



California Regulatory Notice Register

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Amendment

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

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: ENVISION EDUCATION, INC. ALPAUGH ACADEMIES CALAVERAS COUNTY WATER DISTRICT PUBLIC FINANCING AUTHORITY

A written comment period has been established commencing on November 11, 2016, and closing on December 26, 2016. Written comments should be directed to the Fair Political Practices Commission, Attention Cynthia 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 her review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

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

The Executive Director of the Commission, upon her or its own motion or at the request of any interested per-

son, 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 26, 2016. 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 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 re-

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

TITLE 2. DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

HOUSING REGULATIONS REGARDING HARASSMENT; LIABILITY FOR HARASSMENT; RETALIATION; AND SELECT DISABILITY SECTIONS, INCLUDING ASSISTIVE ANIMALS

The Fair Employment and Housing Council of the Department of Fair Employment and Housing (hereafter "Council") proposes to add sections 11098.1-11098.6 and 11098.23-11098.30 to Title 2 of the California Code of Regulations after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Council will hold a public hearing at **10:00 a.m. on January 10, 2017**, at the following location:

Ronald Reagan State Building
300 S. Spring Street, Auditorium
Los Angeles, CA 90013

The hearing room is wheelchair accessible. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The Council requests, but does not require, that persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Council. The written comment period closes at **5:00 p.m. on January 10, 2017**. The Council will consider only comments received by that time. Written comments can be mailed to:

Fair Employment and Housing Council
c/o Brian Sperber, Legislative & Regulatory Counsel
Department of Fair Employment and Housing
320 West 4th Street, 10th Floor
Los Angeles, CA 90013
Telephone: 213-337-4495

Comments may also be submitted by e-mail to FEHCouncil@dfeh.ca.gov.

AUTHORITY AND REFERENCE

Government Code section 12935(a) authorizes the Council to adopt these proposed regulations. The proposed regulations implement, interpret, and make specific section 12900 et seq. of the Government Code.

INFORMATIVE DIGEST/ POLICY STATEMENT OVERVIEW

This rulemaking action clarifies, makes specific, and supplements existing state statutes and case law interpreting the Fair Employment and Housing Act (FEHA) set forth in Government Code section 12900 et seq. As it relates to housing, the FEHA prohibits harassment and discrimination because of the race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, or genetic information of any person.

In compliance with the Administrative Procedure Act, the Council proposes to adopt these rules as duly noticed, vetted, and authorized regulations. This action has the specific benefit of creating a more comprehensive set of rules to ensure that housing providers, owners, and tenants better understand their rights and duties, in turn reducing litigation costs and the burden on courts. Ultimately, the proposed action furthers the mission of the DFEH by protecting Californians from discrimination, harassment, and retaliation in the housing context.

The proposed amendments most notably clarify and/or articulate the following: (1) definitions; (2) the two main types of liability for discriminatory housing practices — direct and vicarious; (3) the two main types of harassment — Quid Pro Quo and Hostile Environment; (4) what constitutes retaliation; (5) housing providers' duty to reasonably accommodate a person with a disability; (6) assistive animals as a reasonable accommodation; (7) the defense of undue hardship; (8) the interactive process; and (9) proof of disability.

The Council has determined that the proposed amendments are not inconsistent or incompatible with

existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Council has concluded that these are the only regulations that concern fair housing and the Fair Employment and Housing Act.

DISCLOSURES REGARDING THE
PROPOSED ACTION

The Council has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: No additional costs or savings beyond those imposed by existing law.

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

Other non-discretionary cost or savings imposed on local agencies: No additional costs or savings beyond those imposed by existing law.

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

Cost impacts on a representative private person or businesses: No additional costs or savings beyond those imposed by existing law. Therefore, 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.

