulations that may apply to the species listed in the table.

Section 27.67, Title 14, CCR, currently states that the RLMAs are defined in subsection (b) of 27.82. The regulations adopted by the Commission on December 4, 2003 moved the definitions of the RLMAs to subsection (a) of 27.82. The proposed change corrects this reference.

The name of the federal agency that regulates fisheries has recently changed from National Marine Fisheries Service to NOAA Fisheries. The proposed regulations change the name of the agency in subsection 27.82(g).

The wording of subsections 28.28(a), 28.29(a), and 28.55(a) were modified for consistency.

**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 City Council Chambers, 333 W. Ocean Boulevard, in Long Beach, California on Friday, February 6, 2004, at 8:30 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 the City Council Chambers, 777 Cypress Avenue, in Redding, California on Friday, March 5, 2004, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is

\* On December 4, 2003, the Commission adopted regulations that add cabezon to the list of species for which the recreational fishery may be closed by the Department in-season when the Department determines that the federal annual harvest limit has been exceeded or is projected to be exceeded. (See OAL Notice ID#03-1007-12)



requested, but not required, that written comments be submitted on or before February 27, 2004 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@dfg.ca.gov, but must be received no later than March 5, 2004 at the hearing in Redding, CA. E-mail comments must include the true name and mailing address of the commentor.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Robert R. Treanor, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct inquiries to Robert R. Treanor or Sherrie at the preceding address or phone number. Ms. Marija Vojkovich, Offshore Ecosystem Coordinator, Department of Fish and Game, phone (805) 568-1246, has been designated to respond to questions on the substance of the proposed regulations. Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at [http://www.dfg.ca.gov/fg\\_comm/](http://www.dfg.ca.gov/fg_comm/).

#### 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. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. 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

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

initial 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:

While the scope of the proposed action is coastwide, we do not expect significant economic impacts to California small businesses, nor to the ability of California businesses to compete with businesses in other states. Individual sport fishermen who target rockfish, cabezon, lingcod, and greenlings will still be able to fish for these species and harvest an individual ocean bag of 20 finfishes (total in combination). However, the legal combination of species under the proposed regulations will change; with the greatest changes being the number of cabezon and greenling that can be retained in waters north of 40°10' North Latitude.

The National Marine Fisheries Service's (now NOAA Fisheries) 2002 data on cabezon and greenling show that, for ocean sport fishermen on commercial passenger fishing vessels and on private boats, these species only comprised about 4.9 percent and 6.7 percent, respectively, of all the rockfish, cabezon, lingcod, and greenlings retained. Consequently, we consider it unlikely that preferences and attitudes for these ocean sportfishing activities will change significantly due to the new sub-bag limits and reductions in numbers of cabezon and greenling retained in the 20 ocean finfish bag limit.

Shore-based anglers and divers account for a significant proportion of the recreational take of cabezon and greenlings. We do not have information on whether the proposed decreased in bag limits for cabezon and greenlings north of 40°10' North Latitude will change the preference and attitudes of shore-based anglers and divers. We expect a negative, but unquantifiable, economic impact on sportfishing shops and tackle manufacturers due to the reductions in the bag limits for cabezon and greenling if shore-based anglers and divers do not shift to fishing for other species.

- (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: None.
- (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: None.
- (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 is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: 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.

#### 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 or would be as effective and less burdensome to affected private persons than the proposed action.

## TITLE 14. FISH AND GAME COMMISSION

### NOTICE OF PROPOSED CHANGES IN REGULATIONS

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by Section 3516 of the Fish and Game Code and to implement, interpret or make specific Sections 86, 203, 3500, 3502, 3508, 3511, 3513, 3514, 3515 and 3516, of said Code, proposes to amend Section 677, Title 14, California Code of Regulations, relating to dog training and organizational field trial permits.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Sections 3509 and 3510 of the Fish and Game Code, which addressed dog training and field trials using released domesticated game birds, were repealed in 2002. Section 3508 was amended to provide that the Fish and Game Commission authorize procedures for training dogs using game birds. These changes to the Fish and Game Code were made because of complaints by dog training and field trial enthusiasts that the existing code sections were difficult to understand, overly complicated, and unnecessarily restrictive. One of the deleted code sections established prices for dog training and organizational field trial permits.

The changes being proposed to Section 677 of Title 14 are intended to provide reasonable and clear regulations addressing these activities. In addition, the proposed revised language deletes the requirement for the permits, requires that the Department be notified before these activities occur, requires that game birds be marked before release (unless this is determined to be unnecessary in specific locations), and that the carcasses of pheasants and chukars used in dog training be marked with a seal obtained from the Department.

The following is a summary of the changes proposed for Section 677, Title 14, CCR:

- Clarify that it is not a violation to train or practice dogs, or hold field trials, if no game birds are released or taken.
- Provide that, for the purposes of this section, training a dog on wild or domestically reared game birds where no birds are killed or injured is not take, as defined by the Fish and Game Code, or by these regulations.
- Delete the requirement that permits be purchased to release and take game birds for dog training and field trials.
- Provide that bobwhite quail, coturnix quail, domestic pigeons, and domestically reared pheasants, chukars, Hungarian partridges, and captive-reared mallard ducks may be released and taken when engaged in dog training or organizational field trials, under the following stipulations:
  1. Each person taking game birds possess a hunting license and upland game bird stamp, if appropriate.
  2. Persons releasing and/or taking game birds in accordance with this section during organized field trials shall notify the Department at least three business days before these activities occur.
  3. Domestically reared game birds may be taken only on the day they are released.
  4. All domestically reared game birds shall be marked prior to release (unless the Regional Manager determines that this is unnecessary in a particular area), and carcasses of chukars and pheasants shall be marked with seals obtained from the Department.
  5. The Department may inspect all birds prior to release, and no birds may be released if the Department determines that such releases may have significant potential to transmit diseases to wild bird populations.

**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 City Council

Chambers, 333 W. Ocean Blvd., Long Beach, CA, on Friday, February 6, 2004, at 8:30 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 City Council Chambers 777 Cypress Avenue, Redding, California on Friday, March 5, 2004, at 8:30 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 March 3, 2004 at the address given below, or by fax at (916) 653-5040, or by e-mail to [FGC@dfg.ca.gov](mailto:FGC@dfg.ca.gov), but must be received no later than March 5, 2004, at the hearing in Redding, CA. All written comments must include the true name and mailing address of the commentor.

