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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: Friant North Authority
Desert Community College
District

STATE AGENCY: California Energy Commission

A written comment period has been established commencing on December 25, 2015, and closing on February 8, 2016. Written comments should be directed to the Fair Political Practices Commission, Attention Ivy Branaman, 428 J Street, Suite 620, Sacramento, California 95814.

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

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

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

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

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than February 8, 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 Ivy Branaman, 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 Ivy Branaman, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**TITLE 3. DEPARTMENT OF FOOD
AND AGRICULTURE**

The Department of Food and Agriculture (Department) amended subsection 3435(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Asian Citrus Psyllid (ACP) Interior Quarantine as an emergency action which was effective on October 29, 2015. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than April 26, 2016.

This notice is being provided to be in compliance with Government Code Section 11346.4.

PUBLIC HEARING

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.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.654.1018 or by email to Sara.Khalid@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on February 8, 2016. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Sara Khalid
Department of Food and Agriculture
Plant Health and Pest Prevention Services
1220 N Street
Sacramento, CA 95814
Sara.Khalid@cdfa.ca.gov
916.654.1017
916.654.1018 (FAX)

Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this state and determine the probability of its spread and the feasibility of its control or eradication (FAC 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as she deems necessary to protect the agricultural industry from the introduction and spread of pests (FAC Sections 401, 403, 407 and 5322).

Anticipated Benefits from This Regulatory Action

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

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

Existing law, FAC Section 5321, provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this State and determine the probability of its spread, and the feasibility of its control or eradication.

Existing law, FAC Section 5322, provides that the Secretary may establish, maintain, and enforce quarantine, eradication, and such other regulations as are in her opinion necessary to circumscribe and exterminate or prevent the spread of any pest which is described in FAC Section 5321.

The existing law obligates the Secretary to investigate and determine the feasibility of controlling or eradicating pests of limited distribution but establishes discretion with regard to the establishment and maintenance of regulations to achieve this goal. This amendment provides the necessary regulatory authority to prevent the artificial spread of a serious insect pest which is a mandated statutory goal.

The amendment of this regulation benefits the citrus industries (nurseries, fruit growers, wholesalers, retailers, exporters) and the environment by having a quarantine program to prevent the artificial spread of ACP over long distances. Almost all of the commercial citrus

fruit and nursery stock production is located outside this proposed quarantine boundary area.

The national and international consumers of California citrus benefit by having high-quality fruit available at lower cost. It is assumed that any increases in production costs will ultimately be passed on to the consumer.

The amendment of this regulation benefits homeowners who grow citrus for consumption and host material which is planted as ornamentals in various rural and urban landscapes.

FAC Section 401.5 states, “the department shall seek to protect the general welfare and economy of the state and seek to maintain the economic well-being of agriculturally dependent rural communities in this state.” The amendment of this regulation is preventing the artificial spread of ACP to uninfested areas of the State.

Huanglongbing (HLB) is generally distributed in Florida due to ACP being generally distributed there. The University of Florida Institute of Food and Agricultural Sciences Extension calculated and compared the impact of having and not having HLB present in Florida and concluded HLB had a total impact of \$3.64 billion and eliminated seven percent of the total Florida workforce. The overall California economy benefits by the amendment of this regulation which is intended to prevent ACP from becoming generally distributed in California and resulting in a similar effect on our economy as to what happened in Florida. This is now critical as HLB has been introduced into California.

There is no existing, comparable federal regulation or statute regulating the intrastate movement.

The Department considered any other possible related regulations in this area, and we find that these are the only regulations dealing in this subject area, and the only State agency that can implement plant quarantines. As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of this regulation and has determined that it is not inconsistent or incompatible with existing state regulations.