Results of the economic impact assessment/analysis: The Council anticipates that the adoption of the regulations will not impact the creation or elimination of jobs or housing within the state; the creation of new businesses or housing or the elimination of existing businesses or housing within the state; or the expansion of businesses or housing currently doing business within the state. To the contrary, adoption of the proposed amendments is anticipated to benefit California businesses, workers, housing providers, owners, tenants, and the state's judiciary by clarifying and streamlining the operation of the law, making it easier for housing providers, owners, and tenants to understand their rights and obligations, and reducing litigation costs.

Statewide adverse economic impact directly affecting businesses and individuals:

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

Significant effect on housing costs: None.

Small Business Determination: The Council anticipates that the regulations will not create additional costs

or savings beyond those imposed by existing regulations. Similarly, the Council has determined that there is no impact on small businesses as a result of this proposed action because these regulations primarily serve to clarify existing law.

Business Report: The Council has determined that the proposed regulations do not require a report to be made.

CONSIDERATION OF ALTERNATIVES

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

The Council has thus far not become aware of a better alternative and invites interested persons to present statements or argument with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Brian Sperber, Legislative & Regulatory Counsel
Department of Fair Employment and Housing
320 West 4th Street, 10th Floor
Los Angeles, CA 90013
Telephone: (213) 337-4495
E-mail: brian.sperber@dfeh.ca.gov

The backup contact person for these inquiries is:

Holly Thomas, Deputy Director of Executive Programs
Department of Fair Employment and Housing
320 West 4th Street, 10th Floor
Los Angeles, CA 90013
Telephone: (213) 439-6799
E-mail: holly.thomas@dfeh.ca.gov

Please direct requests for copies of the proposed text (express terms) of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based, should other sources be used in the future, to Brian Sperber at the above address.

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

The Council will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the Initial Statement of Reasons. Copies may be obtained by contacting Brian Sperber at the address or phone number listed above.

AVAILABILITY OF CHANGED OR
MODIFIED TEXT

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

AVAILABILITY OF THE FINAL STATEMENT
OF REASONS

Upon its completion, copies of the Final Statement of Reasons will be available on the Council's Web page: <http://www.dfeh.ca.gov/FEHCouncil.htm>.

Copies also may be obtained by contacting Brian Sperber at the above address.

AVAILABILITY OF DOCUMENTS ON
THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, the text of the regulations, and any modified texts and the Final Statement of Reasons can be accessed through the Council's Web page at <http://www.dfeh.ca.gov/FEHCouncil.htm>.

GENERAL PUBLIC INTEREST

**DEPARTMENT OF
DEVELOPMENTAL SERVICES**

Background

The Department of Health Care Services (DHCS) in partnership with the Department of Developmental Services (DDS) is seeking to renew the 1915(c) Home and Community-Based Services (HCBS) Waiver for Persons with Developmental Disabilities.

Description of Waiver and Effective Date:

The HCBS waiver will be available statewide to provide individuals with developmental disabilities the desired services and supports needed to implement their Individual Program Plan (IPP).

This notice is to inform interested parties of DHCS's plan to submit a renewal by December 29, 2016, for a 1915(c) HCBS waiver under the Social Security Act. The waiver application that will be submitted for renewal to the Centers for Medicare & Medicaid Services will be posted on the DDS website at <http://www.dds.ca.gov> until December 11, 2016. Public comments will be considered through December 11, 2016. Comments or requests to review a hardcopy of the application can be submitted via email at ashley.draper@dds.ca.gov or in writing to the Department, Attention Federal Program Operations Section, 1600 Ninth Street, Room 310, MS 3-8, Sacramento, CA 95814.

More information about the HCBS Waiver is available a <http://www.dds.ca.gov/waiver/home.cfm>.

