



California Regulatory Notice Register

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PROPOSED ACTION ON REGULATIONS

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***Time-
Dated
Material***

GENERAL PUBLIC INTEREST

OFFICE OF ADMINISTRATIVE LAW

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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

Information contained in this document is published as received from agencies and is not edited by Thomson West.

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

**MULTI-COUNTY: California Medical Assistance Commission
California Gambling Control Commission**

A written comment period has been established commencing on **November 10, 2006** and closing on **December 25, 2006**. Written comments should be directed to the Fair Political Practices Commission, Attention Cynthia A. Jones, 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 his review, unless any interested person or his or her duly authorized 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 or 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 or the Commission, upon his 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 **December 25, 2006**. 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 Cynthia A. Jones, 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 Cynthia A. Jones, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**TITLE 2. FAIR POLITICAL
PRACTICES COMMISSION**

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulations at a public hearing on or after December 14, 2006 at 9:45 a.m. Written comments must be received at the Commission offices no later than 5 p.m. on December 11, 2006.

BACKGROUND/OVERVIEW

The campaign disclosure obligations imposed by state law on California political party committees are well settled. But when these committees engage in activities regulated, in part, by both California and federal law, the interplay between these two bodies of law is not always clearly outlined in federal or state law. As pertinent here, when a political party committee, as defined at section 85205, makes contributions or expenditures to support or oppose candidates or ballot measures in California elections, using bank accounts established and maintained under provisions of federal campaign law, California law does not expressly prescribe the committee's campaign reporting obligations. Proposed regulation 18530.3 specifies information that must be reported in such cases.

REGULATORY ACTION

Adopt 2 Cal. Code Regs. § 18530.3: The Commission will consider adoption of proposed regulation 18530.3, to clarify the obligations of specified committees; 1) to report contributions to "Levin Fund" accounts created under federal law; 2) to apply to contributions to Levin Fund accounts the contribution limit of Government Code section 85303(b); 3) to report on state campaign forms certain expenditures made from federal campaign accounts for the purpose of supporting or defeating any state or local ballot measure; 4) to

provide notice in certain cases regarding major donor filing obligations to contributors who may be major donors.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. These regulations will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. These regulations will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. These regulations will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

Section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE

The purpose of these regulations is to implement, interpret and make specific Government Code sections 82015, 82025, 82031, 85303, 85205.

CONTACT

Any inquiries should be made to Lawrence T. Woodlock, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at www.fppc.ca.gov.

ADDITIONAL COMMENTS

After the hearing, the Commission may adopt or repeal the proposed regulations if they remain substantially the same as described or as in the text originally made available to the public. The Commission may make changes to the proposed regulations before their adoption or repeal.

**TITLE 2. FAIR POLITICAL
PRACTICES COMMISSION**

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Fair Political

cal Practices Commission will consider the proposed regulations at a public hearing on or after December 14, 2006 at 9:45 a.m. Written comments must be received at the Commission offices no later than 5 p.m. on December 11, 2006.

BACKGROUND/OVERVIEW

Government Code section 85303 limits the amount of money that may be contributed to certain committees and political parties when the contributions are made for certain purposes. To ensure that these contribution limits are observed, it is necessary to segregate the proceeds of contributions subject to the contribution limits, by placing them in bank accounts where they cannot be comingled with funds contributed, without limit, for other purposes.

REGULATORY ACTION

Adopt 2 Cal. Code Regs. § 18534: The Commission will consider adoption of proposed regulation 18530.3, thereby requiring that contributions made for purposes subject to the limit of Government Code section 85303 be made from an “all purpose” committee account funded by contributions equal to or below the limit set by section 85303. The Commission may further authorize committees to establish one or more “restricted use” accounts into which they may place contributions that may not be deposited in “all purpose” accounts, together with ancillary provisions to ensure that funds in the two accounts are not comingled in a fashion that would undermine the contribution limits established by section 85303.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. These regulations will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. These regulations will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. These regulations will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

Section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE

The purpose of these regulations is to implement, interpret and make specific Government Code sections 82015, 82025, 82031, 85303, 85205.

CONTACT

Any inquiries should be made to Lawrence T. Woodlock, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at www.fppc.ca.gov.

ADDITIONAL COMMENTS

After the hearing, the Commission may adopt or repeal the proposed regulations if they remain substantially the same as described or as in the text originally made available to the public. The Commission may make changes to the proposed regulations before their adoption or repeal.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, under the authority vested in it by section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in title 2, division 6 of the California Code of Regulations. The Fair Political Practices Commission will consider the proposed regulation at a public hearing on or after **December 14, 2006**, at approximately **9:45 a.m.** Written comments must be received at the Commission offices no later than **5:00 p.m.** on **December 12, 2006**.

BACKGROUND/OVERVIEW

Under the Political Reform Act (“Act”), there are several categories of post-employment laws, commonly known as the “revolving door restrictions.” (Sections 87400-87407.)¹ Section 87406.3 was added to the Act in 2005 (Scats. 2005, ch. 680) and prohibits specified local governmental agency officials from appearing before or communicating with their former local governmental agency employer for a one-year period. This section took effect July 1, 2006.

Similar to the one-year ban for state officials in section 87406, section 87406.3 imposes a one-year ban on local officials. Specifically, section 87406.3 prohibits a local official from communicating with a local agency

¹ All references to sections herein are to the Government Code unless otherwise indicated.

for which he or she worked or represented, for a period of 12 months after leaving the agency if the official: (1) holds a position specified under the ban; (2) performs services for compensation; (3) acts as an agent, attorney, or representative of any other person; and (4) makes an appearance or communication for the purpose of influencing legislative or administrative action or any action or proceeding involving the issuance, amendment, awarding, or revocation of a permit, license, grant or contract, or the sale or purchase of goods and property.

REGULATORY ACTION

Adopt 2 Cal. Code Regs. section 18746.3: The Commission may consider whether regulation 18746.3 should be adopted to assist local governmental officials in determining their obligations under the local “revolving door restrictions” of section 87406.3.

Proposed regulation 18746.3 would interpret key provisions of section 87406.3, set out the required elements of the one-year ban as applied specifically to local officials, and define certain terms that will assist local officials in determining their obligations.

The proposed language includes clarification that the one-year ban provided in section 87406.3 applies to the chief administrative officer of a city even if the officer is not labeled a “city manager,” and to managers or chief administrative officers of air pollution control and air quality management districts. The proposed language also clarifies that the ban only applies to those local official who held an office or position with a local governmental agency on or after July 1, 2006.

The proposed language also establishes an exception for appearances or communications by a former local official to represent his or her own personal interests. Consistent with the state one-year ban of section 87406 and the state permanent ban of sections 87401 and 87402, this exception permits appearances and communications by a former official when representing his or her own personal interests, as defined by regulation 18746.2, except for appearances and communications in quasi-judicial proceedings in which the official previously participated.

Finally, the proposed language includes definitions for “administrative action,” “legislative action,” “quasi-legislative” and “quasi-judicial.” The definitions are included to emphasize that, unlike the state one-year ban in section 87406, the local one-year ban in section 87406.3 applies to quasi-judicial proceedings. The definitions also help to ensure that local officials rely on the correct definitions when determining their obligations.

SCOPE

The Commission may delete provisions, adopt the language noticed herein, or choose new language to implement its policy regarding the “revolving door restrictions” for local governmental officials under section 87406.3.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

Government Code section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE

The purpose of this regulation is to implement, interpret and make specific Government Code section 87406.3.

CONTACT

Any inquiries should be made to Brian G. Lau, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at www.fppc.ca.gov.

TITLE 2. STATE ALLOCATION BOARD

NOTICE OF PROPOSED REGULATORY ACTION

THE STATE ALLOCATION BOARD PROPOSES TO AMEND THE FOLLOWING REGULATION SECTIONS, ALONG WITH ASSOCIATED FORMS, TITLE 2, CALIFORNIA CODE OF REGULATIONS, RELATING TO LEROY F. GREENE SCHOOL FACILITIES ACT OF 1998

PROPOSED AMENDMENTS TO REGULATION SECTIONS: 1859.2, 1859.76, 1859.83, AND 1859.163.1

PROPOSED AMENDMENTS TO THE FOLLOWING FORMS:

Application for Funding, Form SAB 50–04 (Revised 09/06), Referenced in Regulation Section 1859.2

Fund Release Authorization, Form SAB 50–05 (Revised 09/06), Referenced in Regulation Section 1859.2

Application for Charter School Preliminary Apportionment, Form SAB 50–09 (Revised 06/06), Referenced in Regulation Section 1859.2

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to amend the above-referenced regulation sections, along with associated forms, contained in Title 2, California Code of Regulations (CCR). A public hearing is not scheduled. 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 Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, the OPSC, at its own motion or at the instance of any interested person, may adopt the proposals substantially as set forth above without further notice.

AUTHORITY AND REFERENCE CITATIONS

The SAB is proposing to amend existing Regulation Sections 1859.2, 1859.76, 1859.83, and 1859.163.1 under the authority provided by Sections 17070.35, 17075.15 and 17078.64 of the Education Code. The proposals interpret and make specific reference to Sections 17070.35, 17072.12, 17072.32, 17072.35, 17074.15, 17074.16, 17075.10, 17075.15, 17077.40, 17077.42, 17077.45, 17078.52 and 17078.56 of the Education Code.

INFORMATIVE DIGEST/POLICY OVERVIEW STATEMENT

The Leroy F. Greene School Facilities Act of 1998 established, through Senate Bill 50, Chapter 407, Statutes of 1998, the School Facility Program (SFP). The SFP provides a per-pupil grant amount to qualifying school districts for purposes of constructing school facilities and modernizing existing school facilities. The SAB adopted regulations to implement the Leroy F. Greene School Facilities Act of 1998, which were approved by the Office of Administrative Law and filed with the Secretary of State on October 8, 1999.

The proposed emergency regulation changes were adopted by the SAB at its June 28, 2006 meeting to help school districts and qualifying charter school projects cover the extra costs for new construction general site development, which includes items such as landscap-

ing, finish grading, driveways, walkways, outdoor instructional play facilities, permanent playground equipment, and athletic fields. The proposed amendments add an additional grant for general site development costs under the SFP regulations, utilizing the continuing availability of new construction funding through the Kindergarten–University Public Education Facilities Bond Act of 2004 (Proposition 55).

Additional non-emergency regulation changes were adopted by the SAB at its September 27, 2006 meeting to define the term “piggyback contract” and add data fields to the Forms SAB 50–04 and SAB 50–05 for school districts to reflect whether piggyback contracts were used in projects. Further emergency regulatory changes were adopted by the SAB at its October 25, 2006 meeting to clarify the eligibility and calculations for the additional grant for general site development costs.

The previous State school funding program, the State School Building Lease–Purchase Program (LPP), had included a funding component to help cover general site development costs, but a preliminary analysis of the SFP has concluded that general site development costs do not reasonably appear to be included in the SFP base grant. In order to provide the same level of funding that was provided under the LPP, the amendments will provide a six percent increase to the base grant for elementary and middle school projects and a 3.75 percent increase for high school projects. Districts will also receive an amount of \$26,112 per new acre acquired which will be adjusted annually based on the change in the Class B Construction Cost Index.

The proposed amendments to SFP regulation sections and forms are as follows:

Existing Regulation Section 1859.2 represents a set of defined words and terms used exclusively for these regulations. The proposed amendments add the definition of “Piggyback Contract” for purposes of providing the construction delivery method in the SFP, and changes the effective dates of three SAB Forms which are being amended.

Existing Regulation Section 1859.76 provides new construction additional grants for specific types and amounts of site development costs. The proposed amendments add an additional grant for General Site Development costs, clarify the eligibility and calculations for the additional grant, and further provide that it shall be suspended no later than January 1, 2008 unless otherwise extended by the SAB.

Existing Regulation Section 1859.83 sets forth district eligibility criteria for excessive cost hardship grant funding as a result of specified unusual circumstances. The proposed amendment adds the additional grant for General Site Development to an existing list of funding grants authorized in the SFP regulations.