AMENDED TEXT

This regular rulemaking action expanded the quarantine area for ACP in the Bakersfield area of Kern County by approximately 83 square miles, and established the quarantine area for ACP of approximately 106 square miles in the Arvin area of Kern County. The effect of the amendment of this regulation is to provide authority for the State to perform quarantine activities against ACP within this additional area. The total area that would be under regulation is now approximately 52,227 square miles.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

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

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

The Department has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Cost impacts on a representative private person or business: Most businesses will not be affected. There are no citrus production nurseries in the affected area that will be impacted. There are no retail nurseries in the affected area. There are eleven citrus growers in the proposed area. There is no additional cost to growers who take their fruit to a packinghouse inside the current quarantine area. Growers choosing a packinghouse outside the quarantine area have three options: 1. Conduct pre-harvest treatments with an approved pesticide while fruit is still on the trees; 2. Field-clean the fruit to remove leaves and stems during harvest; 3. Send the fruit to a packinghouse within the quarantine area to be cleaned. Pre-harvest treatments cost growers approximately \$60 per acre and the fruit is required to be covered with a tarp while in transit. Tarps range in price from \$2,500–\$3,000 apiece. Field-cleaning the fruit will cost the grower approximately \$150–\$320 per acre depending on the citrus variety. Field-cleaned fruit does not require a tarp for transport and can be moved within or from the quarantined area. Cleaning at a packinghouse within the quarantine area will cost the grower approximately \$300–\$400 per acre and the fruit must remain within the quarantine area, although the loads do not need to be covered with a tarp. There are zero citrus packinghouses located within this quarantine area.

Based on the preceding above information, it was determined that due to the amendment of Section 3435(b), the agency is not aware of any cost impact on a representative business or private person. For the vast majority of businesses within the regulated area, no additional costs will be incurred.

Small Business Determination

The Department has determined that the proposed regulations may affect small business.

Significant effect on housing costs: None.

Results of the Economic Impact Analysis

Amendment of these regulations will not:

- (1) Create or eliminate, jobs within California;
- (2) Create new businesses or eliminate existing businesses within California; or
- (3) Affect the expansion of businesses currently doing business within California

The Department is not aware of any specific benefits the amendment of this regulation will have on worker safety or the health of California residents. The Department believes the amendment of this regulation benefits the welfare of California residents by protecting the economic health of the entire citrus industry. In 2010 the estimated value was \$2.1 billion for citrus fruit and \$28.5 million for citrus nursery stock without all the upstream buyers and downstream retailers included (*Reference: John Gilstrap of California Citrus Nursery Board for citrus nursery stock value and USDA–National Agricultural Statistics Service 2010 data for citrus fruit*). This is a needed source of revenue for the State’s economic health, and this amendment will help protect this source of revenue.

ALTERNATIVES CONSIDERED

The Department must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this Notice.

AUTHORITY

The Department proposes to amend Section 3435(b) pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the FAC.

REFERENCE

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

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and re-

quest for a public hearing may be directed is: Sara Khalid, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 654–1017, FAX (916) 654–1018, E-mail: Sara.Khalid@cdfa.ca.gov. In her absence, you may contact Laura Petro at (916) 654–1017. Questions regarding the substance of the proposed regulation should be directed to Sara Khalid.

INTERNET ACCESS

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

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department has prepared an initial statement of reasons for the proposed actions, 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 3. DEPARTMENT OF FOOD AND AGRICULTURE

The Department of Food and Agriculture (Department) intends to amend Section 4603 of the regulations in Title 3 of the California Code of Regulations pertaining to the Schedule of Charges.

This notice is being provided in compliance with Government Code (GC) Section 11346.4.

PUBLIC HEARING

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.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.654.1018 or by email to Sara.Khalid@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on February 8, 2016. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Sara Khalid
 Department of Food and Agriculture
 Plant Health and Pest Prevention Services
 1220 N Street
 Sacramento, CA 95814
Sara.Khalid@cdfa.ca.gov
 916.654.1017
 916.654.1018 (FAX)

Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

INFORMATIVE DIGEST/POLICY STATEMENT
 OVERVIEW

Existing State law provides that the Department, for the purpose of enhancing the State’s business and trade opportunities, may, upon request, perform non-regulatory services such as diagnostics, inspections and testing relating to nursery stock, plants, seeds, or plant pests and diseases. The Department may also establish charges sufficient to recover its costs for providing non-regulatory services (Food and Agricultural Code (FAC), Section 5851). Existing law also provides that the Department may establish, by regulation, a schedule of charges to cover the Department’s costs for the specific services it provides. Existing law also provides that regulations establishing charges adopted by the Secretary shall not be subject to review, approval, or disapproval by the Office of Administrative Law (FAC, Section 5852).