Contact Information:

Ashley Draper, Assistant Chief
Ashley.draper@dds.ca.gov

**DEPARTMENT OF TOXIC
SUBSTANCES CONTROL**

Notice: The Department of Toxic Substances Control Will Hold a Public Workshop to Discuss Proposed Regulations Specifying the Toxicity Criteria for Human Health Risk-Based Screening Levels, Action Levels and Remediation Goals

Workshop Date:

**December 12, 2016,
1:00 p.m. – 4:00 p.m.**

Workshop Location:

PROPOSED LANGUAGE

DTSC Cal Center Offices
8800 Cal Center Drive
Board Room, 1st floor,
Sacramento, CA, 95826

NOTICE

The California Department of Toxic Substances Control (DTSC) is announcing a public workshop to discuss the toxicity criteria required when establishing human health risk-based screening levels, action levels and remediation goals. The intent of the workshop is to facilitate discussion, exchange of ideas, and solicit comments prior to conducting a formal rulemaking process. Two items are on the agenda: 1) The proposed regulation below and 2) the concept of a narrative standard that incorporates the required toxicity criteria noted in the draft proposed language. In either case, the new regulation would add a new chapter to the *California Code of Regulations, Title 22, Division 4.5, Environmental Health Standards for the Management of Hazardous Waste*, proposed in the existing draft as Chapter 51.3, Article 1, Sections 69000.1–69000.3 regarding Human Health Toxicity Criteria for Site Cleanup. After considering the information received at this public workshop, DTSC expects to begin formal rulemaking in 2017.

BACKGROUND

DTSC has determined that calculating screening levels and cleanup goals from a single source of toxicity criteria does not always provide the best protection to human health. DTSC proposes to require that any human health risk screening or human health risk assessment shall use the most protective of the following three toxicity criteria sources for each cancer and noncancer contaminant of concern:

1. *Office of Environmental Health and Hazard Assessment Chemical Database*, or its successor. As of November 12, 2015, the database is available online at <http://oehha.ca.gov/tcdb/index.asp>.
2. *US EPA Integrated Risk Information System (IRIS)* database. As of November 12, 2015, the database is available online at <http://www2.epa.gov/iris>.
3. *Provisional Peer-Reviewed Toxicity Value (PPRTV)*. As of November 19, 2015, these values are available online at <http://hhpprtv.ornl.gov/quickview/pprtv.php>.

The proposed regulation follows:

Division 4.5, Environmental Health Standards for the Management of Hazardous Waste

Add Chapter 51.3, Article 1, sections 69000.1–69000.3 as follows:

Chapter 51.3 Human Health Toxicity Criteria for Cleanup.

Article 1.

69000.1. Purpose and Applicability

This chapter applies to hazardous waste and hazardous substance release sites subject to the provisions of Health and Safety Code, division 20, chapters 6.5, 6.8 and/or 6.82. It requires that the toxicity factors specified in 69000.3 be used to establish human health risk-based action levels and remediation goals.

69000.2. Action Levels, Screening Levels, Remediation Goals, and Point of Departure for Evaluation of Cleanup Alternatives

(a) The point of departure for action level and screening level determinations, and remediation goals, based on human health risk is:

(1) An incremental excess lifetime cancer risk to an individual of 1×10^{-6} , and

(2) A cumulative hazard index across all pathways and contaminants of concern (COCs) of 1.0.

(b) The above action levels, screening levels and remediation goals shall be calculated using the toxicity criteria specified in section 69000.3.

69000.3. Applicable Toxicity Criteria

Any human health risk screening or human health risk assessment shall use the most protective of the following three toxicity criteria sources for each cancer and noncancer contaminant of concern:

(a) The peer reviewed unit risk factors, inhalation and oral slope factors, and chronic reference exposure levels (cRELS, both inhalation and oral) from the Office of Environmental Health and Hazard Assessment Chemical Database, or its successor.

(b) The unit risk factors, inhalation and oral slope factors, reference doses (RfD), and reference concentrations (RfC), from the US EPA Integrated Risk Information System (IRIS) database, or its successor.