Existing Regulation Section 1859.163.1 sets forth construction cost funding caps for preliminary charter school apportionment determinations, based upon grade level(s) of the project and urban or non-urban location. The proposed amendments add an additional grant for General Site Development costs, and further provides that it shall be suspended no later than January 1, 2008 unless otherwise extended by the SAB.

Existing Form SAB 50-04, *Application for Funding*, is submitted by school districts seeking State funding for new construction or modernization projects. The proposed amendments add instructions and corresponding data fields for districts to check if they are requesting funding for General Site Development costs. In addition, a data field is added for school districts to reflect whether their project includes piggyback contracts.

Existing Form SAB 50-05, *Fund Release Authorization*, is used and submitted by school districts in order to release apportioned funds to the appropriate county treasury. The proposed amendment provides an additional certification that school districts must acknowledge. In addition, a data field is added for school districts to reflect whether their project includes piggyback contracts. There are non-substantive changes also reflected on this Form.

Existing Form SAB 50-09, *Application for Charter School Preliminary Apportionment*, is used by school districts/charter schools to request a preliminary apportionment for the new construction of charter school facilities. The proposed amendments add instruction and a corresponding data field for school districts/charter schools to check if they are requesting funding for General Site Development costs.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Executive Officer of the SAB has determined that the proposed regulations do not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies or school districts to incur additional costs in order to comply with the proposed regulations.

ECONOMIC IMPACT

The Executive Officer of the SAB has assessed the potential for significant adverse economic impact on businesses or private persons that might result from the proposed regulatory action and the following determinations have been made relative to the required statutory categories:

- The SAB 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.
- There will be no impact in 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.
- The SAB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- There will be no non-discretionary costs or savings to local agencies.
- There will be no costs to school districts except for the required district contribution toward each project as stipulated in statute.
- There will be no costs or savings in federal funding to the State.
- There are no costs or savings to any State agency.
- The SAB has made an initial determination that there will be no impact on housing costs.

EFFECT ON SMALL BUSINESSES

It has been determined that the adoption of the regulation sections will not affect small businesses in the ways identified in subsections (a)(1)-(4) of Section 4, Title 1, CCR. These regulations only apply to school districts and charter schools for purposes of funding school facility projects.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, e-mail or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, e-mail or fax must be received at the OPSC no later than December 25, 2006, at 5:00 p.m. The express terms of the proposed regulations as well as the Initial Statement of Reasons are available to the public.

Written comments, submitted via U.S. mail, e-mail or fax, regarding the proposed regulatory action, requests for a copy of the proposed regulatory action or the Initial Statement of Reasons, and questions concerning the substance of the proposed regulatory action should be addressed to:

Robert Young,
Regulation Coordinator

Mailing Address: Office of Public School
Construction
1130 K Street, Suite 400
Sacramento, CA 95814

E-mail Address: robert.young@dgs.ca.gov

Fax No.: (916) 445-5526

RULEMAKING FILE

Pursuant to Government Code Section 11347.3, the SAB is maintaining a rulemaking file for the proposed regulatory action. The file currently contains:

1. A copy of the text of the regulations for which the adoption is proposed in ~~strikeout~~/underline.
2. A copy of this notice.
3. A copy of the Initial Statement of Reasons for the proposed adoption.
4. The factual information upon which the SAB is relying in proposing the adoption.

As data and other factual information, studies, reports or written comments are received, they will be added to the rulemaking file. The file is available for public inspection at the OPSC during normal working hours. Items 1 through 3 are also available on the OPSC Internet Web site at: <http://www.opsc.dgs.ca.gov> under "Regulations," then click on "Proposed Regulations."

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Regulatory Action may be directed to Robert Young at (916) 445-0083. If Mr. Young is unavailable, these questions may be directed to the backup contact person, Lisa Jones, Supervisor, Regulations Team, at (916) 322-1043.

ALTERNATIVES

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

ADOPTION OF REGULATIONS

Please note that, following the public comment period, the SAB may adopt the regulations substantially as proposed in this notice or with modifications, which are sufficiently related to the originally proposed text and notice of proposed regulatory activity. If modifications are made, 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 SAB adopts the regulations.

The modified regulation(s) will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the public comment period, and all persons who requested notification from the agency of the availability of such changes. Requests for copies of any modified regulation should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulations during the 15-day period.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the agency's regulation coordinator named in this notice or may be accessed on the Web site listed above.

SUBSTANTIAL CHANGES WILL REQUIRE A NEW NOTICE

If, after receiving comments, the SAB intends to adopt the regulations with modifications not sufficiently related to the original text, the modified text will not be adopted without complying anew with the notice requirements of the Administrative Procedure Act.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture proposes to amend Sections 3800.1 and 3800.2 of the regulations in Title 3 of the California Code of Regulations pertaining to Quality Standards for cotton in the San Joaquin Valley Quality Cotton District.

A public hearing is not scheduled. 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.

Notice is also given that any person interested may present statements or arguments in writing relevant to

the action proposed to the agency officer named below on or before December 25, 2006.

**INFORMATIVE DIGEST/PLAIN ENGLISH
OVERVIEW**

Existing law provides that the San Joaquin Valley Cotton Board (Board) shall establish a separate Acala and Pima standard for all cotton grown within the San Joaquin Valley Quality Cotton District (District). When determining each standard, the Board shall consider fiber length, strength, uniformity, micronaire, seed quality, productivity, resistance to disease, including Verticillium wilt, and spinning characteristics. Existing law also provides that the Board annually review test data and approve for release and planting within the District, cotton varieties which meet the existing Acala or Pima quality standard but are superior in some meaningful respect (Section 52891, Food and Agricultural Code).

Existing law provides that the Department shall adopt regulations to maintain the integrity of approved Acala or Pima cotton and prevent contamination of those types of cotton (Section 52901, Food and Agricultural Code). Existing law also provides that the Board may hold a referendum vote whenever the Board proposes changes to the Acala or Pima quality standard (Section 52936, Food and Agricultural Code).

The proposed amendment of Section 3800.1 will establish the new San Joaquin Valley Quality Cotton District (District) quality standard for Acala cotton as Acala Summit. The District quality standard for Pima cotton will remain as Pima S-7. The effect of this regulation will be that experimental (nonapproved) cotton varieties being tested within the District will be compared to Acala Summit or Pima S-7 by the San Joaquin Valley Cotton Board when reviewing test data for the purpose of determining if a variety may be approved for release and planting within the District. Nonapproved varieties which do not meet the standards or that do meet the standards but are not superior in some meaningful respect, cannot be approved by the Board for release and planting within the District. Nonapproved varieties may still be planted within the District but are tagged as California Upland, California Pima or "SJV Experimental" cottons.

The proposed amendment of Section 3800.2 will establish that the Board may hold a referendum whenever it proposes that a variety other than Acala Summit or Pima S-7 embodies the Acala or Pima quality standard. The effect of this regulation will be to clarify that the Board is not required to hold a referendum and that, specifically, the referendum may be held when proposing that a variety other than Acala Summit or Pima S-7 embodies the quality standard for the District.

**COST TO LOCAL AGENCIES
AND SCHOOL DISTRICTS**

The Secretary of Food and Agriculture has determined that the proposed regulations do not impose a mandate on local agencies or school districts. The Department also has determined that no savings or increased costs to any state agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State will result from the proposed action.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

**COST IMPACT ON 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.

ASSESSMENT

The Department has made an assessment that the proposed amendment to the regulation would not: 1) create or eliminate jobs within California; 2) create new business or eliminate existing businesses within California; or, 3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Secretary of the Department of Food and Agriculture must determine that no alternative considered 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.

AUTHORITY

The Department proposes to amend Section 3800.1 pursuant to the authority vested by Sections 407, 52891, and 52901 of the Food and Agricultural Code of California.

The Department proposes to amend Section 3800.2 pursuant to the authority vested by Sections 407, 52891, 52901, and 52936 of the Food and Agricultural Code of California.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 52891 and 52936 of the Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Liz Johnson at (916) 654-1017. Questions regarding the substance of the proposed regulations should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/cdfa/pendingregs).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture 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 loca-

tion of the information on which the proposal is based may also be obtained upon request. In addition, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations amended 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 amendment. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3433, subsection (b) of the regulations in Title 3 of the California Code of Regulations pertaining to Diaprepes Root Weevil Interior Quarantine as an emergency action that was effective on September 19, 2006. The Department proposes to continue the regulation as amended and to complete the adoption process by submission of a Certificate of Compliance no later than January 17, 2007.

A public hearing is not scheduled. 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. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

Notice is also given that any person interested may present statements or arguments in writing relevant to the actions proposed to the agency officer named below on or before December 25, 2006.

Following the public hearing and the written comment period, the Department of Food and Agriculture may certify that there was compliance with provisions of Section 11346.1 of the Government Code within 120 days of the emergency regulation.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry of California and prevent the spread of injurious pests (Food and Agricultural Code Sections 401 and 403). Existing law provides the Secretary may establish, maintain, and enforce quarantine regulations, as he deems necessary, to circumscribe and exterminate or

prevent the spread of pests (Food and Agricultural Code, Sections 5301, 5302 and 5322).

This amendment of Section 3433 established four new quarantine areas; two in Orange County (Yorba Linda and Newport Beach areas) and two in San Diego County (Del Mar and Rancho Santa Fe areas). The addition of the Del Mar area resulted in its merging with the Carmel Valley area which is already under quarantine. The addition of the Rancho Santa Fe area resulted in its merging with the Fairbanks Ranch area which is also already under quarantine. This added approximately three square miles to Orange County and five square miles to San Diego County as additional areas under quarantine for *Diaprepes abbreviatus*. The effect of the amendment is to provide authority for the State to regulate movement of the articles and commodities covered that may move life stages of the Diaprepes root weevil from, into, and within that area under quarantine to prevent artificial spread of the weevil to noninfested areas to protect California's agricultural industry. There is no existing, comparable federal regulation or statute.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3433 does not impose a mandate on local agencies or school districts, except that an agricultural commissioner of a county under quarantine has a duty to enforce Section 3433. No reimbursement is required for Section 3433 under Section 17561 of the Government Code because the agricultural commissioners of Orange and San Diego counties requested the changes in the regulation.

The Department also has determined that the amended regulation will involve no additional costs or savings to any state agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting some California businesses, including the ability of

California businesses to compete with businesses in other states.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The cost impact of the amended regulation on a representative private person or business is not expected to be significantly adverse. The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT

The Department has made an assessment that the proposed amendment to the regulation would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

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

AUTHORITY

The Department proposes to amend Section 3433 pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the Food and Agricultural Code.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301, 5302 and 5322 of the Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, pro-

posed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed to: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Liz Johnson at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/cdfa/pendingregs).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture 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 regulation 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 herein.

If the regulation amended by the Department differs 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 amendment. Any person interested may obtain a copy of said regulation prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3433, subsection (b) of the regulations in Title 3 of the California Code of Regulations pertaining to Diaprepes Root Weevil Interior Quarantine as an emergency action that was effective on October 12, 2006. The Department proposes to continue the regulation as amended and to complete the adoption process by submission of a Certificate of Compliance no later than February 9, 2007.

A public hearing is not scheduled. 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. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

Notice is also given that any person interested may present statements or arguments in writing relevant to the actions proposed to the agency officer named below on or before December 25, 2006.

Following the public hearing and the written comment period, the Department of Food and Agriculture may certify that there was compliance with provisions of Section 11346.1 of the Government Code within 120 days of the emergency regulation.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry of California and prevent the spread of injurious pests (Food and Agricultural Code Sections 401 and 403). Existing law provides the Secretary may establish, maintain, and enforce quarantine regulations, as he deems necessary, to circumscribe and exterminate or prevent the spread of pests (Food and Agricultural Code, Sections 5301, 5302 and 5322).

The amendment of Section 3433 established three new quarantine areas in San Diego County; two in the La Jolla area and expanding the regulated area in the Encinitas area. The addition of the northern area of La Jolla will result in its merging with the existing La Jolla area and the Del Mar area which is already under quarantine. The proposed quarantine area is the smallest area possible, which includes a buffer area and is based upon the known natural dispersal of this weevil.