ANTICIPATED BENEFITS FROM THIS
 REGULATORY ACTION

This proposed amendment to the regulation will enable the Department to recover its costs when it provides requested non-regulatory services. This regulation also establishes greater flexibility in adjusting lab-

oratory service charges by maintaining them on a Department website while still providing transparency in how the costs are determined.

There is no existing, comparable federal regulation or statute.

The Department considered any other possible related regulations in this area, and we find that these are the only regulations dealing in this subject area, and the only State agency that can implement these service charges. As required by GC Section 11346.5(a)(3)(D), the Department has conducted an evaluation of this regulation and has determined that it is not inconsistent or incompatible with existing state regulations.

AMENDED TEXT

The amendment of this regulation will establish there is a one-hour minimum charge for requested diagnostics or scientific consultations that require travel; remove the specific service charges from regulation pertaining to nematology, general plant pathology, entomology, plant taxonomy, seed pathology, and seed quality testing; establish the onsite service charges for providing laboratory diagnostics or scientific consultations and establish that these charges will be maintained on a Department website; and establish an application fee for the post-entry quarantine program, change the hourly rate for inspection time and the charges for travel to the post-entry quarantine inspection sites.

DISCLOSURES REGARDING THE
 PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

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

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

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None.

Cost impacts on a representative private person or business: The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. All costs incurred would be requested for non-regulatory services provided by the Department.

Small Business Determination

The Department has determined that the proposed regulations may affect small business.

Significant effect on housing costs: None.

**RESULTS OF THE ECONOMIC
IMPACT ANALYSIS**

Amendment of these regulations will not:

- (1) Create or eliminate jobs within California;
- (2) Create new businesses or eliminate existing businesses within California; or
- (3) Affect the expansion of businesses currently doing business within California.

The Department has determined the amendment of this regulation:

- Enables the Department to recover its costs for providing requested services
- Establishes the procedures for determining specific onsite laboratory service charges and that such charges may be maintained on a designated Department website for “one-stop shopping”

There are no known specific benefits to worker safety or the health of California residents. The Department is not aware of any specific benefits the amendment of this regulation will have to the protection of public safety of California residents or worker safety. Based upon the economic analysis, the Department believes the amendment of this regulation benefits the general welfare of California residents (GC Section 11346.3(b)).

The Department has evaluated and determined that the amendment of this regulation is not inconsistent with existing State regulations. There are no other comparable existing State regulations (GC Section 11346.5(a)(3)(D)).

ALTERNATIVES CONSIDERED

The Department must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this notice.

AUTHORITY

The Department proposes to amend Section 4603 pursuant to the authority vested by Sections 407, 5851 and 5852 of the FAC of California.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 407, 5851 and 5852 of the FAC.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed is: Sara Khalid, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: Sara.Khalid@cdfa.ca.gov. In her absence, you may contact Laura Petro at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Sara Khalid.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its internet website (www.cdfa.ca.gov/plant/Regulations.html).

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

The Department has prepared an initial statement of reasons for the proposed actions, 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 5. SCHOLARSHARE
INVESTMENT BOARD**

INFORMATIVE DIGEST/ POLICY STATEMENT
OVERVIEW

**SCHOLARSHARE INVESTMENT BOARD
GOLDEN STATE SCHOLARSHARE
TRUST PROGRAM**

The Scholarshare Investment Board (“Board”) proposes to adopt the proposed regulation amendment described below after considering all comments, objections, and recommendations regarding the proposed action.