(c) The unit risk factors, inhalation and oral slope factors, reference doses (RfD), and reference concentrations (RfC), from the US EPA Provisional Peer-Reviewed Toxicity Value (PPRTV) database, or its successor.

COMMENTS

In addition to the draft proposed language above, DTSC will solicit comments on the alternative concept of implementing a narrative standard to require use of state Toxicity Criteria when they are more protective than the other two federal sources.

All members of the public, the regulated community, and other stakeholders are invited to attend the preliminary workshop during which to voice comments. All are also welcome to submit written comments until January 16, 2017 to the following address:

Department of Toxic Substances Control
 8800 Cal Center Drive
 Sacramento, California 95826
 Attn: Mr. Kevin Depies
 E-Mail: Kevin.Depies@dtsc.ca.gov

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

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

File# 2016-0914-01
AIR RESOURCES BOARD
 Vapor Recovery Equipment Defects List

This regulatory action by the Air Resources Board updates the Vapor Recovery Equipment Defects List, which is incorporated by reference in section 94006(b) of title 17, of the California Code of Regulations. This list is updated every three years pursuant to Health and Safety Code section 41960.2(c)(2), to identify equipment defects that substantially impair the effectiveness of gasoline vapor recovery systems used in motor vehicle refueling operations and warrant removal of the fueling point from service until the defect is repaired.

Title 17
 AMEND: 94006
 Filed 10/26/2016
 Effective 01/01/2017
 Agency Contact: Trini Balcazar (916) 445-9564

File# 2016-0921-01
BOARD OF EQUALIZATION
 Change in Ownership — Joint Tenancies

This rulemaking action by the Board of Equalization amends section 462.040 in title 18 of the California Code of Regulations to make the regulation consistent with current law regarding the types of transfers that create “original transferor” status, the change in ownership consequences of transfers terminating interests in joint tenancies, and the applicability of the exclusion from the definition of change in ownership for transfers between cotenants.

Title 18
 AMEND: 462.040
 Filed 10/26/2016
 Effective 01/01/2017
 Agency Contact: Richard Bennion (916) 445-2130

File# 2016-0929-02
BOARD OF EQUALIZATION
 Temporary Certification/Permanent Certification

This change without regulatory effect by the State Board of Equalization corrects outdated references and information in sections 282 and 283 of title 18 of the California Code of Regulations.

Title 18
 AMEND: 282, 283
 Filed 10/26/2016
 Agency Contact: Richard Bennion (916) 445-2130

File# 2016-0921-02
CALIFORNIA ENERGY COMMISSION
 Power Source Disclosure Program Implementation

The California Energy Commission is amending four sections in title 20 of the California Code of Regulations. These amendments are designed to implement statutory changes to the Power Source Disclosure program. This program is designed to require the disclosure of information on the sources of energy that are used to provide electric service in California. The PSD program requires retail suppliers to provide to retail consumers a Power Content Label on an annual basis. This rulemaking makes changes necessary due to statutory amendments in AB 162 (Stats. 2009, ch. 313) and AB 2227 (Stats. 2012, ch. 616) and also to make improvements to the regulations in response to feedback

from the regulated entities. The regulations are also being amended to improve retail consumers' understanding of what sources of electricity they consume.

Title 20
 AMEND: 1391, 1392, 1393, 1394
 Filed 10/31/2016
 Effective 10/31/2016
 Agency Contact: Lisa DeCarlo (916) 654-5195

File# 2016-0922-01
CALIFORNIA ENERGY COMMISSION
 Lighting Efficiency Standards

This action adopts energy efficiency standards for small diameter directional lamps and light emitting diodes (LED).