The effect of the amendment is to provide authority for the State to regulate movement of the articles and commodities covered that may move life stages of the Diaprepes root weevil from, into, and within that area under quarantine to prevent artificial spread of the weevil to noninfested areas to protect California's agricultural industry. There is no existing, comparable federal regulation or statute.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3433 does not impose a mandate on local agencies or school districts, except that an agricul-

tural commissioner of a county under quarantine has a duty to enforce Section 3433. No reimbursement is required for Section 3433 under Section 17561 of the Government Code because the Agricultural Commissioner of San Diego County requested the changes in the regulation.

The Department also has determined that the amended regulation will involve no additional costs or savings to any state agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting some California businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The cost impact of the amended regulation on a representative private person or business is not expected to be significantly adverse. The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT

The Department has made an assessment that the proposed amendment to the regulation would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and

brought to the attention of the Department 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.

AUTHORITY

The Department proposes to amend Section 3433 pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the Food and Agricultural Code.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301, 5302 and 5322 of the Food and Agricultural Code.

EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Liz Johnson at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/cdfa/pendingregs).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture 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 regulation in underline and strikeout form may be obtained upon request. The loca-

tion 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 herein.

If the regulations amended by the Department differs 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 amendment. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3700(c) of the regulations in Title 3 of the California Code of Regulations pertaining to Oak Mortality Disease Control as an emergency action on October 10, 2006. The Department proposes to continue the regulation as amended and submit a Certificate of Compliance for this action to the Office of Administrative Law no later than February 7, 2007.

A public hearing is not scheduled. 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 contact no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture may certify that there was compliance with the provisions of Section 11346.1 of the Government Code within 120 days of the emergency regulation.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before December 25, 2006.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry in California and prevent the spread of injurious pests (Food and Agricultural Code, Sections 401 and 403). Existing law also provides that the Secretary may establish, maintain, and enforce such regulations as he deems necessary to prevent the spread of pests to protect California's agricultural industry (Food and Agricultural Code, Section 5322).

The emergency amendment of Section 3700(c) established *Acer pseudoplatanus* (planetree maple), *Aescu-*

lus hippocastanum (horse chestnut), *Laurus nobilis* (bay laurel) and *Michelia doltsop* (Michelia) as hosts under the articles and commodities covered by the regulation. The proposed emergency amendment of Section 3700(c) also established *Castanopsis orthacantha* (Castanopsis), *Cornus kousa x Cornus capitata* (Cornus Norman Haddon), *Distylium myricoides* (myrtle-leaved distylium), *Eucalyptus haemastoma* (Scribbly gum), *Ilex purpurea* (Oriental holly), *Loropetalum chinense* (Loropetalum), *Manglietia insignias* (red lotus tree) and *Parakmeria lotungensis* (Eastern joy lotus tree) as associated articles under the articles and commodities covered by the regulation. The emergency amendment of Section 3700(c) also established the specific cultivars of Rosa: Royal Bonica (tagged: "MEI-modac"), Pink Meidiland (tagged: "MEIpoque"), Pink Sevillana (tagged: "MEIgeroka") covered by the regulation.

The effect of the changes to the regulation is to provide authority for the State to regulate movement of these new hosts and "associated hosts" and potential carriers of disease from the regulated area to prevent artificial spread of the pest to non-infested areas to protect California's agricultural industry and the environment.

COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that the amendment of Section 3700(c) does not impose a mandate on local agencies or school districts, except that an agricultural commissioner of a county under regulation has a duty to enforce Section 3700. No reimbursement is required for Section 3700 under Section 17561 of the Government Code because the agricultural commissioners of the affected counties requested the change in the regulation.

The Department also has determined that the amended regulation will involve no additional costs or savings to any state agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant state-

wide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The cost impact of amending the regulation on a representative private person or business is not expected to be significantly adverse. The agency is not aware of any new cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT

The Department has made an assessment that the proposed amendment to the regulation would 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.

ALTERNATIVES CONSIDERED

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

AUTHORITY

The Department amended Section 3700(c) pursuant to the authority vested by Sections 407, 5321 and 5322 of the Food and Agricultural Code of California.

REFERENCE

The Department amended Section 3700(c) to implement, interpret and make specific Sections 24.5, 5321 and 5322, Food and Agricultural Code.

EFFECT ON SMALL BUSINESSES

The amendment of this regulation may affect small businesses.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, pro-

posed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: sbrown@cdfa.ca.gov. In his absence, you may contact Liz Johnson at (916) 654-1017. Questions regarding the substance of the proposed regulations should be directed to Stephen S. Brown.

INTERNET ACCESS

The Department has posted on its Internet website (www.cdfa.ca.gov/plant/index.html) the information regarding this proposed regulatory action. Select "Proposed Changes in Regulations for Plant Health and Pest Prevention Services" and then section number(s).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture 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 herein.

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 agency officer (contact) named herein.

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, 203.1, 205(c), 219, 220, 1590, 1591, 2860, 2861, 6750 and 10502.6 of the Fish and Game Code, and sections 36725(a) and 36725(e) of the Public Resources Code; and to implement, interpret or make specific sections 200, 202,

203.1, 205(c), 219, 220, 1580, 1583, 2861, 5521, 6653, 8420(e) and 8500 of the Fish and Game Code, and sections 36700(e), 36710(e), 36725(a) and 36725(e) of the Public Resources Code, proposes to amend Section 632, Title 14, California Code of Regulations, relating to Marine Protected Areas.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Marine Life Management Act (MLMA, Stats. 1998, ch. 1052) created a broad programmatic framework for managing fisheries through a variety of conservation measures, including Marine Protected Areas (MPAs). The Marine Life Protection Act (MLPA, Stats. 1999, ch. 1015) established a programmatic framework for designating such MPAs in the form of a statewide network. AB 2800 (Stats. 2000, ch. 385) enacted the Marine Managed Areas Improvement Act (MMAIA), among other things, to standardize the designation of Marine Managed Areas (MMAs), which include MPAs. The overriding goal of these acts is to ensure the conservation, sustainable use, and restoration of California's marine resources. Unlike previous laws, which focused on individual species, the acts focus on maintaining the health of marine ecosystems and biodiversity in order to sustain resources.

The proposed regulation is intended to meet the goals described in the MLPA. These goals address an overall concept of ecosystem-based management and the intent to improve upon California's existing array of marine protected areas (MPAs). The MLPA specifically requires that the Department of Fish and Game prepare a master plan and the Commission adopt regulations based on the plan that achieve the MLPA goals. These goals are:

- To protect the natural diversity and abundance of marine life, and the structure, function, and integrity of marine ecosystems.
- To help sustain, conserve, and protect marine life populations, including those of economic value, and rebuild those that are depleted.
- To improve recreational, educational, and study opportunities provided by marine ecosystems that are subject to minimal human disturbance, and to manage these uses in a manner consistent with protecting biodiversity.
- To protect marine natural heritage, including protection of representative and unique marine life habitats in California waters for their intrinsic value.

- To ensure that California's MPAs have clearly defined objectives, effective management measures, and adequate enforcement, and are based on sound scientific guidelines.
- To ensure that the State's MPAs are designed and managed, to the extent possible, as a network.

Important in developing the proposed regulation was the consideration that the central coast MPAs form a component of a statewide network. By definition in the MLPA, a network is applied to a biogeographical region. The Master Plan Framework for MPAs adopted by the Commission recognizes two biogeographical regions in California, with a boundary at Pt. Conception. The biological network concept calls for connectivity between MPAs through adult movements and larval transport of the species most likely to benefit from establishing MPAs. This includes marine plants, sedentary fishes and invertebrates, and species which are not highly mobile or migratory. This approach is consistent with the guidance provided in the MLPA [Fish and Game Code Section 2853(b)(6)]. Networks may also be connected through consistency in the method of establishment, goals, objectives, and management and enforcement measures.

The proposed regulation establishes a network component of MPAs designed to include all representative central coast habitats and major oceanic conditions. Unique and critical habitats were considered separately to guarantee both representation and protection.

From an ecological perspective, the proposed regulation creates a network component of MPAs consistent with the goals of the MLPA. From an economic and social perspective, the proposed regulation attempts to minimize potential negative socio-economic impacts and optimize potential positive socio-economic impacts for all users, to the extent possible.

Existing regulations (the no-project alternative) provide for 12 MPAs and one special closure covering an area of approximately 43 square miles, which represents approximately 3.8 percent of state waters within the central coast region. Of this, only one fifth of the area is within no-take state marine reserves covering approximately 7.5 square miles or approximately 0.7 percent of state waters within the central coast region.

The recommended set of MPAs, along with each alternative, includes state marine parks. Because the Fish and Game Commission does not have legislated authority to establish new state marine parks, the proposed regulation designates recommended parks as state marine conservation areas but maintains the recommended restrictions on take and prohibits commercial take in these areas. A later regulatory process, promulgated by the State Park and Recreation Commission, will change the designation of these areas to state marine parks.

In reviewing Section 632, Title 14, the Department found a few typographical errors and inconsistencies in terminology that are corrected in the proposed regulatory change. These changes are neither substantial, nor do they change the existing restrictions. They serve to clarify the existing regulations for greater ease of enforcement and public understanding. In the proposed change, the term “offshore” has been consistently replaced with “seaward of mean lower low water”; where appropriate the phrase “straight lines connecting the following points in the order listed” has been added to the boundary descriptions; and scientific (Latin) names of species have been added (where appropriate) to lists of common names. An existing State Park Unit, the Point Lobos State Reserve, lies within the proposed Point Lobos State Marine Reserve. The proposed regulation clari-

fies that restrictions on access within the existing State Reserve will not extend into the area proposed in the expanded State Marine Reserve.

Proposed Regulation — The proposed regulation includes a total of 29 MPAs for the central coast region (Table 1 and Figure 1). Eight existing MPAs are included and have been expanded or, in the case of Pacific Grove SMCA and Carmel Bay SMCA, split into two new MPAs. Although the proposed regulation contains 19 new MPAs, five are directly adjacent to existing areas and can be considered further expansion of the area. In these five cases, the additional expansion is a conservation area or a park with some allowed take. Thus, the proposed regulation includes 14 MPAs that are in areas previously not designated as MPAs.

Table 1. Proposed regulation for marine protected areas in the central coast, including proposed allowed take and Science Advisory Team (SAT) assigned level of protection. Areas arranged geographically from north to south.