The regulations as proposed in ~~strikeout~~underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Robert R. Treanor, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct inquiries to Robert R. Treanor or Jon Snellstrom at the preceding address or phone number. John Carlson, Jr., Department of Fish and Game, phone (916) 445-3555 has been designated to respond to questions on the substance of the proposed regulations. Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.dfg.ca.gov>.

**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**

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

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

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. These regulation changes are sufficiently minor that any economic impact, positive or negative, would not be significant.

- (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: None
- (c) Cost Impacts on a Representative Private Person or Business:

The agency 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:

Approximately 1,000 dog training permits and 100 field trial permits are sold each year. Section 3510, of the Fish and Game Code, established fees for these permits, and was deleted in 2002. If the requirement for these permits was retained, income to the Department, through a fee structure based on a rough estimate of staff time needed to print and issue the permits, would be about \$12,000 per year. However, since these costs would no longer occur under the proposal that the permits be deleted, there should be no net loss to the Department.

- (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 is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: 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.

**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 or would be as effective as and less burdensome to affected private persons than the proposed action.

## GENERAL PUBLIC INTEREST

### DEPARTMENT OF FISH AND GAME

#### CONSISTENCY DETERMINATION

##### Fish and Game Code Section 2080.1

##### Tracking Number 2080-2003-028-05

PROJECT: Rolling Hills Ranch Subarea III  
LOCATION: City of Chula Vista, San Diego County  
NOTIFIER: David Gatzke, VP, McMillin Rolling Hills Ranch, LLC

#### BACKGROUND

The applicant proposes to construct the third and final phase of its master-planned development. The Project is a planned community consisting of Neighborhoods 9 through 12. The Rolling Hills Ranch project received full approval from the Chula Vista City Council including certification of an Environmental Impact Report and its subsequent supplements in the early 1990s. Since the project was approved by the City, additional biological inventories of the project site identified important resources including one species that is state listed as endangered and federal listed as threatened, the Otay tarplant (*Deinandra conjugens*, formerly *Hemizonia conjugens*). As a result of several meetings between the Department, the U.S. Fish and Wildlife Service (Service), the City of Chula Vista (City), and the project applicant, the proposed project has been substantially modified to reduce impacts to Otay tarplant, and to mitigate for unavoidable impacts to this species.

Development of Neighborhoods 9 through 12 involves the construction of approximately 428 residential lots, related infrastructure and urban amenities on the 606.8-acre site. The development is comprised of single-family residences. Open space would be preserved around the perimeter of all neighborhoods, most of which would be incorporated into the Multiple Species Conservation Plan (MSCP) open space preserve. Approximately 250 acres of open space would be preserved on-site, including 199.6 acres preserved as MSCP lands and 50.8 acres preserved as internal undisturbed open space. All fuel modification activities will be conducted outside of Preserve areas.

The project has been designed to reduce and mitigate impacts to Otay tarplant by conserving and providing funding for in-perpetuity management of a

large percentage of the on-site population, as well as the conservation and management of a large population of Otay tarplant at an off-site location. Mitigation credits for Otay tarplant are also being purchased in the nearby San Miguel Conservation Bank. Otay tarplant is listed as endangered under the California Endangered Species Act, Fish and Game Code 2050, *et seq.* ("CESA") and threatened under the federal Endangered Species Act ("ESA") (16 U.S.C. § 1531 *et seq.*).

Because of the project's potential for take of listed Otay tarplant, the U.S. Army Corps of Engineers consulted with the U.S. Fish and Wildlife Service (Service), as required by ESA. On November 27, 2002, the Service issued a Biological Opinion for the Rolling Hills Ranch Subarea III (#1-6-02-F-1071.4), located in San Diego County, California, describing the project actions and setting forth measures to mitigate impacts to the Otay tarplant and its habitat. On December 2, 2003, the Acting Director of the Department of Fish and Game ("Department") received a notice from Mr. David Gatzke of the Corky McMillin Companies seeking a determination pursuant to section 2080.1 of the Fish and Game Code that the Biological Opinion is consistent with CESA. As a condition of the Biological Opinion, the applicant was required to prepare a final "Rolling Hills Ranch Subarea III Biological Mitigation, Monitoring and Reporting Program and Area Specific Management Directives" (MMRP/ASMDs) plan. The Service, in a letter dated December 19, 2003, verified that the December 9, 2003 version of this aforementioned document has been accepted as final by the Service. The Department has also accepted the December 9, 2003 document as final, and as such, the Department considers all mitigation measures identified in the original Biological Opinion and the subsequent final MMRP/ASMDs to be sufficiently identified in order to evaluate the Biological Opinion for its consistency with CESA.

#### DETERMINATION

After reviewing the above-referenced Biological Opinion and other relevant documents, the Department has determined that Biological Opinion # 1-6-02-F-1071.4 is consistent with CESA because the project and mitigation measures, including those identified in the final MMRP/ASMDs document dated December 9, 2003, meet the conditions set forth in Fish and Game Code section 2081(b) and (c) for authorization of incidental take of species protected under CESA. Measures incorporated into the project and described in the federal Biological Opinion include the following elements.

1. The street located along the western edge of Neighborhood 11 has been moved to the east of its original alignment to avoid Otay tarplants.



2. Lots 9 through 12 and lot 19 of the original Tentative Map have been eliminated to increase on-site tarplant preservation by 2.6 acres.
3. A total of 9.8 acres of occupied Otay tarplant habitat will be preserved on-site. Those 9.8 acres contain approximately 12,148 plants and is the total amount of tarplant conserved on-site. Those 9.8 acres are principally located within an internal 22-acre Tarplant Management Area (TMA) but also within the 214 acres that will be incorporated into the MSCP Preserve and the 40.9 acres of on-site passive open space.
4. An internal open space area of approximately 22 acres shall be preserved between Neighborhoods 9 and 10A, and Neighborhoods 11 and 12. The TMA shall be managed according to an Otay tarplant management program that will be funded in perpetuity by an amount of \$100,000.00 provided by the project proponent. The endowment will be held either by the Department or the City of Chula Vista pending implementation of their Natural Community Conservation Plan MSCP Subarea Plan.
5. Off-site compensation of 5.8 acres in the San Miguel Conservation Bank containing approximately 15,080 Otay tarplants.
6. Off-site compensation of 10 acres in Johnson Canyon containing approximately 200,000 Otay tarplants. That 10-acre off-site tarplant preserve will be managed in perpetuity by the County of San Diego/City of Chula Vista Preserve Owner manager (POM). Until the POM is constituted and accepts the dedication of the property, McMillin Rolling Hills Ranch, LLC, will provide all necessary interim management measures to conserve the tarplant population. Those management measures will be passive unless evidence of significant decline of the tarplant population triggers adaptive management measures to stop the decline.
7. Topsoil containing Otay tarplant seed will be salvaged from Neighborhood 11 and moved to the graded slopes adjacent to the TMA.
8. Certain areas in Neighborhoods 11 (2.58 acres) and 12 (2.86 acres) will be part of a modified brush management area that will be implemented to provide for selective thinning only during appropriate times during the tarplant seasonal cycle.
9. The MSCP Biological Monitoring Plan includes monitoring of significant populations will be conducted just off-site on San Miguel Mountain and that program will provide the bulk of the data needed to assess the long-term survivability of the species in the wild. That data collection is not the responsibility of the project applicant, but will be used as a comparative baseline for the on-site