This rulemaking action makes it permissible for ScholarShare account owners to name an entity, such as a trust, estate, partnership, association, company, corporation, or a state or local agency as a successor account owner. Additionally, this rulemaking action provides for technical amendments that add clarifying and consistent language throughout the regulations and consistency with the Golden State Scholarshare Trust Act.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

Under current Regulation Section 30950(b) an entity, as specified above and defined in this section, can be an account owner. Section 30955(d), however, which regulates naming a Contingent Account Owner, does not allow for an entity to be named as a successor account owner. Amendments to Section 30955(d) would allow account owners to name an entity as a successor account owner. Further research confirms that this practice is common within the financial services and 529 industries.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. Comments may also be submitted by facsimile (FAX) at (916) 589-2835 or by e-mail to msierras@treasurer.ca.gov. The written comment period closes at **5:00 p.m. on February 8, 2016**. The Board will consider only comments received at the Board offices by that time. Submit comments to:

Anticipated Benefits of the Proposed Regulation Amendment:

The proposed regulations amendment will allow the Plan to offer broader options to meet the needs of existing and prospective participants and will allow for a broader administration of duties for the program administrator or its designee to fulfill program actions and responsibilities. The technical changes will add clarifying and consistent language throughout the regulations and consistency with the Golden State Scholarshare Trust Act.

Mario Sierras, Manager
Scholarshare Investment Board
915 Capitol Mall, Room 105
Sacramento, CA 95814

Determination of Inconsistency/Incompatibility with Existing State Regulations:

The Board evaluated whether the proposed regulations are inconsistent or incompatible with existing state regulations and has found that these are the only regulations concerning the naming of ScholarShare account owners. Therefore, the proposed regulations are not inconsistent or incompatible with existing regulations.

AUTHORITY AND REFERENCE

Education Code sections 69981(e) and 69982(h) authorize the Board to adopt this proposed regulation amendment. The proposed regulation amendment implements, interprets, makes specific, and clarifies sections 30950 through 30959 of title 5 of the California Code of Regulations for the Golden State ScholarShare Trust Program.

**DISCLOSURES REGARDING THE
PROPOSED ACTION**

The Board has made the following initial determinations:

- Mandate on local agencies and school districts: None.
- Cost or savings to any state agency: None.
- Cost to any local agency or school district requiring reimbursement pursuant to Government Code section 17500 et seq.: None.

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

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

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

Significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states: None.

Effect on housing costs: None.

Fiscal impact to any local government: None.

Fiscal impact to any state agency: None.

Results of the Economic Impact Analysis/Assessment:

The Board concludes that it is (1) unlikely that the proposal will create or eliminate any California jobs, (2) unlikely that the proposal will create or eliminate any California businesses, and (3) unlikely that the proposal will result in the expansion of businesses currently doing business in California.

Benefits of the proposed action: As stated under the Informative Digest/Policy Statement Overview above, the proposed regulation amendment will allow the Plan to offer broader options to meet the needs of existing and prospective participants by allowing participants to elect an entity as a contingent account owner. The proposed regulation amendments will also allow for a broader administration of duties allowing for either the program administrator or its designee to fulfill program actions and responsibilities. Technical amendments to the regulations will add clarifying and consistent language throughout the regulations and consistency with the Golden State Scholarshare Trust Act.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed 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 person and equally effective in implementing the statutory policy or other provision of law.

The Board invites interested persons to present statement or arguments with respect to alternatives to the proposed regulation amendment during the written comment period.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Mario Sierras, Manager
Scholarshare Investment Board
915 Capitol Mall, Room 105
Sacramento, CA 95814
Telephone: (916) 653-0299

The backup contact person for these inquiries is:

Stanley Zeto, Deputy Executive Director
Scholarshare Investment Board
915 Capitol Mall, Room 105
Sacramento, CA 95814
Telephone: (916) 651-6381

Please direct requests for copies of the proposed text (the "express terms") of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Mr. Sierras at the above address.

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

The Board 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 Mario Sierras at the address or phone number listed above.