MPA Name	Proposed Allowed Take	SAT level of protection ¹
Año Nuevo SMR	No-Take	SMR
Greyhound Rock SMCA*	Recreational finfish by hook and line from shore only and recreational and commercial giant kelp (<i>Macrocystis pyrifera</i>) by hand, salmon, and squid	SMCA Low
Natural Bridges SMR*	No-Take	SMR
Elkhorn Slough SMR	No-Take	SMR
Elkhorn Slough SMCA(SMP)* ²	Recreational finfish by hook and line and clams in area adjacent to DFG wildlife area in west	SMP low
Moro Cojo Slough SMR*	No-Take	SMR
Soquel Canyon SMCA*	Pelagic finfish ³	SMCA high
Portuguese Ledge SMCA*	Pelagic finfish ³	SMCA high
Edward F. Ricketts SMCA*	Recreational finfish by hook and line, and commercial take of kelp by hand north of 36° 38.83' North Latitude NOTE: Sub-Options are provide for the time of day and location where recreational fishing is allowed in this MPA	SMCA low
Lovers Point SMR	No-Take	SMR
Pacific Grove Marine Gardens SMCA	Recreational finfish and commercial kelp by hand	SMCA low
Asilomar SMR	No-Take	SMR
Carmel Pinnacles SMR	No-Take	SMR
Carmel Bay SMCA	Recreational finfish and commercial kelp by hand	SMCA low
Point Lobos SMR	No-Take	SMR
Point Lobos SMCA*	Recreational and commercial salmon, albacore, and spot prawn	SMCA moderate
Point Sur SMR*	No-Take	SMR
Point Sur SMCA*	Recreational and commercial salmon and albacore	SMCA high
Big Creek SMCA*	Recreational and commercial salmon, albacore, and spot prawn west of line approximating 25 fms	SMCA moderate
Big Creek SMR	No-Take	SMR
Piedras Blancas SMR*	No-Take	SMR
Piedras Blancas SMCA*	Recreational and commercial salmon and albacore	SMCA high
Cambria SMCA (SMP)* ²	All recreational take NOTE: Sub-Options are provided for the southern and northern boundaries of this MPA	SMP low
Cambria SMR*	No-Take NOTE: Sub-Options are provided for the northern boundary of this MPA	SMR
Morro Bay SMRMA*	No-Take in South. Recreational finfish and commercial bait fish receivering, and commercial aquaculture by permit in north. Waterfowl hunting under DFG regulations in entire area.	SMCA low/high
Morro Bay SMR*	No-Take	SMR
Point Buchan SMR*	No-Take	SMR
Point Buchan SMCA*	Recreational and commercial salmon and albacore	SMCA high
Vandenberg SMR	No-Take	SMR

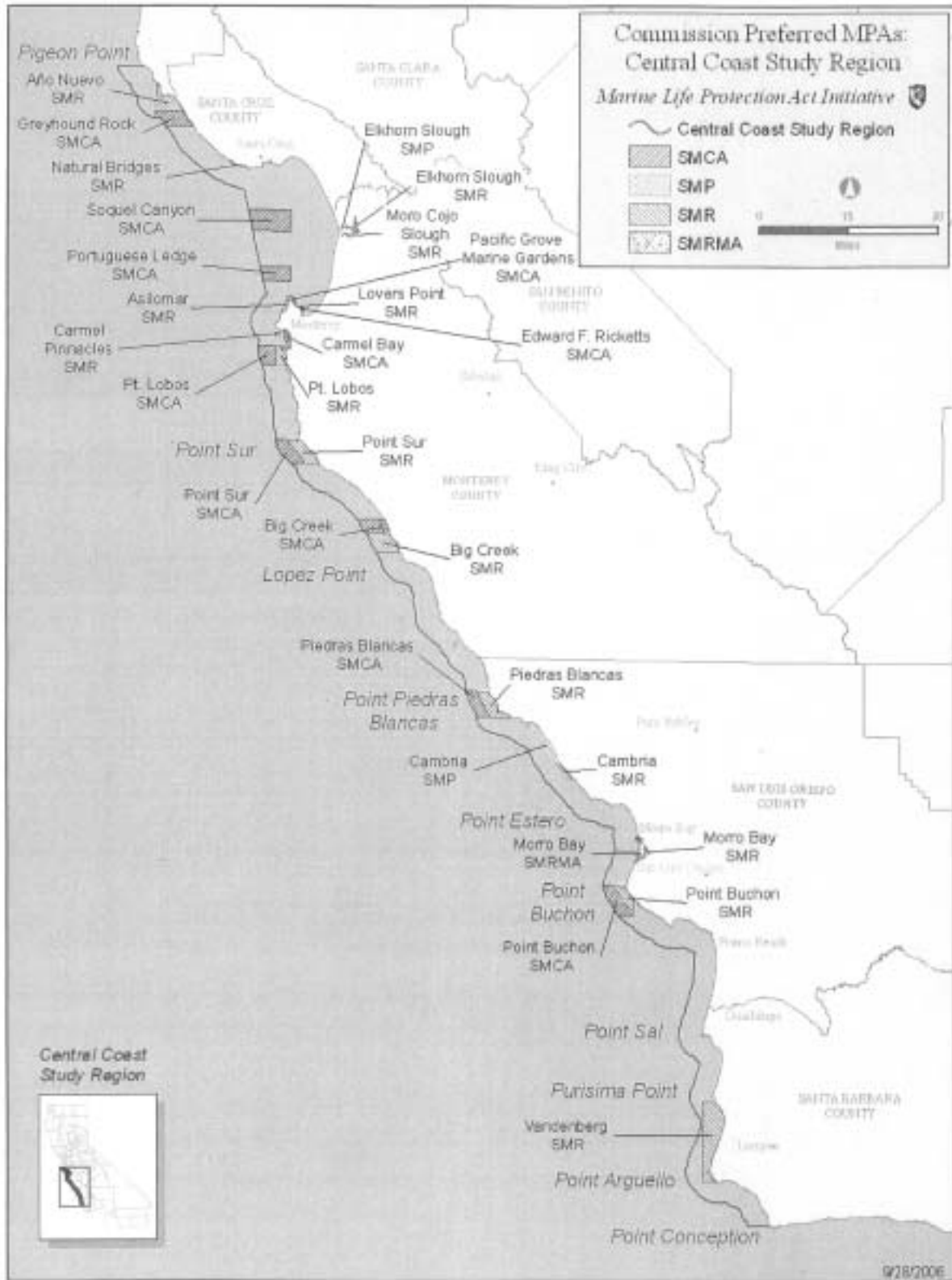
* New MPAs that are not direct expansion of an existing area.

¹ In order to analyze the differences between no-take reserves and limited take conservation areas and parks, the Science Advisory Team developed a protection level ranking described in the Master Plan.

² These areas will initially be designated as state marine conservation areas, though their regulations allow later change to state marine parks by the State Park and Recreation Commission.

³ Pelagic Finfish are defined as: northern anchovy (*Engraulis mordax*), barracudas (*Sphyrnaena spp.*), billfishes* (family Istiophoridae), dolphinfish (*Coryphaena hippurus*), Pacific herring (*Clupea pallasii*), jack mackerel (*Trachurus symmetricus*), Pacific mackerel (*Scomber japonicus*), salmon (*Oncorhynchus spp.*), Pacific sardine (*Sardinops sagax*), blue shark (*Prionace glauca*), salmon shark (*Lamna ditropis*), shortfin mako shark (*Isurus oxyrinchus*), thresher sharks (*Alopias spp.*), swordfish (*Xiphias gladius*), tunas (family Scombridae), and yellowtail (*Seriola lalandi*). *Marlin is not allowed for commercial take.

Figure 1. Marine protected areas in the proposed regulation.



SMCA = state marine conservation area SMP = state marine park
 SMR = state marine reserve SMRMA = state marine recreational management area

The proposed regulation includes MPAs covering an area of approximately 204 square miles, representing approximately 17.7 percent of state waters within the central coast region. Of this, less than half the area is within no-take state marine reserves covering approximately 97 square miles or approximately 8.4 percent of state waters within the central coast region (Figure 3). The remaining areas are primarily state marine conservation areas. Two of these SMCAs (Elkhorn Slough and Cambria) are recommended for later change to state

marine parks and have restrictions on take which would allow this later designation. Many of the SMCAs allow the take of either all pelagic finfish (defined above) or salmon and albacore and were considered by the SAT to offer high ecosystem protection (Figure 4). In some state marine conservation areas take of other species such as squid, kelp, and spot prawn are also allowed. With a few exceptions, the state marine conservation areas protect benthic fishes and invertebrates most likely to benefit from area protection.

Percentage of Central Coast State Waters in MPA Packages (by type of MPA)

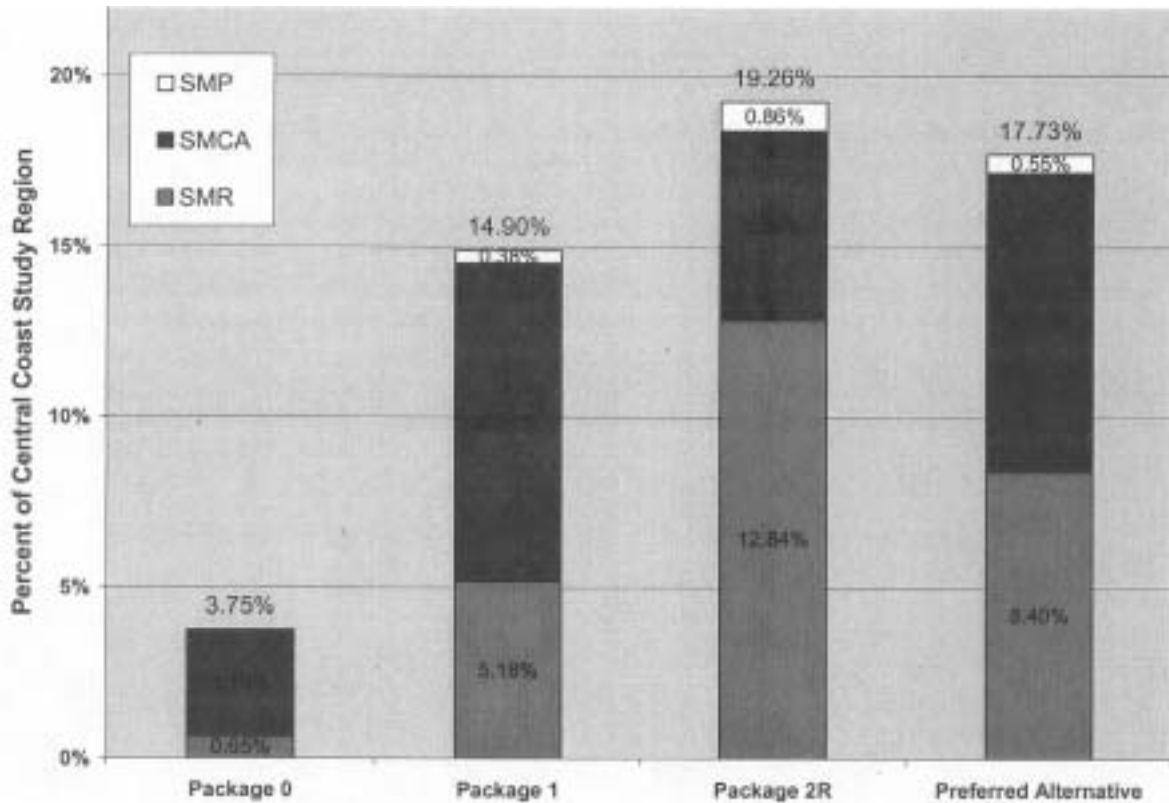


Figure 3. Percent of the central coast study region included in the proposed regulation as compared to existing MPAs (Package 0) and alternative proposals (Package 1 and 2R). SMP = state marine park, SMCA = state marine conservation area, and SMR = state marine reserve. Note that one state recreational management area (Morro Bay) is included in the calculations as part SMR and part SMCA based on its relative level of protection.