population. The overall status of the on-site preserve areas will be monitored on an annual basis and documented in a written report provided by the Preserve Manager to the City, the Service, and the Department. Photographs will also document site conditions. Data will be maintained in the Preserve Manager's databases and provided to the Service and Department upon request.

10. The tarplant management plan for the open space and TMA is detailed in the final "Rolling Hills Ranch Subarea III Biological Mitigation, Monitoring and Reporting Program and Area-specific Management Directives" plan, dated December 9, 2003, prepared by Helix Environmental Planning Inc., and approved by both the Department and the Service. The final MMRP/ASMDs document elaborates on the measures identified above. In addition to those measures, required actions described in the MMRP/ASMDs document include implementation of adaptive management; access control; control of exotic plant species; resident outreach/information dissemination; trash and litter removal; and ongoing monitoring to guide adaptive management actions and thereby ensure continued persistence of the Otay tarplant populations.

The above measures will conserve a total of 238,798 Otay tarplants in protected and managed open space. This consists of approximately 7,947 individuals in the combined TMA and on-site 'Neutral' open space; 5,331 individuals in the on-site area which will become part of the City of Chula Vista MSCP Preserve upon signing of the NCCP Implementing Agreement; 210,440 individuals at the 10-acre Johnson Canyon parcel on Otay Mesa; and the purchase of approximately 15,080 individuals (5.8 acres of credits) at the San Miguel Conservation Bank. This combined conservation will mitigate for the loss of 14,421 Otay tarplant individuals resulting from the construction of the Project, an approximately 16:1 mitigation ratio.

The final MMRP/ASMDs document provides options for two separate issues relating to the conservation and long-term management of Otay tarplant populations. For each issue, the identified options provide sufficient assurances to the Department that the mitigation will be performed. The first issue is whether the City of Chula Vista will hold fee title or a conservation easement to the future MSCP Preserve area and the TMA, and consequently if the Department will hold a conservation easement or be named a third party beneficiary under the City's easement. The second issue is whether the Preserve's in-perpetuity management will be funded through a non-wasting endowment provided by the applicant or through the establishment of a Community Facilities District (CFD). If the endowment method is selected, this

would require a one-time deposit to a perpetual non-wasting endowment of \$1,250/acre (totaling approximately \$267,750) to generate \$50–60/acre per year for adaptive management and monitoring tasks, to be used as directed by the Preserve Manager. If a CFD funding method is chosen, a similar rate of return (\$55/acre, as was determined to be the necessary amount in the Chula Vista MSCP Subarea Plan, which has been approved by the Department) will be generated. Funding for the long-term management of the preserve will be assured prior to City Council approval of the first Final Map of the residential development. As stated on page 9 of the final MMRP/ASMDs document, with Department and Service concurrence, the City will determine the fee and conservation easement ownership disposition prior to November 2004. This provides more than sufficient time as the project will be under interim management, funded by the Applicant, for 2–3 years while the development is under construction.

Pursuant to section 2080.1 of the Fish and Game Code, incidental take authorization under CESA will not be required for incidental take of *Deinandra conjugens* as a result of the project. If there are any substantive changes to the project as described in the biological opinion, including changes to the mitigation measures, or if the Service amends or replaces the biological opinion, McMillin Rolling Hills Ranch, LLC will be required to obtain a new consistency determination or a CESA incidental take permit from the Department.

**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.

**BOARD OF GOVERNORS, CALIFORNIA COMMUNITY COLLEGES  
General Provisions**

This is a Conflict of Interest Code filing that has already been filed with the Secretary of State and is being submitted for printing only.

Title 5  
California Code of Regulations  
AMEND: 50500  
Filed 01/06/04  
Effective 02/05/04  
Agency Contact:  
Renee Brouillette (916) 322-4145

**CALIFORNIA ENERGY COMMISSION  
Date Collection**

This action provides for the collection of data by the California Energy Commission necessary for determining the eligibility of power customers for exemption from the Cost Responsibility Surcharge (CRS).

Title 20  
California Code of Regulations  
ADOPT: 1395, 1395.1, 1395.2, 1395.3, 1395.4, 1395.6  
Filed 12/31/03  
Effective 01/30/04  
Agency Contact:  
Darcie L. Houck (916) 654-3855

**DEPARTMENT OF FOOD AND AGRICULTURE  
Oak Mortality Disease Control**

This emergency regulatory action amends the list of regulated articles and commodities pursuant to a program to arrest the artificial spread of oak mortality disease.

Title 3  
California Code of Regulations  
AMEND: 3700(c)  
Filed 01/05/04  
Effective 01/05/04  
Agency Contact: Stephen Brown (916) 654-1017

**DEPARTMENT OF INDUSTRIAL RELATIONS  
Workers' Compensation—Official Medical Fee Schedule**

Senate Bill 228 (Chapter 639, Statutes of 2003) concerning Workers' Compensation provides that the maximum reasonable fees for medical services commencing January 1, 2004, other than physician services, are 120 percent of the estimated aggregate fees prescribed in the relevant Medicare payment system or 100 percent of the fees prescribed in the relevant Medi-Cal payment system. Subdivision (k) of new section 5307.1 of the Labor Code provides that for the Calendar Years 2004 and 2005 the maximum reimbursable fees set forth in the Official Medical Fee Schedule for physician services shall be reduced by 5%. This emergency regulatory action implements changes necessitated by SB 228 going into effect on January 1, 2004.