Title 20
 AMEND: 1601, 1602, 1604, 1605.1, 1605.3, 1606, 1607
 Filed 11/01/2016
 Effective 01/01/2017
 Agency Contact: Harinder Singh (916) 654-4091

File# 2016-0920-01
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
 Peace Officer Selection Requirements & Background Investigation Updates

In this regular rulemaking, the Commission on Peace Officer Standards and Training ("POST") is amending sections 1950 and 1953 in title 11 of the California Code of Regulations. The changes remove POST-imposed screening requirements for peace officers who return to their department within 180 days of a voluntary separation. However, law enforcement hiring authorities will still be permitted to determine what, if any, assessments are necessary to ensure that these officers still meet the minimum standards imposed by Government Code section 1031.

Title 11
 AMEND: 1950, 1953
 Filed 10/31/2016
 Effective 01/01/2017
 Agency Contact: Brian Clark (916) 227-4847

File# 2016-1021-01
DEPARTMENT OF CONSERVATION
 Underground Gas Storage Facility

This is the second re-adoption of emergency rulemaking action no. 2016-0126-03E by the Department of Conservation (DOC), which implements new protective standards for all underground storage projects in California. This amendment to section 1724.9 of title 14 of the California Code of Regulations (CCR) was initiated

by DOC in response to the emergency proclamation issued by Governor Brown on January 6, 2016.

Title 14
 AMEND: 1724.9
 Filed 10/31/2016
 Effective 10/31/2016
 Agency Contact: Tim Shular (916) 323-5432

File# 2016-1025-02
DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This emergency regulatory action by the Department of Food and Agriculture will expand the current quarantine area for the Asian Citrus Psyllid ((ACP) *Diaphorina citri*) in the San Jose area of Santa Clara County by approximately four square miles. The effect of this emergency action is to provide authority for the state to perform quarantine activities against ACP within this additional area, along with the many already existing regulated areas in the state.

Title 3
 AMEND: 3435(b)
 Filed 10/28/2016
 Effective 10/28/2016
 Agency Contact: Sara Khalid (916) 403-6625

File# 2016-1025-03
DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This emergency regulatory action by the Department of Food and Agriculture will expand the existing quarantine area for the Asian Citrus Psyllid ((ACP) *Diaphorina citri*) in the Los Banos area of Merced County by approximately 125 square miles. The effect of this emergency action is to provide authority for the state to perform quarantine activities against ACP within this additional area, along with the many already existing regulated areas in the state.

Title 3
 AMEND: 3435(b)
 Filed 10/28/2016
 Effective 10/28/2016
 Agency Contact: Sara Khalid (916) 403-6625

File# 2016-1026-01
DEPARTMENT OF FOOD AND AGRICULTURE
 West Indian Fruit Fly Eradication Area

This emergency action by the Department of Food and Agriculture adopts section 3591.28 of title 3 of the California Code of Regulations to proclaim Los Angeles County as an eradication area for the West Indian fruit fly, *Anastrepha obliqua*, and establish a host list due to recent findings of the pest. The effect of the adoption is to provide authority for the state to perform con-

trol and eradication activities against the West Indian fruit fly in Los Angeles County.

Title 3
ADOPT: 3591.28
Filed 11/02/2016
Effective 11/02/2016
Agency Contact: Sara Khalid (916) 403-6625

File# 2016-1026-02
DEPARTMENT OF FOOD AND AGRICULTURE
Peach Fruit Fly Eradication Area

This emergency action by the Department of Food and Agriculture adds the entire county of San Mateo to the list of counties proclaimed to be eradicated with respect to the peach fruit fly, *Bactrocera zonata*. The effect of the amendment is to provide authority for the state to perform eradication activities against the peach fruit fly within San Mateo County.

Title 3
AMEND: 3591.12
Filed 11/02/2016
Effective 11/02/2016
Agency Contact: Sara Khalid (916) 403-6625

File# 2016-0919-03
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
Home Investment Partnership Act (HOME) Program

This rulemaking action concerns implementation of the HOME Investment Partnerships Act (the HOME Program). In general, under the HOME Program, the U.S. Department of Housing and Urban Development allocates funds by formula among eligible State and local governments to strengthen public-private partnerships and to expand the supply of decent, safe, sanitary, and affordable housing, with primary attention to rental housing, for very low-income and low-income families. Current state HOME Program regulations do not specify that Developers (including Native American Entities) are eligible to apply for HOME Program funds even though federal law does not exclude them. Primarily, this rulemaking action enables Developers, such as Native American Entities, to access public financing needed for the development and preservation of affordable housing.