Percentage of Central Coast in MPA Packages (by SAT protection level)

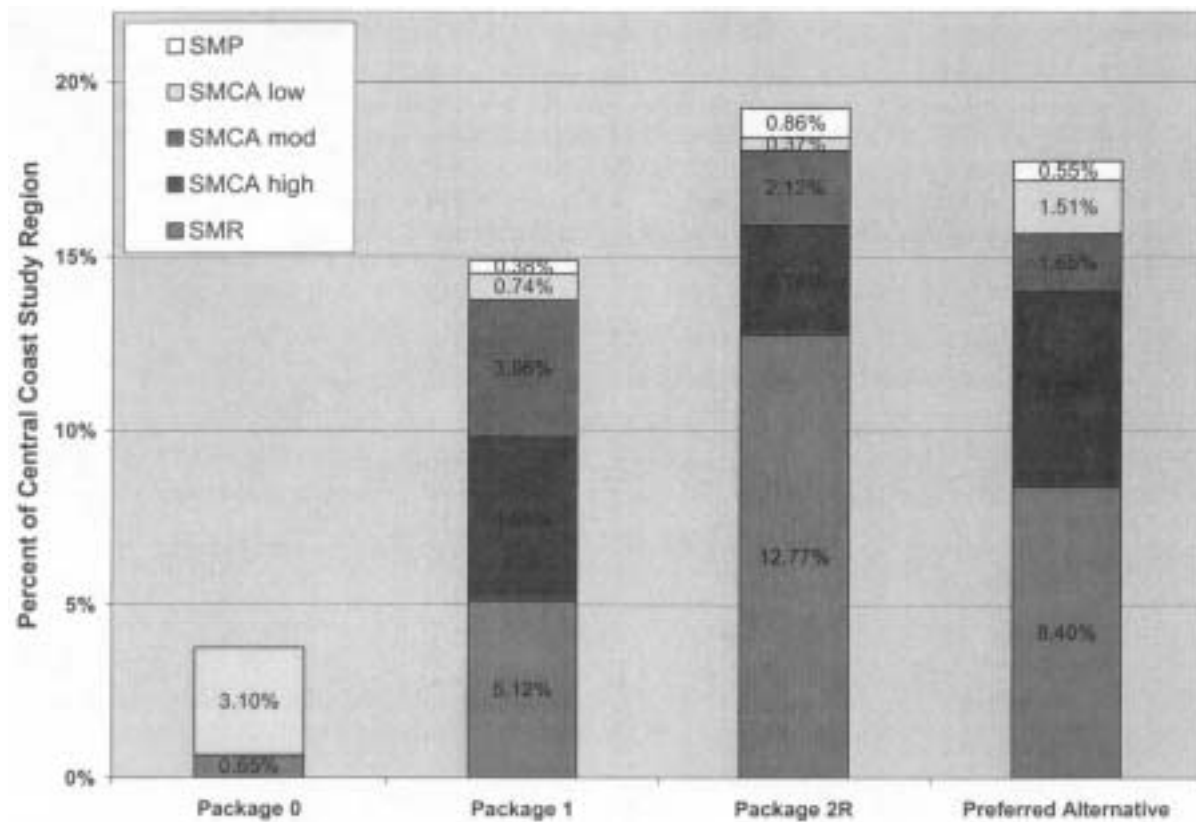


Figure 4. Percent of the central coast study region included in the proposed regulation as compared to existing MPAs (Package 0) and alternative proposals (Package 1 and 2R). SMP = state marine park, SMCA = state marine conservation area, and SMR = state marine reserve. Level of protection is noted as defined by the Science Advisory Team in the Master Plan. Note that one state recreational management area (Morro Bay) is included in the calculations as part SMR and part SMCA based on its relative level of protection.

Alternative 1 — This is the Central Coast Regional Stakeholders Group (CCRSG) Package 1, developed primarily by constituents representing recreational and commercial fishing interests along the central coast. It consists of 29 MPAs covering an area of approximately 171 square miles, which represents approximately 14.9 percent of state waters within the central coast region

(Table 2). Of this, over one third of the area is within no-take state marine reserves covering approximately 60 square miles or approximately 5.2 percent of state waters within the central coast region (Figure 3). The Department clarified certain proposed regulations for specific MPAs with the Package 1 proponents and included these in the proposed regulations.

Table 2. Alternative 1 proposal for marine protected areas in the central coast, including proposed allowed take and Science Advisory Team (SAT) assigned level of protection. Areas arranged geographically from north to south.

MPA Name	Proposed Allowed Take	SAT level of protection ¹
Año Nuevo SMR	No-Take	SMR
Greyhound Rock SMCA	Recreational and commercial take of pelagic finfish ² , squid, Dungeness crab, and salmon. Salmon may not be taken shallower than 25 fathoms.	SMCA Moderate
Greyhound Rock SMR	No-Take	SMR
Elkhorn Slough SMR	No-Take	SMR
Moro Cojo Estuary SMR	No-Take	SMR
Monterey Submarine Canyon No Bottom Contact SMCA	Pelagic finfish ² and squid	SMCA high
Ed Ricketts SMCA	Recreational finfish by hook and line, and commercial take of kelp by hand north of 36° 38.83' North Latitude	SMCA low
Hopkins SMR	No-Take	SMR
Pacific Grove-Monterey SMCA	Recreational finfish, Dungeness crab, and squid. Commercial Dungeness crab, salmon, pelagic finfish ² , squid, and kelp.	SMCA low
Carmel Pinnacles SMR	No-Take	SMR
Carmel Bay SMCA	Recreational finfish and commercial kelp and squid	SMCA low
Point Lobos SMR	No-Take	SMR
Point Lobos SMCA	Recreational and commercial salmon and commercial spot prawns	SMCA moderate
Point Sur Deep Reef SMCA	Pelagic Finfish ²	SMCA high
Julia Pfeiffer Burns Offshore SMR	No-Take	SMR
Julia Pfeiffer Burns SMR	No-Take	SMR
Julia Pfeiffer Burns Offshore SMCA	Salmon and spot prawn	SMCA moderate
Big Creek SMR	No-Take	SMR
Alder Creek SMR	No-Take	SMR
Alder Creek SMCA	Pelagic Finfish ²	SMCA high
Point Piedras Blancas SMR	No-Take	SMR
Cambria SMCA (SMP) ³	All recreational take	SMP low
Morro Bay Harbor SMCA	Recreational take, commercial bait fish receiving, and commercial aquaculture by permit.	SMCA low
Morro Bay South SMRMA	No-Take except recreational hunting of waterfowl unless otherwise prohibited	SMR
Point Buchan SMR	No-Take	SMR
Point Buchan SMCA	Recreational and commercial salmon	SMCA high
Diablo Canyon Security Zone SMCA	No-Take	SMCA high
Vandenberg SMR	No-Take	SMR
Vandenberg Danger Zone 4 SMCA	Recreational and commercial salmon and crabs	SMCA moderate

¹ In order to analyze the differences between no-take reserves and limited take conservation areas and parks, the Science Advisory Team developed a protection level ranking described in the Master Plan.

² Pelagic Finfish are defined as: northern anchovy (*Engraulis mordax*), barracudas (*Sphyraena spp.*), billfishes* (family Istiophoridae), dolphinfish (*Coryphaena hippurus*), Pacific herring (*Clupea pallasi*), jack mackerel (*Trachurus symmetricus*), Pacific mackerel (*Scomber japonicus*), salmon (*Oncorhynchus spp.*), Pacific sardine (*Sardinops sagax*), blue shark (*Prionace glauca*), salmon shark (*Lamna ditropis*), shortfin mako shark (*Isurus oxyrinchus*), thresher sharks (*Alopias spp.*), swordfish (*Xiphias gladius*), tunas (family Scombridae), and yellowtail (*Seriola lalandi*). *Marlin is not allowed for commercial take.

³ These areas will initially be designated as state marine conservation areas, though their regulations allow later change to state marine parks by the State Park and Recreation Commission.

Alternative 2 — This is the CCRSG Package 2R, developed primarily by constituents representing nonconsumptive interests along the central coast, and modified slightly by the Blue Ribbon Task Force. It consists of 30 MPAs covering an area of approximately 221 square miles, which represents approximately 19.3 percent of state waters within the central coast region (Table 3). Of

this, more than two thirds of the area is within no-take state marine reserves covering approximately 148 square miles or approximately 12.8 percent of state waters within the central coast region (Figure 3). The Department clarified certain proposed regulations for specific MPAs with the Package 2R proponents and included these in the proposed regulations.

Table 3. Alternative 2 proposal for marine protected areas in the central coast, including proposed allowed take and Science Advisory Team (SAT) assigned level of protection. Areas arranged geographically from north to south.

MPA Name	Proposed Allowed Take	SAT level of protection¹
Año Nuevo SMR	No-Take	SMR
Baldwin to Natural Bridges SMR	No-Take	SMR
Elkhorn Slough SMR	No-Take	SMR
Moro Cojo Estuary SMR	No-Take	SMR
Soquel Canyon SMCA	Salmon and albacore	SMCA high
Portuguese Ledge SMR	No-Take	SMR
Edward C. Cooper SMR	No-Take	SMR
Ed Ricketts SMCA	November 1 through the end of February, the commercial take of kelp north of 36° 36.83' N. lat. by hand only. Not more than 15 tons of kelp may be harvested from the portion of Administrative Kelp Bed 220 within the Ed Ricketts State Marine Conservation Area in the open time period.	SMCA moderate
Hopkins SMR	No-Take	SMR
Pacific Grove SMCA	Finfish may be taken recreationally in the area between the seaward extension of Esplanade Street and boundary of the Hopkins State Marine Reserve by hook and line or spear. Take is prohibited by use of poke-pole gear. Take is prohibited for any competition involving two or more persons in which persons are ranked, or winners are determined, based on size, weight, number of species, type of species, or number of fish taken by means of spearfishing. Commercial take prohibited except kelp harvesting allowed by hand harvest with restrictions to limit take approximately to existing levels.	SMCA low
Asilomar SMR	No-Take	SMR
Carmel Pinnacles SMR	No-Take	SMR
Carmel Bay SMCA	Recreational finfish by hook and line or spear except poke-pole gear is prohibited. Take is prohibited for any competition involving two or more persons in which persons are ranked, or winners are determined, based on size, weight, number of species, type of species, or number of fish taken by means of spearfishing. Commercial take of kelp by hand.	SMCA low
Point Lobos SMR	No-Take	SMR
Point Lobos SMCA	Recreational and commercial salmon, albacore, and spot prawn	SMCA moderate
Point Sur SMR	No-Take	SMR
Julia Pfeiffer Burns SMR	No-Take	SMR
Big Creek SMCA	Recreational and commercial salmon, albacore, and spot prawn deeper than 50 fathoms	SMCA moderate
Big Creek SMR	No-Take	SMR
Piedras Blancas SMR	No-Take	SMR
Cambria SMCA (SMP) ²	All recreational take	SMP low
Ken Norris SMR	No-Take	SMR
Estero Bluff SMR	No-Take	SMR
Morro Bay SMCA	Recreational take and commercial receiving of finfish for bait and permitted aquaculture of oysters.	SMCA low

¹ In order to analyze the differences between no-take reserves and limited take conservation areas and parks, the Science Advisory Team developed a protection level ranking described in the Master Plan.

² These areas will initially be designated as state marine conservation areas, though their regulations allow later change to state marine parks by the State Park and Recreation Commission.

MPA Name	Proposed Allowed Take	SAT level of protection ¹
Morro Bay SMRMA	No-Take. Waterfowl hunting under DFG regulations is allowed	SMCA high
Morro Bay East SMR	No-Take	SMR
Point Buchon SMR	No-Take	SMR
Point Buchan SMCA	Recreational and commercial salmon and albacore	SMCA high
Purisima Point SMR	No-Take	SMR
Point Arguello SMR	No-Take	SMR

¹ In order to analyze the differences between no-take reserves and limited take conservation areas and parks, the Science Advisory Team developed a protection level ranking described in the Master Plan.

² These areas will initially be designated as state marine conservation areas, though their regulations allow later change to state marine parks by the State Park and Recreation Commission.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Santa Monica Library, Martin Luther King, Jr., Auditorium, 601 Santa Monica Boulevard, Santa Monica, California, on Friday, December 8, 2006 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 February 2007. The exact date, time and location of this meeting have not yet been determined. When this information is available, a continuation notice will be sent to interested and affected parties. The continuation notice will also be published in the Regulatory Notice Register.

NOTICE IS FURTHER GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in March 2007. The exact date, time and location of this meeting have not yet been determined. When this information is available, a continuation notice will be sent to interested and affected parties. The continuation notice will also be published in the Regulatory Notice Register. It is requested, but not required, that written comments be submitted on or before February 23, 2007 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. All comments must be received no later than the date of the March 2007 meeting. If you would like copies of any modifications to this proposal, please include your name and mailing address.

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, John Carlson, Jr., 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 John Carlson, Jr., or Sherrie Koell at the preceding address or phone number. **Mr. Gary**

Stacey, Regional Manager, Marine Region, Department of Fish and Game, phone (562) 342-7108, 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.fgc.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. 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:

Each alternative may have negative short-term impacts on commercial and recreational fishing businesses. The impacts presented here do not represent a complete socioeconomic impact analysis, but rather what is generally referred to as a Step 1 analysis or “maximum potential loss.” This analysis simply sums up the activity that currently takes place within a given alternative and translates these activities into corresponding economic values. Maximum potential loss does not take into account other management strategies/regulations and human behavioral changes, such as moving to other areas or changing fishing gear, that may mitigate, offset, or make matters better or worse. In addition, maximum potential loss does not consider possible future benefits.