Title 8  
California Code of Regulations  
ADOPT: 9789.10, 9789.11, 9789.20, 9789.21,

9789.22, 9789.23, 9789.24, 9789.30, 9789.31,  
9789.32, 9789.33, 9789.34, 9789.35, 9789.36,  
9789.37, 9789.38, 9789.40, 9789.50, 9789.60,  
9789.70, 9789.80, 9789.90, 9789.100, 9789.110

Filed 01/02/04

Effective 01/02/04

Agency Contact:

Jacqueline Schauer (415) 975-0700

**DEPARTMENT OF INSURANCE**

**Special Investigative Units**

This is the emergency re-adoption of an action that repeals the old regulations on special investigative units of insurance companies and adopts new regulations in their place in order to increase the detection and deterrence of insurance fraud, thereby protecting the public welfare.

Title 10

California Code of Regulations

AMEND: 2698.30, 2698.31, 2698.32, 2698.33,  
2698.34, 2698.35, 2698.36, 2698.37, 2698.38,  
2698.39, 2698.40, 2698.41, 2698.42 REPEAL:  
2698.40, 2698.41, 2698.42, 2698.43, 2698.44,  
2698.45

Filed 01/02/04

Effective 01/03/04

Agency Contact: Debra Chaum (415) 538-4115

**DEPARTMENT OF INSURANCE**

**Workers' Compensation Rates**

This action updates the Workers Compensation Uniform Statistical Reporting Plan of 1995, as amended, the Workers Compensation Experience Rating Plan of 1995, as amended, and the Workers Compensation Miscellaneous Regulation for the Recording and Reporting of Data, with amendments effective January 1, 2004.

Title 10

California Code of Regulations

AMEND: 2318.6, 2353.1, 2354

Filed 12/31/03

Effective 01/01/04

Agency Contact: Larry C. White (415) 538-4423

**DEPARTMENT OF INSURANCE**

**Workers' Compensation Rates**

This action calls for the filing of updates to the Workers Compensation Uniform Statistical Reporting Plan of 1995, as amended, and the Workers Compensation Experience Rating Plan of 1995, as amended.

Title 10

California Code of Regulations

AMEND: 2318.6, 2353.1

Filed 12/31/03

Effective 07/01/03

Agency Contact: Larry C. White (415) 538-4423

**DEPARTMENT OF JUSTICE**

**Amend & Update Authority & Reference Citations:  
Form Numbering**

This action makes changes to various authority and reference citations and other nonsubstantive, grammatical amendments.

Title 11

California Code of Regulations

ADOPT: 2000, 2001, 2020,2050, 2051, 2052, 2053,  
2070, 2071, 2072, 2140, 2141, 2142

Filed 01/06/04

Effective 02/05/04

Agency Contact: Anne M. Burr (415) 703-1403

**DEPARTMENT OF MOTOR VEHICLES**

**Employee Testing Program**

This action adopts the Department's employer testing program authorizing use of third-party testers to conduct the commercial behind-the-wheel driving test under specified conditions. This action is the resubmittal of previously withdrawn OAL file number 03-0508-02S.

Title 13

California Code of Regulations

ADOPT: 25.06, 25.07, 25.08, 25.09, 25.10, 25.11,  
25.12, 25.13, 25.14, 25.16, 25.17, 25.18, 25.19,  
25.20, 25.21, 25.22

Filed 01/05/04

Effective 02/04/04

Agency Contact:

Bonnie DeWatney (916) 657-8954

**DEPARTMENT OF PARKS AND RECREATION**

**OHMVR Grant & Cooperative Agreement  
Program Regulations**

This certificate of compliance makes permanent the prior emergency regulations (prior emergency OAL file nos. 03-0328-03ER; 03-0804-04 ER) that amended the Department's regulations dealing with Off-highway Motor Vehicle Recreation (OHMVR) grants and cooperative agreements.

Title 14

California Code of Regulations

ADOPT: 4970.09 AMEND: 4970.00, 4970.01,  
4970.02, 4970.03, 4970.04, 4970.05, 4970.06,  
4970.07, 4970.08, 4970.10, 4970.11, 4970.12,  
4970.13, 4970.14, 4970.15, 4970.16, 4970.17,  
4970.18, 4970.19, 4970.20, 4970.21. 4970.21,  
4970.21, 4970.22, 4970.23, 4970.2

Filed 12/31/03

Effective 12/31/03

Agency Contact: Barry Jones

**DEPARTMENT OF SOCIAL SERVICES**  
Motor Vehicle Regulations: CalWORKs and  
Food Stamp Programs

Assembly Bill 231 (Chapter 743, Statutes of 2003) becomes effective January 1, 2004. AB 231 adopts Welfare and Institutions Code section 18901.9, which requires that the vehicle resource rules governing the Food Stamp Program be aligned with an alternative program. This emergency regulatory action aligns these rules with those of the CalWORKs Child Care Program and, consequently, vehicles are exempt from being counted as resources when determining food stamp eligibility. Existing law requires CalWORKs to use the Food Stamp Program vehicle evaluation rules when determining CalWORKs eligibility. AB 231 eliminates this requirement and amends Welfare and Institutions Code section 11155 to establish the treatment of motor vehicles when determining CalWORKs eligibility. This emergency regulatory action makes changes to the regulations governing CalWORKs to reflect this change in the law.

Title MPP  
California Code of Regulations  
AMEND: 42-207, 42-215, 63-501, 63-1101  
Filed 12/31/03  
Effective 01/01/04  
Agency Contact:  
Anthony J. Velasquez (916) 657-2586

**DIVISION OF WORKERS COMPENSATION**  
Payment of Medical Provider and Medical-Legal  
Lien Filing Fee

This regulation implements Labor Code section 4903.05, effective 1/1/04, which provides for the collection of a filing fee of \$100. from medical providers and medical-legal lien claimants upon the filing of an initial medical or medical-legal lien in each case.

Title 8  
California Code of Regulations  
ADOPT: 10250  
Filed 12/31/03  
Effective 01/01/04  
Agency Contact: James Robbins (415) 703-4600

**NEW MOTOR VEHICLE BOARD**  
Nonsubstantive Changes Consistent With Statutory  
Changes

This action without regulatory effect changes references to "secretary" and "hearing officer" to "Executive Director" and "administrative law judge" respectively in compliance with Chapter 451, Statutes of 2003 (AB 1718). It also makes amendments to include new recreational vehicle dealers within the Board's jurisdiction in compliance with Chapter 703, Statutes of 2003 (SB 248).