AVAILABILITY OF CHANGED OR
MODIFIED TEXT

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

AVAILABILITY OF THE FINAL STATEMENT
OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Mr. Sierras at the above address.

AVAILABILITY OF DOCUMENTS ON
THE INTERNET

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

**TITLE 13. DEPARTMENT OF MOTOR
VEHICLES**

NOTICE IS HEREBY GIVEN

The Department of Motor Vehicles (department) proposes to adopt Section 150.10 in Article 3.0 of Chapter 1, Division 1 of Title 13 of the California Code of Regulations.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than 5:00 p.m., fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested party or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 p.m., February 8, 2016, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulation.

AUTHORITY AND REFERENCE

The department proposes to adopt this regulation under the authority granted by Vehicle Code section 1651,

in order to implement, interpret, or make specific Vehicle Code section 4004.5.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

The department licenses motor vehicle drivers, provides identification documents to California residents, registers vehicles and vessels, and regulates portions of the motor vehicle industry, including sellers, dealers, dismantlers, motor carriers, driving instructors, traffic schools, and others. At the time of registration of a vehicle, the department collects a registration fee, as well as several fees on behalf of state and county programs as directed by various statutes. Specifically, the department collects and apportions funds to counties or county air pollution control districts based on the number of vehicles registered within each county or district. [Streets and Highways Code sections 2103–2106; Revenue and Taxation Code sections 7104, 7104.2; Government Code section 8879.23; Vehicle Code sections 9250.7, 9250.17; Health and Safety Code sections 44223, 44225, 44227 and 44229.] The department tracks and counts the number of vehicles registered in each county as a proportion of all vehicles registered in order to report per county vehicle volume to the Secretary of State. The Secretary of State then administers the disbursement of funds. The department determines the county in which each vehicle is registered based on the records of the department, which includes the registration document submitted by vehicle owners, and updates to address changes obtained from other sources, such as the US Postal Service address data. In addition to this information, the department considers additional information submitted by a registered owner who elects to report that a vehicle is used in a county other than the county of the owner's residence due to business usage in another county, or due to residency of the registered owner in multiple counties. According to Vehicle Code section 4004.5, the department must take this information into consideration, if it is received, when determining the number of vehicles used in a county.

Registered owners who have chosen to self-report multi-county use of their vehicles have been provided a form by the department for that purpose. The form is a Statement of Facts (REG 256) form which is used for a number of miscellaneous reports of information made to the department. The form does not specifically solicit the types of multiple county use the statute deems relevant to determining which county sustains the use of a vehicle. Sometimes the information provided by registered owners on the REG 256 is incomplete which can render the submitted information of limited use. Recently, in *Tehama v. Chiang*, (Civ. Case no. 34–2009–90000364) the Sacramento Superior Court

ruled that the REG 256 was insufficient for purposes of reporting multiple county use of vehicles. The court has ordered the department to provide a specific form with which to collect the relevant information. Government Code 11349 (a) grants authority to agencies to promulgate regulations where decisions of a court indicate that they are needed. The Government Code section defines “necessity” to include court decisions creating a need for regulation.

What this proposal does is provide to registered owners a specific form, Notice of Multiple County Use of a Vehicle, REG 6004, to notify the department of vehicle usage information deemed relevant by the Vehicle Code section 4004.5. Registered owners will have this form available at field offices and on-line to submit with their registration materials, or any time they experience and elect to report that their vehicle is actually used in a county other than the county of registration. The form solicits from the reporting owner the statutory information, as well as a statement as to which county sustains the most use of the vehicle. The general Statement of Facts form (REG 256) will no longer be used for this purpose.

PROBLEMS THIS DEPARTMENT INTENDS TO ADDRESS AND BENEFITS ANTICIPATED FROM THE REGULATORY ACTION

The problem addressed by this proposal is the determination made by the Sacramento Superior Court that the general information form is inadequate to collect information the department must take into consideration pursuant to Vehicle Code section 4004.5 when determining the county of use of a vehicle. By accepting submission of narrative information on a Statement of Facts form (REG 256), which is a multipurpose form, the department can potentially receive incomplete information from a registered owner. This has the potential to create confusion for the department staff, and extra resources for individualized review, in order to determine if a particular vehicle registered in any particular county should be counted as registered in another county. Since the Superior Court determined the REG 256 was inadequate to collect usage information, the department may no longer use that form. To comply with the court order, a new form must be adopted.