The estimates of maximum potential impact shown here rely on the survey work and subsequent geographic information system (GIS) data analysis conducted by Ecotrust and reported in various documents to the Blue Ribbon Task Force. Ecotrust interviewed fishermen to determine both location of fishing activities and the relative importance of each location. Wilen and Abbott (2006) combined Ecotrust’s importance indices with cost share information from secondary sources to measure the maximum potential impacts of prospective closures on expected net economic values from commercial

fishing. Wilen and Abbott’s economic impact analysis included alternatives 1 and 2, along with other alternatives presented to the Commission. Once the Commission selected a preferred alternative, the methodology used to determine potential impacts for alternatives 1 and 2 were applied to the Proposed Regulation to develop an estimate. The estimates of the maximum potential annual losses for the three alternatives considered here (in real 2005 dollars) are approximately: \$670,000 (Alternative 1); \$1,260,000 (Alternative 2); and \$1,010,000 (Proposed Regulation) (Table 5). These are relative to average annual real 1999–2004 baseline gross revenues of approximately \$13,600,000 and net economic values of about \$8,800,000. They represent maximum potential percentage reductions in net pre-MPA economic values of: 7.5 percent (Alternative 1); 14.2 percent (Alternative 2); and 11.5 percent (Proposed Regulation) (Table 6).

It should be noted, however, that due to the methodology and need to maintain confidentiality of individual fishermen’s financial data, the average impacts across fisheries may not be representative of the true maximum potential impact to an individual. In fisheries where there are few participants whose fishing grounds do not overlap (such as the spot prawn fishery) the numbers represented here may underestimate the maximum potential impact to individuals.

Table 5. Estimated annual maximum potential net economic value losses¹ relative to base scenario.

Fishery	Alternative 1	Alternative 2	Proposed Regulation
Anchovy	\$13,227	\$25,182	\$20,095
Cabazon	\$42,918	\$81,234	\$68,159
Dungeness crab	\$7,708	\$21,977	\$24,529
Deep Nearshore Rockfish	\$84,528	\$116,874	\$114,618
Halibut	\$13,492	\$20,992	\$20,112
Kelp Greenling	\$3,563	\$6,496	\$5,570
Lingcod	\$4,497	\$8,770	\$7,412
Mackerel	\$744	\$1,426	\$1,236
Rockfish Nearshore	\$73,302	\$131,432	\$115,028
Rockfish Shelf	\$7,109	\$12,074	\$7,881
Rockfish Slope	\$24,365	\$42,098	\$37,066
Rock Crab	\$9,966	\$11,055	\$11,321
Salmon	\$46,005	\$138,554	\$81,249
Sardine	\$39,830	\$84,297	\$63,698
Sablefish	\$40,032	\$136,567	\$139,908
White seabass	\$43,240	\$38,730	\$46,752
Surfperch	\$558	\$1,034	\$976
Spot Prawn	\$57,415	\$122,086	\$97,953
Squid	\$155,327	\$259,298	\$151,299
Total	\$667,826	\$1,260,176	\$1,014,862

¹Losses are calculated in 2005 dollars.

Table 6. Estimated annual maximum potential net value losses in percentage terms

Fishery	Alternative 1	Alternative 2	Proposed Regulation
Anchovy	5.7%	10.9%	8.7%
Cabezon	14.6%	27.7%	23.3%
Dungeness crab	4.5%	12.8%	14.3%
Deep Nearshore Rockfish	16.5%	22.8%	22.4%
Halibut	6.4%	10.0%	9.6%
Kelp Greenling	13.1%	23.9%	20.5%
Lingcod	13.1%	25.6%	21.6%
Mackerel	5.4%	10.3%	8.9%
Rockfish Nearshore	14.3%	25.6%	22.4%
Rockfish Shelf	7.5%	12.7%	8.3%
Rockfish Slope	14.3%	24.8%	21.8%
Rock Crab	12.0%	13.3%	13.6%
Salmon	3.4%	10.3%	6.0%
Sardine	5.2%	11.1 %	8.4%
Sablefish	6.8%	23.3%	23.9%
White seabass	9.1 %	8.2%	9.9%
Surfperch	2.7%	5.1 %	4.8%
Spot Prawn	7.3%	15.5%	12.4%
Squid	6.2%	10.3%	6.0%
Total	7.5%	14.2%	11.5%

Wilén and Abbott also computed rough estimates of secondary impacts on the fish processing industry and multiplier effects on the regional economy. These are

proportional to the primary impacts described above (Table 7).

Table 7. Summary of estimated maximum potential economic impacts (annual real 2005 dollars) expanded by secondary and multiplier effects.

	Primary Impacts	Secondary Impacts	Induced Impacts	Total Impacts
Alternative 1	\$667,826	\$256,856	\$1,155,852	\$2,080,534
Alternative 2	\$1,260,175	\$484,683	\$2,181,072	\$3,925,929
Proposed Regulation	\$1,014,861	\$390,331	\$1,756,491	\$3,161,683

Ecotrust also analyzed the maximum potential loss to recreational fishing area in terms of percentage of the total fishing grounds and percentage of the number of fishing trips in a given year. Ecotrust only used recreational skiff fishing data for these analyses and did not include Commercial Passenger Fishing Vessel (CPFV or “party boat”) spatial data. Similar to the commercial estimates of maximum potential loss, these estimates assume all fishing activity that previously occurred in a closed area is “lost” and not replaced by movement to another location. Estimates were made for the two pri-

mary recreational fisheries in the central coast region, rockfish and salmon. None of the alternatives had greater than a 15 percent impact to total fishing grounds for rockfish or greater than a 5 percent impact to total fishing grounds for salmon and none had greater than a 30 percent impact to fishing trips for rockfish or greater than a 5 percent impact to fishing trips for salmon (Table 8). While not economic losses, if realized, the loss in recreational fishing activity could lead to decreases in revenues to recreational fishing dependent businesses.

Table 8. Maximum potential losses to private skiff recreational fishing grounds and fishing trips for rockfish and salmon.

	Alternative 1	Alternative 2	Proposed Regulation
Percent Recreational Salmon Grounds	0.01%	2.41%	1.13%
Percent of Salmon Fishing Trips	0.14%	2.55%	1.90%
Percent Recreational Rockfish Grounds	5.48%	13.53%	11.98%
Percent of Rockfish Fishing Trips	16.10%	28.25%	21.84%

In the long term, the potential negative impacts are expected to be balanced by the positive impacts of sustainable fisheries, non-consumptive benefits, and ecosystem function in the reserve areas. In addition, potential benefits may be realized through adult fish spillover to areas adjacent to marine reserves and state marine conservation areas which prohibit bottom fishing for finfish, as well as through transport to distant sites.

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

- (i) the establishment of differing compliance or reporting requirements or timetables which take into account the resources available to businesses;
 - (ii) consolidation or simplification of compliance and reporting requirements for businesses;
 - (iii) the use of performance standards rather than prescriptive standards; or
 - (iv) exemption or partial exemption from the regulatory requirements for business.
- (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:

Each alternative has potential impacts on the creation and elimination of jobs related to commercial and recreational fishing and non-consumptive activities. Estimates of the numbers of jobs eliminated as a direct result of the proposed action are difficult to determine. Commercial fishing operations are generally small businesses employing few individuals and, like all small businesses are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed action is to increase

sustainability in fish stocks and subsequently the long-term viability of these same small businesses. Jobs related to the non-consumptive tourism and recreational industries would be expected to increase over time by some unknown factor based on expected improvements in site quality and increased visitation to certain locations.

- (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.

Any additional costs to State agencies for enforcement, monitoring, and management of MPAs are difficult to estimate and depend on not only the impacts of the proposed regulation but also other regulations and processes. Current cooperative efforts with the Monterey Bay National Marine Sanctuary provide funding for some existing costs and are expected to increase with the adoption of this regulation. Changes in enforcement, monitoring, and management will increase costs to the Department of Fish and Game as compared to current efforts.

Based upon an analysis of costs of similar programs, the estimated total costs for implementing the central coast MPAs ranges from \$1.8 to \$7.4 million, with an average of \$4.6 million. These costs would increase as new study regions are designated and become operational. Funding was provided to the Department of Fish and Game in the 2006/2007 Governor’s budget to cover the implementation costs of the central coast MPAs.

- (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.

GENERAL PUBLIC INTEREST

OFFICE OF ADMINISTRATIVE LAW

**REQUEST FOR PUBLIC INPUT
ANNUAL RULEMAKING CALENDAR
GOVERNMENT CODE 11017.6**

Each year all state government agencies with rulemaking authority are required to prepare a rulemaking calendar pursuant to section 11017.6 of the Government Code. The rulemaking calendar lists anticipated rulemaking activity by the agency for the coming year. The rulemaking calendar is non-binding. Section 11017.6 specifically allows agencies to adopt rules that were not listed in the rulemaking calendar if it is required by unanticipated circumstances,

The requirement to prepare a rulemaking calendar was established in 1982 and has not been amended since 1987. In 2000 the Legislature adopted section 11340.85 of the Government Code, which requires state agencies to post all their rulemaking activity on their web sites. The information that must be posted on the web pursuant to section 11340.85 is much more extensive than that included in the annual rulemaking calendar pursuant to section 11017.6. Use of the internet as a primary information source has, obviously, increased greatly since 1982.

The Office of Administrative Law is attempting to evaluate the public's current level of reliance upon the annual rulemaking calendar as a source of information about state agency rulemaking. If you have found that the annual rulemaking calendar continues to be a valu-

able source of information to you, please let us know through one of the following methods:

1. Send an e-mail message to staff@oal.ca.gov;
2. Send a note via fax to (916) 323-6826;
3. Leave a telephone voice message at (916) 323-6815; or
4. Send a letter to:

Office of Administrative Law
Rulemaking Calendar Survey
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

Any information that you could provide on this subject would be greatly appreciated.

**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.

ATHLETIC COMMISSION

Powers of the Referee to Stop a Contest

This regulatory action provides that if a boxer unequivocally manifests an intention to stop fighting, the referee shall immediately stop the contest.

Title 16
California Code of Regulations
AMEND: 345
Filed 10/26/06
Effective 11/25/06
Agency Contact: Armando Garcia (916) 263-2195

CALIFORNIA ARCHITECTS BOARD

Location of Office — Regulations Changes

This filing is proposed to update references to guidelines for intern development programs; the Board's own application forms for eligibility evaluation, employment verification, and registration for examination; the date displayed in the sample of the prescribed stamp for architects; and the name and address of the Architects Board.

Title 16
California Code of Regulations
AMEND: 100, 102, 109, 111, 117, 136
Filed 10/31/06
Effective 10/31/06
Agency Contact: Liza Walker (916) 324-9919

CALIFORNIA STUDENT AID COMMISSION

In Lieu Test Scores; Grace Period

This emergency regulation establishes an exception to the established grace period and deadline for submission of grade point averages for students applying for Cal Grants. If the applicant submitted the Federal Application For Student Aid (FAFSA) by the established deadline but the Commission did not receive a grade point average for the student through no fault of the student and the student's school admits fault by August 31, 2006, the Commission will review these requests and make awards as appropriate.

Title 5
California Code of Regulations
AMEND: 30023(c)
Filed 10/26/06
Effective 10/26/06
Agency Contact: Sanjay Singh (916) 526-8217

CAL-PERS

CalPERS Health Benefits Program Regulations

In this "change without regulatory effect" filing, the California Public Employees' Retirement System (CalPERS) amends its regulations under the Public Employees' Medical and Hospital Care Act to revise and update statutory references in the regulation text and in the authority and reference citations to reflect the statutory changes made in Statutes of 2004, Chapter 69 (SB 626). CalPERS also makes spelling and grammatical corrections in these regulations.