Title 13  
California Code of Regulations  
AMEND: 550, 551.1, 551.2, 551.11, 551.12, 551.13, 551.14, 551.15, 551.16, 551.17, 552, 553.40, 555, 555.1, 556, 557, 558, 560, 561, 562, 565, 566, 570, 571, 572, 573, 574, 575, 577, 584, 585, 586, 587, 588, 589, 590, 592, 593, 593.1, 595, 598  
Filed 12/31/03  
Effective 01/01/04  
Agency Contact:  
Howard Weinberg (916) 445-2080

**STATE WATER RESOURCES CONTROL BOARD**  
Diazinon & Chlorpyrifos TMDL in  
San Diego Creek/Upper Newport Bay

This basin plan amendment establishes a Total Maximum Daily Load (TMDL) for chlorpyrifos in Upper Newport Bay and for diazinon and chlorpyrifos in San Diego Creek. The amendment sets the following load and wasteload allocations for San Diego Creek: diazinon (ng/L) acute 72, chronic 45—chlorpyrifos (ng/L) acute 18, chronic 12.6, and for Upper Newport Bay: chlorpyrifos (ng/L) acute 18 and chronic 8.1. The amendment also establishes an implementation plan that requires: (1) revision of WDR and NPDES discharge permits to include the TMDL allocations; (2) implementation of monitoring programs by the stakeholders in the watershed for diazinon and chlorpyrifos; (3) development of a pesticide runoff management plan by the Regional Board and the stakeholders in the watershed; and (4) special studies into the significance of chlorpyrifos atmospheric deposition for Upper Newport Bay and the adequacy of the freshwater allocations for San Diego Creek to protect Upper Newport Bay.

Title 23  
California Code of Regulations  
AMEND: 3977  
Filed 01/05/04  
Effective 01/05/04  
Agency Contact: Ling Tseng (916) 341-5558

**CCR CHANGES FILED WITH THE  
SECRETARY OF STATE  
WITHIN SEPTEMBER 3, 2003  
TO DECEMBER 31, 2003**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation's 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**

- 12/29/03 REPEAL: Division 8, Chapter 20, Sections 41001, 41002, 41003, 41004, 41005, 41006, 41007, 41008, 41009, 41010, 41011, 41012, 41013
- 12/22/03 AMEND: 1859.61, 1859.105, 1859.106, 1859.141, 1859.142, 1859.145, 1859.147, 1859.148, 1859.150.1, 1859.151, 1859.152, 1859.153
- 12/19/03 ADOPT: 1859.70.1, 1859.71.3, 1859.78.5, 1859.78.6, 1859.78.7, 1859.93.1, 1859.120, 1859.121, 1859.122, 1859.122.1, 1859.122.2, 1859.123, 1859.124, 1859.124.1, 1859.125, 1859.125.1, 1859.126, 1859.127, 1859.128, 1859.129, 1859.130, 1859.140, 1859.141, 185
- 12/01/03 ADOPT: Division 8, Chapter 106, Section 59500
- 12/01/03 ADOPT: 22100, 22110, 22120, 22130
- 11/20/03
- 11/10/03 ADOPT: 18728.5 AMEND: 18703.3
- 11/03/03 ADOPT: 1859.77.3 AMEND: 1859.2, 1859.77.2
- 10/23/03
- 10/10/03 AMEND: 1859.2, 1859.20, 1859.21, 1859.74.2, 1859.74.3, 1859.74.4, 1859.75, 1859.75.1, 1859.78.3, 1859.79, 1859.81.1, 1859.83, 1859.107, 1859.145
- 10/10/03 ADOPT: 649.23, 649.24, 649.25, 649.26, 649.27, 649.28
- 10/09/03 AMEND: 1555
- 10/09/03 AMEND: 1859.77.2
- 10/09/03 ADOPT: 1859.160, 1859.161, 1859.162, 1859.162.1, 1859.163, 1859.164, 1859.164.1, 1859.165, 1859.166, 1859.166.1, 1859.167, 1859.168, 1859.169, 1859.170, 1859.171 AMEND: 1859.2, 1859.51, 1859.103, 1859.106, 1859.145.1
- 10/06/03 AMEND: 18320, 18321, 18361, 18370, 18419, 18420, 18703.1, 18747
- 10/02/03 ADOPT: 18709
- 10/01/03 ADOPT: 559.937.3
- 09/15/03 ADOPT: 18951
- 09/12/03 AMEND: 37000

**Title 3**

- 12/26/03 AMEND: 3417(b)
- 11/06/03 AMEND: 2303, 2309, 2311
- 11/06/03 AMEND: 3700 (d)
- 11/03/03 ADOPT: 6148, 6148.5, 6216, 6217 AMEND: 305, 6168, 6170, 6386, 6500, 6502, 6505, 6508, 6512

- 10/27/03 AMEND: 3423 (b)
- 10/27/03 AMEND: 3417(b)
- 10/20/03 ADOPT: 755, 755.1, 755.2, 755.3, 755.4, 755.5, 755.6, 756, 756.1, 756.2, 756.3, 757, 758, 758.1, 759 AMEND: 753.2 REPEAL: 757, 759, 759.1, 759.2, 759.3, 759.4, 795.5
- 10/14/03 AMEND: 3423(b)
- 10/06/03 AMEND: 1430.35, 1430.36
- 09/30/03 AMEND: 3651, 3655, 3658, 3662
- 09/29/03 AMEND: 3055.6(c)
- 09/25/03 AMEND: 3417
- 09/11/03 ADOPT: 6450, 6450.1, 6450.2, 6450.3, 6784 AMEND: 6000 REPEAL: 6450, 6450.1, 6450.2, 6450.3, 6784

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- 12/15/03 ADOPT: 12250 AMEND: 12101, 12122
- 11/06/03 ADOPT: 12200, 12201, 12202, 12203, 12204, 12205, 12206, 12207, 12208, 12209, 12210, 12211, 12212, 12213, 12214, 12220, 12221, 12222, 12223, 12224, 12225, 12226, 12227, 12228, 12229, 12230, 12231, 12232
- 10/30/03 ADOPT: 12270, 12271, 12272
- 10/14/03 ADOPT: 12371 AMEND: 12370
- 10/02/03 AMEND: 4001
- 09/23/03 ADOPT: 2100, 2101, 2102, 2103, 2104, 2105 AMEND: 1928
- 09/18/03 AMEND: 1979.1
- 09/16/03 AMEND: 1867
- 09/08/03 ADOPT: 12300, 12301, 12302, 12303, 12304, 12305, 12306, 12307, 12308, 12309, 12310 AMEND: 12301, 12303