The benefits derived from these proposed regulations will be that the department will be following the actions ordered by the Sacramento Superior Court. Also, a specific form with fields for the registered owners to supply the multiple county use facts will produce more consistent records of the department. The use of the form will reduce staff review time needed to process narra-

tive descriptions of multiple county use that could be submitted on the REG 256.

CONSISTENCY AND COMPATIBILITY WITH STATE REGULATIONS

The department conducted a review of other regulations and has determined there are no other regulations that establish the use of a specific form for vehicle owners to report multiple county use of a vehicle for registration purposes. Moreover, the department is the only state entity responsible for counting vehicles used in each county and reporting that information in order to allocate fees collected back to the appropriate county. This regulation is consistent with department regulations.

COMPARABLE FEDERAL AND STATE REGULATIONS

There are no comparable federal or state regulations.

DOCUMENTS INCORPORATED BY REFERENCE

The following document is incorporated by reference:

- Statement of Multiple County Use of Vehicle, Form REG 6004 (REV. 10/2015)

This document will not be published in the California Code of Regulations because it would be impractical and cumbersome to do so; however, the document is readily available to interested parties by contacting the department representative identified below or by visiting the department’s internet website.

ECONOMIC AND FISCAL IMPACT DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- Cost or Savings to Any State Agency: None.
- Other Non-Discretionary Cost or Savings to Local Agencies: None.
- Costs or Savings in Federal Funding to the State: None.
- Cost Impact on Representative Private Persons or Businesses: 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.
- Effects on Housing Costs: None.

- Local Agency/School District Mandates: The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- Small Business Impact: This regulation is not expected to impact small business. Since the reporting of multiple county use of a vehicle is optional, it is conceivable that no small businesses will report multiple county use of a vehicle. This proposal is only requiring use of a specified form for those who choose to make a report. If a small business chooses to report multiple county use of a vehicle, this proposal only requires making that report on a specific form rather than on a REG 256, which is a catch-all form.
- Potential significant statewide adverse economic impact: The proposed regulatory 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.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The department states the following results of its Economic Impact Assessment per Government Code section 11346.3(b):

The department has determined that these proposed regulations will not create new jobs or eliminate existing jobs in the State of California. The department has determined that these proposed regulations will not create new businesses or eliminate existing businesses in the State of California. These regulations are unlikely to expand businesses within the State of California. These regulations are unlikely to have any effect, positive or negative, on worker safety or the State's environment; they are likely to have a positive effect on the general welfare of California residents in that the requirements to report multiple county use of a vehicle will be clear through use of a specific form.

PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

CONSIDERATION OF ALTERNATIVES

The department 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, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

CONTACT PERSON

Any comments, inquiries or information requests concerning the proposed rulemaking action may be addressed to:

Tracy Brazil, Regulations Analyst
Department of Motor Vehicles
Legal Affairs Division
Telephone: (916) 657-8919
E-Mail: LADRegulations@dmv.ca.gov

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

Randi Calkins, Regulations Analyst
Telephone: (916) 657-8898

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an Initial Statement of Reasons for the proposed regulatory action, and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public, upon request, the Express Terms of the proposed regulatory action using underline or italics to indicate additions to, and strikethrough to indicate deletions from the California Code of Regulations.

The contact person identified in this notice shall also make available to the public, upon request, the Final Statement of Reasons and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, the Initial Statement of Reasons, and Express Terms) may be accessed at <http://www.dmv.ca.gov/portal/dmv/dmv/dmvhomes/regulatoryactions>.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the pro-

posed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Request for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.