Title 2
California Code of Regulations
AMEND: 559.500, 559.501, 559.503, 559.504, 559.505, 559.507, 559.508, 559.509, 559.510, 559.511, 559.512, 559.513, 559.515, 559.516, 559.517
Filed 10/31/06
Effective 11/30/06
Agency Contact: Barbara Galli (916) 795-4098

DEPARTMENT OF FOOD AND AGRICULTURE

Ovine Brucellosis

Section 9562 of the Food and Agriculture Code authorizes the State Veterinarian to quarantine or restrict the movement of animals or animal products to minimize the risk of an illness that could kill or seriously

damage other animals or humans. This adoption/amendment to regulations is to prevent and control the spread of Ovine Brucellosis in sheep in California. The adopted changes require additional testing of animals potentially having ovine brucellosis and their removal or isolation. The amendments also address requirements for rams that have temporarily left California and are returning. This regulatory action also allows for sheep owners to obtain a voluntary certification to acknowledge the flock as "Brucella ovis Free" by following the articulated procedures.

Title 3
California Code of Regulations
ADOPT: 765 AMEND: 760.4, Article 3.5
Filed 10/27/06
Effective 11/26/06
Agency Contact: Thami Rodgers (916) 698-3276

DEPARTMENT OF HEALTH SERVICES

Reportable Diseases and Conditions — Shiga Toxin (E. coli)

The Department of Health Services is amending the captioned sections by adding "Shiga Toxin (detected in feces)" to the list of reportable diseases and conditions. Health and Safety Code section 120130 states that the list may be modified at any time by the Department of Health Services, after consultation with the California Conference of Local Health Officers. The California Conference of Local Health Officers approved the addition on June 1, 2006. Health and Safety Code section 120130 further states that the aforementioned modification is exempt from review by the Office of Administrative Law, shall be implemented without being adopted as a regulation, that the revised list should be filed with the Secretary of State, and that said revised list should be printed in the California Code of Regulations.

Title 17
California Code of Regulations
AMEND: 2500, 2505
Filed 10/26/06
Effective 11/25/06
Agency Contact: Don Lee (916) 440-7673

DEPARTMENT OF MOTOR VEHICLES

Fee Adjustment

This regulatory action revises specified fees based upon the increase in the Consumers Price Index for the prior year pursuant to section 1678(b) of the Vehicle Code.

Title 13
 California Code of Regulations
 AMEND: 423.00
 Filed 10/27/06
 Effective 01/01/07
 Agency Contact: Christie Patrick (916) 657-5567

DEPARTMENT OF MOTOR VEHICLES
 Critical Need Restriction — Under the Age of 21

This regulatory action provides for the issuance of a restricted driver license based upon a critical need to drive if the person’s driver license was suspended or the issuance delayed because the person was under the age of 21 and found to be operating a motor vehicle with a blood-alcohol concentration of 0.01% or greater.

Title 13
 California Code of Regulations
 ADOPT: 118.00
 Filed 10/30/06
 Effective 11/29/06
 Agency Contact: Deborah Baity (916) 657-5690

DEPARTMENT OF SOCIAL SERVICES
 Community Care Licensing (CCL) Crisis Nurseries

These emergency regulations create a new category of care licensing facilities specifically for “crisis nurseries” in Title 22 as mandated by SB 855 (2004). These facilities provide short-term nonmedical care for children and families in crisis. These nurseries also provide direct voluntary placement by parents of their children to avoid more serious intervention later. These facilities also provide temporary emergency shelter care for children in need of care and supervision for other reasons.

Title 22, MPP
 California Code of Regulations
 AMEND: 86500, 86501, 86505, 86505.1, 86506, 86507, 86508, 86509, 86510, 86511, 86512, 86517, 86518, 86519, 86519.1, 86519.2, 86520, 86521, 86522, 86523, 86524, 86526, 86527, 86528, 86529, 86529, 86531, 86531.1, 86531.2, 86534, 86535, 86536, 86540, 86542, 86544, 86545, 86546, 86552, 86553, 86554, 86555, 86555.1, 86558, 86559, 86561, 86562, 86563, 86564, 86565, 86565.2, 86565.5, 86566, 86568.1, 86568.2, 86568.4, 86570, 86572, 86572.1, 86572.2, 86574, 86575, 86576, 86577, 86578, 86578.1, 86579, 86580, 86586, 86587, 86587.1, 86587.2, 86588, MPP 11-400c, 11-402, 45-101(c), 45-202.5, 45-203.4, 45-301.1
 Filed 10/26/06
 Effective 10/26/06
 Agency Contact: Alison Garcia (916) 657-2586

CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN MAY 31, 2006 TO
 NOVEMBER 01, 2006

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

- 10/31/06 AMEND: 559.500, 559.501, 559.503, 559.504, 559.505, 559.507, 559.508, 559.509, 559.510, 559.511, 559.512, 559.513, 559.515, 559.516, 559.517
- 10/12/06 AMEND: 714
- 09/27/06 AMEND: 18754
- 09/07/06 AMEND: 21904, 21905
- 09/05/06 AMEND: 1859.2, 1859.76, 1859.83, 1859.163.1
- 08/23/06 AMEND: 1181.4
- 08/21/06 AMEND: 1859.2, 1859.70.1, 1859.71.3, 1859.78.5
- 08/15/06 ADOPT: 20108, 20108.1, 20108.12, 20108.15, 20108.18, 20108.20, 20108.25, 20108.30, 20108.35, 20108.36, 20108.37, 20108.38, 20108.40, 20108.45, 20108.50, 20108.51, 20108.55, 20108.60, 20108.65, 20108.70, 20108.75, 20108.80
- 08/11/06 AMEND: 1859.2, 1859.40, 1859.51, 1859.70, 1859.93.1, 1859.95, 1859.147, 1859.202, 1866
- 07/24/06 AMEND: 18944
- 07/06/06 AMEND: 575.1, 575.2
- 06/20/06 AMEND: 18537
- 06/08/06 AMEND: 18526

Title 3

- 10/27/06 ADOPT: 765 AMEND: 760.4, Article 3.5
- 10/19/06 AMEND: 3591.6(a)
- 10/12/06 ADOPT: 3424
- 10/12/06 AMEND: 3433(b)
- 10/12/06 AMEND: 3433(b)
- 10/06/06 AMEND: 3591.13(a)
- 10/06/06 AMEND: 3700(c)
- 10/05/06 AMEND: 3589
- 10/05/06 AMEND: 3433(b)
- 10/02/06 AMEND: 3591.6(a)

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09/19/06 AMEND: 3433(b)
 09/12/06 AMEND: 3406(b)
 09/12/06 AMEND: 3591.12(a)
 09/08/06 AMEND: 3423(b)
 09/07/06 AMEND: 3433(b)
 09/05/06 AMEND: 3406(b)
 08/29/06 AMEND: 3433(b)
 08/24/06 AMEND: 3433(b)
 08/23/06 AMEND: 3591.12(a)
 08/17/06 AMEND: 3591.19(a)
 08/16/06 AMEND: 3433(b)
 08/15/06 AMEND: 3700(c)
 08/15/06 AMEND: 3700(c)
 08/10/06 AMEND: 3591.6(a)
 08/01/06 AMEND: 3591.6(a)
 08/01/06 AMEND: 3424(b)
 07/28/06 AMEND: 3591.2(a)
 07/26/06 AMEND: 3700(c)
 07/21/06 REPEAL: 1366
 07/19/06 ADOPT: 6310 AMEND: 6170
 07/18/06 ADOPT: 6960 AMEND: 6000
 07/17/06 AMEND: 3591.6(a)
 07/05/06 AMEND: 3591.6
 07/03/06 AMEND: 3589(a)
 06/28/06 AMEND: 3433(b)
 06/12/06 AMEND: 3433(b)

Title 4

10/24/06 AMEND: 1486
 10/16/06 AMEND: 1733
 09/26/06 AMEND: 1976.8
 07/19/06 AMEND: 12358, 12359
 07/17/06 AMEND: 2240(e)
 06/20/06 AMEND: 1472
 06/01/06 AMEND: 8070(d), 8071(a)(9), 8072,
 8073(c), 8074(b), 8076(c)(1)

Title 5

10/26/06 AMEND: 30023(c)
 10/23/06 ADOPT: 11991, 11991.1, 11991.2
 10/16/06 ADOPT: 11987, 11987.1, 11987.2,
 11987.3, 11987.4, 11987.5, 11987.6,
 11987.7
 09/29/06 ADOPT: 19833.5, 19833.6 AMEND:
 19815, 19816, 19816.1, 19819, 19824,
 19828.1, 19831
 09/15/06 REPEAL: 18074.1(b), (c), (d), 18074.3,
 18074.4, 18074.5, 18074.6
 08/30/06 ADOPT: 15566, 15567, 15568 REPEAL:
 15569
 08/15/06 AMEND: 1030.7, 1030.8
 07/31/06 ADOPT: 1043.2, 1043.4, 1043.6, 1043.8,
 1043.10, 1047, 1048 AMEND: 1040,
 1041, 1043, 1044 REPEAL: 1042, 1045,
 1046

07/27/06 ADOPT: 40500.1, 40511, 40512, 41020
 AMEND 40100
 07/25/06 ADOPT: 1207.1, 1207.2 AMEND:
 1204.5
 07/21/06 ADOPT: 15566, 15567, 15568, 15569
 07/14/06 ADOPT: 51016.5, 55183
 06/12/06 ADOPT: 19833.5, 19833.6 AMEND:
 19815, 19816, 19816.1, 19819, 19824,
 19828.1, 19831
 06/09/06 ADOPT: 19827 AMEND: 19812, 19813,
 19814, 19814.1, 19815, 19816, 19817,
 19817.1, 19826, 19826.1, 19836, 19851,
 19853

Title 8

10/18/06 AMEND: 9768.5, 9768.10, 9788.11,
 9788.31, 9789.33
 09/29/06 AMEND: 341, 341.1
 09/25/06 AMEND: 4920
 09/21/06 ADOPT: 10001, 10002, 10003
 09/19/06 ADOPT: 1532.2, 5206, 8359 AMEND:
 5155
 07/31/06 AMEND: 5154.1
 07/28/06 AMEND: Subchapter 4, Appendix B,
 Plate B-1-a
 07/27/06 ADOPT: 3395
 07/19/06 ADOPT: 10004, 10005 AMEND:
 10133.53, 10133.55
 07/18/06 AMEND: 3270
 06/30/06 AMEND: 9793, 9795
 06/26/06 ADOPT: 6858 AMEND: 6505, 6533,
 6551, 6552, 6755, 6845, 6657 REPEAL:
 6846
 06/06/06 AMEND: 5155

Title 9

09/25/06 ADOPT: 3400
 06/07/06 ADOPT: 10056, 10057

Title 10

10/24/06 ADOPT: 2303, 2303.1, 2303.2, 2303.3,
 2303.4, 2303.5, 2303.6, 2303.7, 2303.8,
 2303.9, 2303.10, 2303.11, 2303.12,
 2303.13, 2303.14, 2303.15, 2303.16,
 2303.17, 2303.18, 2303.19, 2303.20,
 2303.21, 2303.22, 2303.23, 2303.24,
 2303.25
 10/16/06 ADOPT: 2194.9, 2194.10, 2194.11,
 2194.12, 2194.13, 2194.14, 2194.15,
 2194.16, 2194.17
 10/10/06 AMEND: 2498.4.9
 10/03/06 AMEND: 2498.5
 10/02/06 AMEND: 2248.4, 2249.1, 2249.2,
 2249.6, 2249.7, 2249.8, 2249.9, 2249.10,
 2249.11, 2249.12, 2249.13, 2249.14,