**Title 5**

- 12/29/03 ADOPT: 18074, 18074.1, 18074.2, 18074.3, 18075, 18075.1, 18075.2, 18076, 18076.1, 18076.2 AMEND: 18413, 1842 REPEAL: 18021
- 12/01/03 AMEND: 30950, 30953, 30954, 30958, 30959
- 11/20/03 ADOPT: 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611
- 11/06/03 ADOPT: 1068, 1069, 1070., 1071, 1072, 1073, 1074
- 11/06/03 AMEND: 51025
- 11/05/03 AMEND: 53001, 53021
- 11/04/03 ADOPT: 15060, 15070, 15071
- 10/29/03 ADOPT: 13075
- 10/28/03 ADOPT: 11963, 11963.1, 11963.2, 11963.3, 11963.4, 11963.5, 11963.6
- 10/20/03 AMEND: 80020.1
- 09/23/03 ADOPT: 18270.5, 18280, 18281 AMEND: 18023, 18272, 18273, 18274, 18275, 18279
- 09/22/03 ADOPT: 40520, 40521, 40522, 40523

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09/11/03 ADOPT: 76215 AMEND: 76000, 76010, 76120, 76130, 76200, 76210 REPEAL: 76100, 76110  
09/04/03 ADOPT: 18074, 18074.1, 18074.2, 18074.3, 18075, 18075.1, 18075.2, 18076, 18076.1, 18076.2 AMEND: 18413, 18428 REPEAL: 18021

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12/31/03 ADOPT: 10250  
12/22/03 AMEND: 341.17  
12/18/03 ADOPT: 15611 AMEND: 15600, 15601, 15601.7, 15602, 15603, 15604, 15605, 15606, 15607, 15608 REPEAL: 15610  
11/20/03  
11/13/03 AMEND: 32120, 32125, 32135, 32603, 32605, 32620, 32635, 32798, 32980, 61000, 61090, 31240, 61380, 61420, 61480  
11/12/03 ADOPT: 15220, 15220.1, 15220.2, 15220.3, 15200.4, 15220.5, 15220.6, 15220.7, 15220.8 AMEND: 15201, 15210, 15210.1, 15210.2, 15216, 15430  
10/30/03 AMEND: 4968  
10/30/03 ADOPT: 3663(g), 3663(h)  
10/27/03 ADOPT: 5148  
10/20/03 ADOPT: 5035(c) AMEND: 5035(b)  
10/16/03 AMEND: 21200  
10/09/03 ADOPT: 341.17  
10/06/03 AMEND: 10104, 10107.1, 10111.2

**Title 9**

11/18/03 ADOPT: 1840.112 AMEND: 1830.215

**Title 10**

12/31/03 AMEND: 2318.6, 2353.1, 2354  
12/31/03 AMEND: 2318.6, 2353.1  
12/30/03 ADOPT: 2699.6612, 2699.6827  
AMEND: 2699.6500, 2699.6600, 2699.6607, 2699.6611, 2699.6705, 2699.6715, 2699.6717, 2699.6725, 2699.6813, 2699.6815, 2699.6819  
12/26/03 REPEAL: 4081, 4081.1, 4081.2, 4081.3, 4081.4, 4081.5, 4081.6, 4081.7, 4081.8  
12/26/03 REPEAL: 4550, 4551, 4552, 4553  
12/26/03 REPEAL: 6200, 6201, 6202, 6203, 6204, 6205, 6206, 6207  
12/26/03 REPEAL: 4610, 4611, 4612, 4613, 4614, 4615, 4616, 4617, 4618, 4619  
12/26/03 REPEAL: 4300, 4301, 4302, 4303, 4305  
12/26/03 REPEAL: 4620  
12/26/03 REPEAL: 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032  
12/26/03 AMEND: 4070, 4071, 4072, 4073, 4074  
REPEAL: 4070, 4071, 4072, 4073, 4074  
12/26/03 REPEAL: 4081, 4081.1, 4081.2, 4081.3, 4081.4, 4081.5, 4081.6, 4081.7, 4081.8  
12/26/03 REPEAL: 4035, 4036, 4037, 4038

12/26/03 REPEAL: 5300, 5310, 5311, 5312, 5313, 5314, 5315, 5316, 5317, 5318, 5319, 5320, 5321, 5322, 5323, 5324, 5326, 5327, 5328, 5329, 5330, 5340, 5341, 5342, 5343  
12/23/03 ADOPT: 2192.1, 2192.2, 2192.3, 2192.4, 2192.5, 2192.6, 2192.7, 2192.8, 2192.9, 2192.10, 2192.11, 2192.12  
12/22/03 AMEND: 2190.05, 2190.7  
12/15/03 ADOPT: 2591, 2591.1, 2591.2, 2591.3, 2591.4  
11/18/03 ADOPT: 2361  
11/07/03 ADOPT: 2194, 2194.1, 2194.2, 2194.3, 2194.4, 2194.5, 2194.6, 2194.7, 2194.8  
10/31/03 AMEND: 260.102.14  
09/11/03 ADOPT: 250.70  
09/09/03 AMEND: 2498.6  
09/09/03 ADOPT: 2278, 2278.1, 2278.2, 2278.3, 2278.4, 2278.5  
09/05/03 ADOPT: 2791.3, 2792.33, 2810.3, 2836, 2860 AMEND: 2731, 2790.5, 2791.8, 2792.26, 2848, 2853, 2910, 2911, 2912, 2930, 2950, 3000, 3006  
09/04/03 ADOPT: 2698.30, 2698.31, 2698.32, 2698.33, 2698.34, 2698.35, 2698.36, 2698.37, 2698.38, 2698.39, 2698.40, 2698.41, 2698.42 REPEAL: 2698.40, 2698.41, 2698.42, 2698.43, 2698.44, 2698.45

**Title 11**

12/30/03 AMEND: 1005  
12/05/03 AMEND: 1002(a)(8)  
12/01/03 AMEND: 51.18  
11/13/03 AMEND: 1005  
11/12/03 ADOPT: 994, 994.1, 994.2, 994.3, 994.4, 994.5, 994.6, 994.7, 994.8, 994.9, 994.10, 994.11, 994.12, 994.13, 994.14, 994.15, 994.16  
11/10/03 AMEND: 2010, 2030, 2060 REPEAL: 2031, 2032, 2034, 2035, 2036  
10/07/03 AMEND: 1004, 1005  
10/01/03 ADOPT: 995  
09/29/03 ADOPT: 1081(a)(34)