TITLE 14. FISH AND GAME COMMISSION

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 200, 202, 205, 215, 220, 240, 315 and 316.5 of the Fish and Game Code and to implement, interpret or make specific Sections 200, 202, 205, 206, 215 and 316.5 of said Code, proposes to amend subsections (b)(5), (b)(68), and (b)(156.5), of Section 7.50, Title 14, California Code of Regulations (CCR), relating to alphabetical list of waters with special fishing regulations: central valley salmon sport fishing.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The current, 2015, sport fishing regulations allow for salmon fishing in the American, Feather and Sacramento rivers. The Department of Fish and Wildlife (Department) is recommending new Chinook salmon bag and possession limits in the American, Feather, and Sacramento rivers for the 2016 season.

The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of recreational and commercial ocean salmon fisheries in the Exclusive Economic Zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean salmon fishing regulations by the National Marine Fisheries Service (NMFS).

The PFMC will develop the annual Pacific coast ocean salmon fisheries regulatory options for public review at its March 2016 meeting and develop the final PFMC regulatory recommendations for adoption by NMFS at its April 2016 meeting.

Based on the action taken by NMFS and the recommendation of the Department, the Commission will adopt bag and possession limits for the American, Feather, and Sacramento rivers which will:

- (1) allow for additional harvest of salmon if low instream flow conditions persist due to the existing drought to reduce impacts to spawning habitat; and
- (2) increase or decrease the current salmon bag and possession limits based on the PFMC salmon abundance estimates and recommendations for ocean harvest for the coming season.

BENEFITS OF THE REGULATIONS

As set forth in Fish and Game Code Section 1700 it is “the policy of the state to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction and influence of the state for the benefit of all the citizens of the state and to promote the development of local fisheries and distant-water fisheries based in California in harmony with international law respecting fishing and the conservation of the living resources of the oceans and other waters under the jurisdiction and influence of the state.

Adoption of scientifically-based Central Valley salmon bag and possession limits provides for the maintenance of sufficient populations of salmon to ensure their continued existence. The benefits of the proposed regulations are in concurrence with Federal law, sustainable management of the Central Valley salmon resources, and promotion of businesses that rely on Central Valley salmon sport fishing.

The benefits of the proposed regulations are concurrent with Federal law, sustainable management of California’s salmon resources, and promotion of businesses that rely on recreational sport fishing in California.

EVALUATION OF INCONSISTENCY/INCOMPATIBILITY WITH EXISTING STATE REGULATIONS

The Commission has evaluated the proposed regulation and has determined that these are the only regulations dealing with fisheries at risk due to drought conditions. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California, on Thursday, February 11, 2016 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 teleconference originating in the

Fish and Game Commission conference room, 1416 Ninth Street, Suite 1320, Sacramento, California, on Monday, April 18, 2016, at 8:30 a.m., or as soon thereafter as the matter may be heard. Interested persons may also participate at the following locations: Department of Fish and Wildlife, Conference Room, 50 Ericson Court, Arcata, California; Department of Fish and Wildlife, Conference Room, 4665 Lampson Avenue, Los Alamitos, California; and Department of Fish and Wildlife Conference Room, 7329 Silverado Trail, Napa, California. Written comments may be submitted at the address given below or by e mail to FGC@fgc.ca.gov. Written comments mailed or e-mailed to the Commission office must be received before 12:00 noon on April 13, 2016. All comments must be received no later than April 18, 2016, at one of the teleconference hearing locations listed above. 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, Sonke Mastrup, 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 Sonke Mastrup or Jon Snellstrom at the preceding address or phone number. **Roger Bloom, Department of Fish and Wildlife, phone (916) 445-3777, 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/RESULTS OF THE ECONOMIC IMPACT ANALYSIS

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

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

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed changes are necessary for the continued preservation of the resource and therefore the prevention of adverse economic impacts.

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

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The minor variations in the bag and possession limits as may be established in the regulations are, by themselves, unlikely to impact business.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for a salmon sport fishery encourages consumption of a nutritious food. The Commission anticipates benefits to the environment by the sustainable management of California's salmon resources.