Title 25
AMEND: 8200, 8201, 8204, 8205, 8206, 8208, 8210, 8211, 8212, 8212.3, 8214, 8215, 8216, 8217, 8218
Filed 10/31/2016
Effective 01/01/2017
Agency Contact:
Muri Christine Barkovsky (916) 263-1176

File# 2016-0921-05
DEPARTMENT OF INSURANCE
Low Cost Auto Rate Filing, 2017

This action by the Department of Insurance amends Exhibit E in the "California Automobile Low Cost Plan of Operations" relating to Private Passenger Automobile Liability Rates based upon proposed rates calculated by the California Automobile Assigned Risk Plan (CAARP). This action is exempt from the Administrative Procedure Act pursuant to Insurance Code section 11620(c).

Title 10
AMEND: 2498.6
Filed 11/02/2016
Effective 01/01/2017
Agency Contact: Michael Riordan (415) 538-4226

File# 2016-0923-01
DEPARTMENT OF SOCIAL SERVICES
Division 22 Changes Without Regulatory Effect

This change without regulatory effect by the Department of Social Services makes minor amendments to Division 22 of the Manual of Policies and Procedures (MPP) for clarity and consistency.

Title MPP
AMEND: 22-000, 22-001, 22-003, 22-004, 22-009, 22-045, 22-047, 22-049, 22-051, 2-053, 22-054, 22-055, 22-059, 22-060, 22-061, 22-063, 22-065, 22-071, 22-072, 22-073, 22-077, 22-078, 22-085
Filed 11/02/2016
Agency Contact: Oliver Chu (916) 657-3588

File# 2016-0920-02
FISH AND GAME COMMISSION
Commercial Hagfish Traps

This action by the Fish and Game Commission amends section 180.6 of title 14 of the California Code of Regulations regarding commercial hagfish traps. The amendment repeals the 40-gallon barrel trap requirement and establishes that each barrel trap shall be no greater than 45 inches in length and 25 inches in diameter.

Title 14
AMEND: 180.6
Filed 10/26/2016
Effective 01/01/2017
Agency Contact: Sherrie Fonbuena (916) 654-9866

File# 2016-0927-04
FISH AND GAME COMMISSION
Tidal Waters for San Francisco/San Pablo Bays

This action by the Fish and Game Commission amends three sections in title 14 of the California Code

of Regulations to clarify the boundaries of “Inland Waters” in relation to San Francisco and San Pablo bays to facilitate compliance and enforcement of gear restrictions and seasons that apply in those waters.

Title 14
 AMEND: 1.53, 27.00, 28.65
 Filed 11/02/2016
 Effective 01/01/2017
 Agency Contact: Jon Snellstrom (916) 653-4899

File# 2016-1019-02
 FISH AND GAME COMMISSION
 Close Razor Clam Fishery Due to Elevated Levels of Domoic Acid

This emergency action readopts emergency regulations closing the razor clam recreational fishery in Del Norte and Humboldt counties due to elevated levels of domoic acid.

Title 14
 AMEND: 29.45
 Filed 10/27/2016
 Effective 10/27/2016
 Agency Contact:
 Melissa Miller-Henson (916) 653-4899

File# 2016-1004-01
 MEDICAL BOARD OF CALIFORNIA
 Licensing Examination Minimum Passing Score

As a change without regulatory effect, the Medical Board of California is amending section 1328.1 in title 16 of the California Code of Regulations. This amendment corrects a grammatical error in the title of one of the listed organizations.