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12/31/03 AMEND: 550, 551.1, 551.2, 551.11, 551.12, 551.13, 551.14, 551.15, 551.16, 551.17, 552, 553.40, 555, 555.1, 556, 557, 558, 560, 561, 562, 565, 566, 570, 571, 572, 573, 574, 575, 577, 584, 585, 586, 587, 588, 589, 590, 592, 593, 593.1, 595, 598  
12/23/03 ADOPT: 220.20 AMEND: 220.00, 220.02, 220.04, 220.06, 220.08, 220.12, 220.14, 220.16, 220.18, 221.00, 221.02, 221.04, 221.06, 221.08, 221.10, 221.12,  
12/23/03 ADOPT: 225.48

11/04/03 AMEND: 1956.1, 1956.8, 1961, 1965, 1978, 2065,  
 10/30/03 AMEND: 1214  
 10/29/03 AMEND: 125.00, 125.02, 125.06, 125.10, 125.12, 125.14, 125.16, 125.18, 125.20, 125.22  
 10/16/03 AMEND: 1956.1, 1956.2, 1956.4, 1956.8, 2112  
 10/10/03 ADOPT: 158.00

**Title 14**

12/31/03 ADOPT: 4970.09 AMEND: 4970.00, 4970.01, 4970.02, 4970.03, 4970.04, 4970.05, 4970.06, 4970.07, 4970.08, 4970.10, 4970.11, 4970.12, 4970.13, 4970.14, 4970.15, 4970.16, 4970.17, 4970.18, 4970.19, 4970.20, 4970.21, 4970.22, 4970.23, 4970.2  
 12/30/03 ADOPT: 1.18  
 12/26/03 AMEND: 7.50(b)(147)  
 12/01/03 AMEND: 895.1, 898(a), 914.8, [934.8, 954.8](g), 916 [936, 956](e), 916.2 [936.2, 956.2], 916.9 [936.9, 956.9], 916.11, [936.11, 956.11](b), 916.12, [936.12, 956.12](f), 923.3, [943.3, 963.3](h), 923.9, [943.9, 963.9](g)  
 12/01/03 AMEND: 895, and 913.4, 933.44, 953.4 (Special Prescriptions)  
 11/18/03 REPEAL: 895, 895.1, 913.13, 936.13, 956.13, 916.13, 936.13.1, 956.13.1, 916.13.2, 936.13.2, 956.13.2, 916.13.3, 936.13.3, 956.13.3, 916.13.4, 936.13.4, 956.13.4, 916.13.5, 936.13.5, 936.13.5, 956.13.5, 916.13.6, 936.13.6, 956.13.6, 916.13.7, 936.13.7, 956  
 11/13/03 AMEND: 163, 164  
 11/07/03 AMEND: 52.10, 150.06, 150.16  
 11/03/03 AMEND: 18464, 18465  
 10/16/03 AMEND: 4400  
 10/14/03 ADOPT: 17346, 17346.1, 17346.2, 17346.3, 17346.4, 17346.5, 17346.6, 17346.7, 17347, 17347.1, 17348, 17349  
 10/06/03 AMEND: 120.7, 190  
 09/26/03 AMEND: 502  
 09/18/03 AMEND: 180.2  
 09/05/03 AMEND: 12010  
 09/04/03 AMEND: 300(a)

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12/26/03 ADOPT: 17387, 17387.1, 17387.5, 17388, 17388.1, 17388.2, 17388.3, 17388.4, 17388.5, 17389, 17390, 18223.6  
 AMEND: 24565, 21570

**Title 15**

12/30/03 AMEND: 3044, 3092, 3138, 3190  
 12/02/03 AMEND: 3082(a)

12/01/03 AMEND: 3044(d) & (e)  
 11/07/03 AMEND: 2576, 2578, 2580  
 10/27/03 AMEND: 2051, 2052, 2054  
 10/23/03 AMEND: 3043.5, 3043.6, 3044  
 10/14/03 AMEND: 4941  
 10/14/03 AMEND: 2000, 2041, 2042, 2043, 2044

**Title 16**

12/29/03 AMEND: 3830  
 12/18/03 AMEND: 1920  
 11/25/03 AMEND: 1610, 1615, 1690 REPEAL: 1622  
 11/13/03 ADOPT: 1314.1 AMEND: 1300.4  
 11/12/03 AMEND: 1399.662, 1399.666, 1399.667, 1399.668  
 11/03/03 ADOPT: 2317, 2317.1, 2317.2, 2326.5, 2328.1  
 10/22/03 ADOPT: 356.1  
 10/16/03 AMEND: 390.2  
 10/16/03 ADOPT: 360  
 09/30/03 ADOPT: 1313.01, 1313.02, 1313.03, 1313.04, 1313.05, 1313.06  
 09/29/03 AMEND: 1361  
 09/11/03 ADOPT: 1775.1 AMEND: 1775, 1775.2, 1775.3, 1775.4 REPEAL: 1775.15, 1777, 1777.1, 1777.2, 1777.3, 1777.4, 1777.5, 1778, 1778.1, 1778.2, 1778.3  
 09/04/03 AMEND: 1920

**Title 17**

12/05/03 ADOPT: 94166, 94167 AMEND: 94010, 94011, 94163, 94164, 94165  
 12/04/03 AMEND: 70600, 70601  
 12/02/03 AMEND: Division 2, Chapter 1', Article 5, Subchapter 3, Section 50300  
 10/09/03 AMEND: 50604, 50608, 54326, 54370, 56003, 56082, 57540, 58510, 58671  
 09/25/03 AMEND: 54001, 54010  
 09/23/03 ADOPT: 13676 AMEND: 13675  
 09/04/03 AMEND: 60065.1, 60065.2, 60065.3, 60065.4, 60065.5, 60065.6, 60065.7, 60065.8, 60065.9, 60065.10, 60065.11, 60065.12, 60065.13, 60065.14, 60065.15, 60065.16, 60065.17, 60065.18, 60065.19, 60065.20, 60065.21, 60065.22, 60065.23, 60065.24, 60065.25, 60065

**Title 18**

12/22/03 ADOPT: 1598.1  
 12/04/03 REPEAL: 24348 (a)  
 10/29/03 AMEND: 1802  
 10/14/03 AMEND: 462.040, 462.240  
 09/16/03 ADOPT: 1620.1  
 09/15/03 AMEND: 1630  
 09/15/03 AMEND: 462.180  
 09/04/03 AMEND: 17000.30