2249.15, REPEAL: 2248.11, 2248.12, 2248.19
 09/20/06 AMEND: 2318.6, 2353.1
 09/14/06 AMEND: 3528
 08/29/06 AMEND: 2699.6600
 08/28/06 ADOPT: 803, 810, 810.1, 810.2, 810.3, 810.4, 810.5, 810.6, 810.7 AMEND: 800, 801, 802, 804, 806, 807
 08/08/06 ADOPT: 3583 AMEND: 3500, 3525, 3527, 3528, 3541, 3542, 3543, 3544, 3563, 3568, 3603, 3622, 3668, 3681, 3682, 3761 REPEAL: 3541
 08/02/06 ADOPT: 2790.7
 08/01/06 ADOPT: 5370, 5371, 5372, 5373, 5374, 5375, 5376, 5377
 07/28/06 AMEND: 2698.52(c), 2698.53(b), 2698.56(c)
 07/26/06 ADOPT: 5280, 5281, 5282, 5283, 5284, 5285, 5286
 07/24/06 ADOPT: 2498.6
 07/18/06 AMEND: 2498.5, 2498.6
 07/14/06 AMEND: 2632.5, 2632.8, 2632.11
 07/12/06 AMEND: 2498.4.9
 07/12/06 ADOPT: 2190.20, 2190.22, 2190.24
 07/12/06 AMEND: 2697.6
 07/10/06 ADOPT: 2509.21
 06/30/06 ADOPT: 2194.9, 2194.10, 2194.11, 2194.12, 2194.13, 2194.14, 2194.15, 2194.16, 2194.17
 06/19/06 AMEND: 2318.6, 2353.1, 2354
 06/05/06 AMEND: 3528
 06/01/06 ADOPT: 2695.1(g), 2695.14 AMEND: 2695.1, 2695.2, 2695.7, 2695.8, 2695.9, 2695.10, 2695.12

Title 11

10/13/06 AMEND: 30.5
 10/13/06 AMEND: 30.1
 08/16/06 ADOPT: 1084
 07/27/06 AMEND: 1001, 1005, 1008, 1011, 1014, 1015, 1018, 1052, 1053, 1055, 1056, 1081 and Procedures D-1, D-2, D-10 E-1, F-1, and F-6
 07/12/06 AMEND: 999.2
 06/28/06 ADOPT: 4400(II), 4400(mm), 4401.1, 4406 AMEND: 4440.3 REPEAL: 4400(I), 4406
 06/28/06 ADOPT: 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4030, 4031, 4032, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4045, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058, 4059, 4060, 4061, 4062, 4063, 4064, 4065, 4066

Title 13

10/30/06 ADOPT: 118.00
 10/27/06 AEMND: 423.00
 10/16/06 AMEND: 1956.8, 2404, 2424, 2425, 2485
 10/05/06 AMEND: Section 1
 09/14/06 AMEND: 25.06, 25.07, 25.08, 25.10, 25.14, 25.15, 25.16, 25.17, 25.18, 25.19, 25.20, 25.21, 25.22
 09/11/06 ADOPT: 2467.8, 2467.9 AMEND: 2467, 2467.1, 2467.2, 2467.3, 2467.4, 2467.5. 2467.6, 2467.7, Incorporated Documents REPEAL: 2467.8, Incorporated Test Method 512
 09/07/06 AMEND: 1956.1, 1956.8, 2023.1, 2023.4
 08/24/06 AMEND: 28.22
 07/28/06 AMEND: 154.00
 06/30/06 ADOPT: 85.00, 85.02, 85.04, 85.06, 85.08
 06/29/06 AMEND: 345.16
 06/16/06 AMEND: 2023.4
 06/15/06 AMEND: 1239

Title 14

10/19/06 AMEND: 632(b)(72)
 10/11/06 AMEND: 895, 895.1, 1038, 1038(f)
 10/06/06 AMEND: 670.2
 09/20/06 AMEND: 895.1, 898, 914.8, [934.8, 954.8], 916, [936, 956], 916.2 [936.2, 956.2], 916.9, [936.9, 956.9], 916.11, [936.11, 956.11], 916.12, [936.12, 956.12], 923.3, [943.3, 963.3], 923.9, [943.9, 963.9]
 09/19/06 AMEND: 502
 09/15/06 AMEND: 851.8, 851.23, 851.51.1, 851.85, 852.3, 851.4, 851.10, 851.10.1
 08/31/06 AMEND: 27.80
 08/11/06 AMEND: 7.50
 08/11/06 AMEND: 1261
 08/04/06 ADOPT: 701, 702 AMEND: 1.74, 27.15, 27.67, 478.1, 551, 601, 708
 07/31/06 ADOPT: 4970, 4970.02, 4970.03, 4970.04, 4970.05, 4970.06, 4970.07, 4970.08, 4970.09, 4970.10, 4970.11, 4970.12, 4970.13, 4970.14, 4970.15, 4970.16, 4970.17, 4970.18, 4970.19, 4970.20, 4970.21 AMEND: 4970.00, 4970.01 REPEAL: 4970.02, 4970.03, 4970.04
 07/31/06 ADOPT: 4970.49, 4970.50, 4970.51, 4970.52, 4970.53, 4970.54, 4970.55, 4970.56, 4970.57, 4970.58, 4970.59,

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4970.60, 4970.61, 4970.62, 4970.63, 4970.64, 4970.65, 4970.66, 4970.67, 4970.68, 4970.69, 4970.70, 4970.71, 4970.72

07/28/06 ADOPT: 7.50(b)(178)

07/28/06 AMEND: 15411

07/19/06 ADOPT: 18459.1.2, Forms CIWMB 203, 204 AMEND: 18449, 18450, 18451, 18453.2, 18456, 18456.2.1, 18459, 18459.1, 18459.2.1, 18459.3, 18460.1, 18460.1.1, 18460.2, 18460.2.1, 18461, 18462, 18463, 18464, 18466, Penalty Tables 1, 11

07/12/06 AMEND: 507.1

07/11/06 ADOPT: 1723(g) AMEND: 1722(j), 1722, 1722.1, 1722.1.1, 1723(a), 1723.1(c), 1723.1(d), 1723.5, 1723.7(d)(2)(f), 1723.8

07/11/06 AMEND: 15251

06/30/06 AMEND: 360, 361, 362, 363, 364

06/30/06 AMEND: 11900

06/29/06 AMEND: 851.23

06/23/06 AMEND: 1220

06/16/06 AMEND: 895, 895.1, 1038, 1038(f)

06/08/06 AMEND: 746

06/05/06 AMEND: 791.7, Form FG OSPR-1972

Title 14, 22

07/27/06 ADOPT: 69200, 69201, 69202, 69203, 69204, 69205, 69206, 69207, 69208, 69209, 69210, 69211, 69212, 69213, 69214 REPEAL: 19030, 19031, 19032, 19033, 19034, 19035, 19036, 19037, 19038, 19039, 19040, 19041, 19042, 19043, 19044

Title 15

10/06/06 ADOPT: 2275

10/03/06 ADOPT: 3352.2 AMEND: 3350.1, 3352.1, 3354, 3358

08/11/06 ADOPT: 4034.0, 4034.1, 4034.2, 4034.3, 4034.4 REPEAL: 4036.0, 4040.0

07/27/06 AMEND: 3000, 3062, 3075, 3210

07/12/06 AMEND: 7001 REPEAL: 2005, 3416, 4020

06/27/06 AMEND: 3341.5

06/09/06 ADOPT: 3040.2 AMEND: 3000, 3040, 3041, 3043, 3043.3, 3043.4, 3043.5, 3043.6, 3044, 3045, 3045.1, 3045.2, 3045.3, 3075

06/06/06 AMEND: 3173.1

Title 16

10/31/06 AMEND: 100, 102, 109, 111, 117, 136

10/26/06 AMEND: 345

10/17/06 AMEND: 928

10/11/06 AMEND: 3303.2, 3340.15, 3340.18, 3340.32, 3340.42, 3394.5

10/03/06 AMEND: 70

09/28/06 AMEND: 1399.156.4

09/26/06 AMEND: 1579

09/12/06 AMEND: 384

09/07/06 ADOPT: 1399.391

08/31/06 ADOPT: 1727.1

08/25/06 AMEND: 1922, 1936, 1948

08/17/06 ADOPT: 601.5, 642.5 AMEND: 600.1, 601.3, 602, 602.1, 603, 605, 606, 607.4, 608.3, 627

08/10/06 REPEAL: 829

08/04/06 AMEND: 1886.40

08/01/06 ADOPT: 1399.180, 1399.181, 1399.182, 1399.183, 1399.184, 1399.185, 1399.186, 1399.187

07/31/06 AMEND: 3394.4, 3394.6

07/12/06 ADOPT: 1034.1 AMEND: 1021, 1028, 1034

07/03/06 AMEND: 1399.152, 1399.156.4

06/26/06 ADOPT: 1304.5

06/14/06 AMEND: 2537, 2537.1

06/05/06 ADOPT: 2608

06/05/06 AMEND: 2630, 2630.1

06/05/06 AMEND: 3303

06/01/06 ADOPT: 137

05/31/06 ADOPT: 869.9 AMEND: 868, 869

Title 17

10/26/06 AMEND: 2500, 2505

10/17/06 AMEND: 93102.5

10/12/06 ADOPT: 6500.1, 6500.5, 6500.19, 6500.25, 6500.28, 6500.31, 6500.35, 6500.39, 6500.45, 6500.46, 6500.57, 6500.59, 6500.65, 6500.67, 6500.69, 6500.70, 6500.74, 6500.77, 6500.80, 6501.2, 6502, 6504.2, 6504.4, 6504.6, 6506.2, 6506.6, 6506.8, 6506.10, 6506.12

10/10/06 ADOPT: 100010, 100020, 100030, 100040, 100050, 100060, 100070, 100080, 100090, 100095, 100100, 100110

10/05/06 ADOPT: 100001, 100002, 100003, 100004

10/04/06 AMEND: 57310(b)(3), 57332(c)(3)(A), 57332(9)(A)2.a

09/11/06 ADOPT: 100000

07/28/06 AMEND: 30180, 30235, 30237

07/24/06 ADOPT: 100140, 100141, 100142, 100143, 100144, 100145, 100146, 100147, 100148, 100149, 100150

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07/20/06	AMEND: 30100, 30253	Title 22
07/05/06	AMEND: 95000, 95001, 95002, 95003, 95004, 95005, 95006, 95007	10/24/06 REPEAL: 4428
Title 18		08/31/06 AMEND: 1256.5-1
09/15/06	AMEND: 1620	08/28/06 ADOPT: 64449.2, 64449.4 AMEND: 64449
09/08/06	ADOPT: 1125, 1423 AMEND: 1123, 1420	08/24/06 ADOPT: 66262.27, 66263.24, Appendix 11 to Chapter 14 AMEND: 66260.10, 66262.20, 66262.21, 66262.23, 66262.32, 66262.33, 66262.34, 66262.42, 66262.53, 66262.54, 66262.55, 66262.56, 66262.60, Appendix to chapter 12, 66263.18, 66263.20, 66263.21, 66263.32
07/27/06	AMEND: 1591	08/09/06 REPEAL: 4402.1, 4403, 4408, 4431
07/11/06	REPEAL: 139	08/03/06 AMEND: 12805
06/23/06	ADOPT: 140, 140.1, 140.2, 143	08/02/06 ADOPT: 64401.71, 64401.72, 64401.73, 64463, 64463.1, 64463.4, 64465, 64466 AMEND: 64426.1, 664432.1, 64451, 64453, 64481, 64482, 64483, 64666 REPEAL: 64463.2, 64464.1, 64464.3, 64464.6, 64465, 64466, 64467, 64467.5, 64468.1, 64468.2, 64468.3, 64468.4
Title 19		07/24/06 ADOPT: 97900, 97901, 97902, 97910, 97911, 97912, 97913, 97914, 97915, 97916, 97917, 97920, 97921, 97922, 97923, 97924, 97925, 97926, 97927
07/25/06	AMEND: 3.29, 557.23, 561.2, 567, 568, 574.1, 575.1, 575.3, 575.4, 594.4, 596.6, 606.1 REPEAL: 597.5, 597.6, 597.7, 597.8, 597.10, 597.11, 603.3, 605.1, 606.3, 608.7, 608.8, 614, 614.1, 614.3, 614.5, 614.6, 614.7, 614.8	07/20/06 ADOPT: 68400.11, 68400.12, 68400.13, 68400.14, 68400.15, 68400.16, Appendix I AMEND: 67450.7
07/05/06	AMEND: 3062.1, 3063.1	06/12/06 AMEND: 51215.6, 51321, 51323, 51535.1, 51542, 51546 REPEAL: 51124.1, 51215.4, 51335.1, 51511.3
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