Title 16
 AMEND: 1328.1
 Filed 10/27/2016
 Agency Contact:
 Kimberly Kirchmeyer (916) 263-2389

File# 2016-1011-01
 STATE WATER RESOURCES CONTROL BOARD
 Conflict-of-Interest Code

This is a conflict-of-Interest code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

Title 23
 AMEND: 645
 Filed 11/02/2016
 Effective 12/02/2016
 Agency Contact: Nathan Jacobsen (916) 341-5181

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN June 1, 2016 TO
 November 2, 2016**

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.

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- 10/18/16 AMEND: 18951
- 10/03/16 ADOPT: 649.49 AMEND: 649, 649.3, 649.4, 649.18, 649.50, 649.52, 649.57, 649.60 REPEAL: 649.1, 649.46, 649.51, 649.62
- 09/19/16 ADOPT: 18751 REPEAL: 18751
- 09/19/16 AMEND: 18215.3, 18232
- 09/15/16 AMEND: 18942
- 09/13/16 AMEND: 1181.2, 1181.3, 1181.6, 1183.1, 1183.2, 1183.3, 1183.8, 1183.9, 1183.10, 1183.11, 1183.14, 1183.15, 1183.17, 1183.18, 1185.1, 1185.2, 1185.3, 1185.4, 1185.5, 1187.4, 1187.6, 1187.7, 1187.8, 1187.9, 1187.14, 1187.15, 1190.1, 1190.2, 1190.3, 1190.5
- 09/07/16 ADOPT: 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016
- 08/31/16 AMEND: 18531.5
- 08/17/16 AMEND: 18239
- 08/17/16 AMEND: 59000
- 07/29/16 ADOPT: 599.860
- 07/13/16 AMEND: 1859.2, 1859.102 REPEAL: 1866, 1866.1, 1866.2, 1866.3, 1866.4, 1866.4.1, 1866.4.2, 1866.4.3, 1866.4.4, 1866.4.6, 1866.4.7, 1866.5, 1866.5.1, 1866.5.2, 1866.5.3, 1866.5.4, 1866.5.5, 1866.5.6, 1866.5.7, 1866.5.8, 1866.5.9, 1866.7, 1866.8, 1866.9, 1866.9.1, 1866.10, 1866.12, 1866.13, 1866.14
- 07/11/16 AMEND: 59560
- 06/27/16 AMEND: 1897
- 06/23/16 ADOPT: 17010, 17011, 17012, 17013, 17014, 17030, 17031, 17032, 17033, 17034, 17035, 17036, 17037, 17038, 17039, 17040, 17041, 17042, 17043, 17044, 17045, 17046, 17047 REPEAL: 17010, 17030, 17111, 17112, 17113, 17120, 17121, 17122, 17130, 17140, 17141, 17142, 17150, 17151, 17152,

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 10/19/16 AMEND: 3435(b)
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 06/06/16 ADOPT: 1358.7
 06/02/16 AMEND: 3439(b)
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 10/13/16 AMEND: 1734
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07/05/16	AMEND: 1689.1	09/29/16 AMEND: 3542, 3570, 3577
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08/26/16	AMEND: 27000, 27004	08/09/16 AMEND: 2498.6
08/16/16	ADOPT: 80022 AMEND: 80025.3	08/09/16 AMEND: 2498.4.9, 2498.6
08/03/16	AMEND: 19810	08/08/16 AMEND: 2498.5
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		09/08/16 AMEND: 1001, 1014, 1015, 1055
		08/30/16 ADOPT: 3205 AMEND: 3000, 3001, 3003, 3201, 3203, 3204
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06/23/16 ADOPT: 15.08 AMEND: 15.07
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10/04/16 AMEND: 819, 819.01, 819.02, 819.03,
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09/22/16 AMEND: 18660.40
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10/20/16 AMEND: 3134.1, 3136
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10/18/16 AMEND: 1399.344
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09/27/16 AMEND: 1313.4
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09/01/16 AMEND: 1399.696
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08/22/16 AMEND: 1023.16
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08/15/16 AMEND: 4110
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07/12/16 AMEND: 36.1
07/12/16 ADOPT: 1399.469.3
06/22/16 AMEND: 438
06/16/16 AMEND: 109
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06/20/16 AMEND: 51179.7
06/09/16 ADOPT: 69600.1, 69600.2, 69600.3,
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06/08/16 AMEND: 7000