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**Title 20**

12/31/03 ADOPT: 1395, 1395.1, 1395.2, 1395.3, 1395.4, 1395.6

**Title 22**

12/24/03 ADOPT: 1326-3 AMEND: 1251-1, 1253(a)-1, 1326-2, 1326-4, 1326-5, 1326-6

12/09/03 AMEND: 66262.32

11/03/03 ADOPT: 115500, 115510, 115520 REPEAL: MPP Section 12-223.2 through .22

10/27/03 AMEND: 4304.3 (renumber to 4304-3)

10/22/03 AMEND: 66264.143, 66264.145, 66265.143, 66265.145

10/16/03 ADOPT: 51510, 51510.1, 51510.2, 51510.3, 51511, 51511.5, 51511.6, 51532.3, 51535, 51535.1, 51544, 54501

09/26/03 AMEND: 70217, 70225, 70455

09/23/03 ADOPT: 97244, 97245, 97246, 97247, 97248, 97249, 97250 AMEND: 97045, 97210, 97211, 97212, 97213, 97215, 97241 REPEAL: 97214, 97239, 97242, 97243

09/23/03 AMEND: 67450.42

09/15/03 AMEND: 51509

09/11/03 AMEND: 12901

09/11/03 ADOPT: 64670, 64671.05, 64671.08, 64671.09, 64671.10, 64671.15, 64671.30, 64671.35, 64671.40, 64671.55, 64671.65, 64671.70, 64671.75, 64671.80, 64671.85, 64673, 64674, 64675, 64675.5, 64676, 64677, 64677.5, 64678, 64678.5, 64679, 64680, 64681, 64682, 646

09/04/03 AMEND: 51319, 51507.2, 51515, 51517, 51521

09/04/03 AMEND: 1089-1

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12/23/03 ADOPT: 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 3833.1 AMEND: 655, 656, 676, 736, 791, 793, 812, 842, 871, 1010, 3833, 3867 REPEAL: 677

12/22/03 AMEND: 3926

12/18/03 ADOPT: 3927

11/19/03 ADOPT: 3924

10/27/03 AMEND: CCR Title 23, Division 3, Chapter 9, section 2200 & 2200.5

09/23/03 ADOPT: 2050.6 AMEND: 2050, 2050.5, 2051, 2052, 2053, 2064, 2066, 2067

09/11/03 ADOPT: 3989.1

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09/29/03 ADOPT: 7239, 7300.1, 8212.2, 8300, 8301, 8302, 8304, 8305, 8306, 8307, 8308, 8309, 8310, 8311, 8312, 8313, 8314, 8315, 8316 AMEND: 7204, 7234,

7301, 7302, 7303, 7304, 7305, 7306, 7307, 7308, 7310, 7311, 7312, 7313, 7314, 7315, 7318, 7319, 7320, 7321, 73

09/29/03 ADOPT: 7715, 7716, 7717, 7718, 7719, 7720, 7721, 7722, 7723, 7724, 7725, 7726, 7727, 7728, 7729, 7730, 7731, 7732, 7733, 7734, 7735, 7736, 7737, 7738, 7739, 7740, 7741, 7742, 7743, 7744, 7745, 7746, 7747, 7748, 7749, 7750, 7751, 7752, 7753, 7754 7755, 77

09/19/03 ADOPT: 7003 AMEND: 7000, 7002, 7004, 7005, 7006, 7008, 7012, 7016 REPEAL: 7010, 7014, 7018

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10/29/03 ADOPT: 1009

10/27/03 AMEND: 1005

10/20/03 AMEND: 1300.67.8

09/23/03 ADOPT: 1300.74.72

09/18/03 ADOPT: 1300.87

09/16/03 AMEND: 1300.67

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12/30/03 AMEND: 101170, 102370

12/29/03 ADOPT: 87701.2 AMEND: 87101, 87218, 87561, 87575.1, 87577, 87578, 87691, 87701, 87701.1, 87701.2, 87702, 87702.1, 87703, 87704, 87705, 87707, 87708, 87709, 87710, 8711, 87713

12/17/03 ADOPT: 85001(a)(2)-(4), 85001(d)(1), 85001(f)(1), 85001(h)(1)-(4), 85001(t)(1);85075.1, 85075.2, 85075.3 AMEND: 85075.4

12/10/03 ADOPT: 89002 AMEND: 80017, 87118, 87817, 88030, 89317, 110168, 102368

11/18/03 ADOPT: 84065.2(a)(1)(A)(1)(A)(2), 64065.5(b)(1)(b)(2), 64065.7(d), 8400(b)(b)(1)(2)(3)(4)(), 84222(a)(5)(B)(a)(12)(a)(13), 84265(c)(1)(C)(D)(c)(4)(C)(D)(e)(e)(1), 84268.3(a)(1), 84272.1(e), 84274(c)(3), 84275(c), 84277(a)(1), 84278(g), 84278.1(g) AMEND:

11/12/03 ADOPT: 102416.1 AMEND: 80001, 80019, 80019.1, 80019.2, 80054, 80061, 80065, 80066, 87101, 87219, 87219.1, 87454, 87565, 87566, 87801, 87819, 81819.1, 87854, 87861, 87865, 87866, 101152, 101170, 101170.1, 101170.2, 101195, 101212, 101216, 101217, 102352,

10/27/03 ADOPT: 86000, 86001, 86005, 86009, 86010, 86018, 86020, 86022, 86023, 86024, 86028, 86030.5, 86031.5, 86036, 86044, 86044.5, 86045, 86061, 86064, 86065, 86065.2, 86065.3, 86065.4,



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09/08/03 AMEND: 102395

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12/31/03 AMEND: 42-207, 42-215, 63-501, 63-1101

12/29/03 AMEND: 42-712, 42-719, 44-111

12/15/03 AMEND: 11-405.2, 11-406(f)

11/26/03 AMEND: 40-181.1,(e), 40-181.22, 42-710.6, 42-711.51, 42-721.1, 42-721.41, 44-314.1, 80-310(r), 82-812.6

10/31/03 ADOPT: 30-501, 30-502, 30-503, 30-504, 30-505, 30-506, 30-507, 30-900, 30-901, 30-902, 30-903, 30-904, 30-905, 30-906, 30-907, 30-908, 30-909, 30-910, 30-911, 30-912, 30-913, 30-914, 30-915, 30-916, 30-917, 30-918, 30-919, 30-920, 31-236 AMEND: 11-400t,

10/30/03 AMEND: 44-315, 89-201

10/28/03 AMEND: 63-503, 63-504, 63-505

09/16/03 ADOPT: 49-037 AMEND: 49-005, 49-020, 49-035, 49-040, 80-310

09/11/03 AMEND: 63-405, 63-503

09/08/03 AMEND: 63-405