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353.6, 353.8, 353.10, 354, 354.2, 354.4, 354.6, 354.8, 354.10, 354.12, 354.14, 354.16, 354.18, 354.20, 354.22, 354.24, 354.26, 354.28, 354.30, 354.32, 354.34, 354.36, 354.38, 354.40, 354.42, 354.44, 355, 355.2, 355.4, 355.6, 355.8, 355.10, 356, 356.2, 356.4, 357, 357.2, 357.4, 358, 358.2, 358.4

07/18/16 AMEND: 2922
 07/18/16 ADOPT: 3909.2
 07/18/16 ADOPT: 3909.4
 07/14/16 ADOPT: 3909.3
 07/12/16 ADOPT: 3929.14
 07/11/16 AMEND: 3939.19
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10/31/16 AMEND: 8200, 8201, 8204, 8205, 8206, 8208, 8210, 8211, 8212, 8212.3, 8214, 8215, 8216, 8217, 8218
 07/28/16 ADOPT: 7062.5, 7065.5 AMEND: 7065
 07/05/16 ADOPT: 6924, 6932 REPEAL: 6924, 6932

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10/06/16 AMEND: 25603.3
 09/08/16 AMEND: 27001
 08/30/16 ADOPT: 25600, 25600.1, 25600.2, 25601, 25602, 25603, 25604, 25605, 25606, 25607, 25607.1, 25607.2, 25607.3, 25607.4, 25607.5, 25607.6, 25607.7, 25607.8, 25607.9, 25607.10, 25607.11, 25607.12, 25607.13, 25607.14, 25607.15, 25607.16, 25607.17, 25607.18, 25607.19, 25607.20, 25607.21, 25607.22, 25607.23, 25607.24, 25607.25,

25607.26, 25607.27, 25607.28, 25607.29, 25607.30, 25607.31 AMEND: 25603.3(f) (renumbered to Section 25607.30), 25603.3(g) (renumbered to Section 25607.31) REPEAL: 25601, 25602, 25603, 25603.1, 25603.2, 25604, 25604.1, 25604.2, 25605, 25605.1, 25605.2

08/10/16 AMEND: 27001
 08/09/16 AMEND: 27001
 07/28/16 AMEND: 27001
 07/27/16 AMEND: 25805
 06/27/16 AMEND: 27001
 06/22/16 AMEND: 27001
 06/13/16 AMEND: 27001
 06/13/16 AMEND: 25805

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11/02/16 AMEND: 22-000, 22-001, 22-003, 22-004, 22-009, 22-045, 22-047, 22-049, 22-051, 2-053, 22-054, 22-055, 22-059, 22-060, 22-061, 22-063, 22-065, 22-071, 22-072, 22-073, 22-077, 22-078, 22-085
 08/16/16 ADOPT: 31-136 AMEND: 31-001, 31-002, 31-003, 31-005, 31-040, 31-066, 31-075, 31-101, 31-105, 31-110, 31-115, 31-120, 31-125, 31-135, 31-201, 31-205, 31-206, 31-310, 31-315, 31-335, 31-405, 31-406, 31-410, 31-420, 31-425, 31-430, 31-445, 31-510 REPEAL: 31-515, 31-520
 08/01/16 ADOPT: 42-749 AMEND: 41-440, 42-711, 42-716, 44-207
 07/19/16 AMEND: 30-754.2
 06/13/16 ADOPT: 30-754 AMEND: 30-701