The Commission does not anticipate any non-monetary benefits to worker safety.

- (c) **Cost Impacts on a Representative Private Person or Business:**
The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (d) **Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:** None.
- (e) **Nondiscretionary Costs/Savings to Local Agencies:** None.
- (f) **Programs Mandated on Local Agencies or School Districts:** None.
- (g) **Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:** None.
- (h) **Effect on Housing Costs:** None.

EFFECT ON SMALL BUSINESS

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

CONSIDERATION OF ALTERNATIVES

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

TITLE 14. FISH AND GAME COMMISSION

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 200, 202, 205, 240 and 315 of the Fish and Game Code and to implement, interpret or make specific Sections 200, 205, 240, and 315 of said Code, proposes to add Section 8.01, Title 14, California Code of Regulations (CCR), relating to special measures for fisheries at risk due to drought conditions.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

California has recently experienced severe drought conditions with record low snow pack in 2015. In early 2014, Governor Edmund G. Brown Jr. proclaimed a State of Emergency to exist in California and ordered the Department to work with the Commission, using the best available science, to determine whether restricting fishing in certain areas will become necessary and prudent as drought conditions persist. On April 1, 2015, the Governor ordered state agencies to impose statewide mandatory water restrictions that will save water, increase enforcement against water waste, streamline the state’s drought response, and invest in new drought resilient technologies for California.

The Department of Fish and Wildlife (Department) continues to evaluate and manage the changing impacts of drought on threatened and endangered species and species of special concern, and develop contingency plans for state Wildlife Areas and Ecological Reserves to manage reduced water resources in the public interest.

Statewide water quality and quantity in many systems will likely be inadequate to support fisheries if existing environmental conditions persist, resulting in impeded passage of spawning fish, increased vulnerability to mortality from predation and physiological stress, and increased angling harvest and/or hooking mortality. Furthermore, survival of eggs and juvenile fish in these systems experiencing degraded habitats could be extremely low. The historically low water conditions may concentrate cold water fish populations into shrinking pools of cold water habitat making them easy prey for illegal angling methods such as snagging, increased hooking mortality due to legal catch and release, over-harvest, as well as other human-related disturbances within their freshwater habitat. When coupled with environmental stressors, such as high water temperature, low dissolved oxygen, and severely reduced suitable habitat, these stressors can seriously affect reproductive success and survival rates. Although habitat conditions can recover with the onset of good water quality, reduced population levels caused by drought conditions could still threaten the persistence and resilience of the fishery.

Since 2014, the Department has worked with the Fish and Game Commission (Commission), using the best available science, to determine whether restricting fishing in certain areas will become necessary and prudent as habitat conditions degrade and or fish populations drop below a sustainable level. On June 11, 2015, the Commission adopted emergency regulations which establish a quick response process to temporarily close fisheries experiencing degraded environmental condi-

tions that may affect fish populations or their habitat within waters of the state. These emergency regulations went into effect on July 2, 2015 and will expire on December 31, 2015.

To ensure that fisheries are protected now and in the future, the Department is proposing that the Commission make permanent the emergency regulations set forth in Section 8.01, Title 14, CCR, as amended herein.

REGULATORY PROPOSAL

Environmental conditions resulting in degraded habitat quality and or extremely low population size may require temporary restrictions on fishing to protect fish populations and sustain future opportunity. These conditional changes may affect each waterbody and fish population differently based on various abiotic and biotic factors. Increased angling mortality, harvest, angling pressure, and fish population size are the key components used to evaluate potential effects associated with degraded environmental conditions and will need to be evaluated on a water by water basis and over time as conditions change.

To ensure that fisheries are protected under critical conditions, the Department is proposing a set of triggers to guide fishing closure and reopening decisions. The Department's decision to close or open individual waters will be based on the most current information available, collected by professional staff trained in the associated fields. Criteria for evaluating aquatic conditions are based on site-specific monitoring efforts with an emphasis on listed fish species, species of special concern, and gamefish.

The following proposed criteria will be used to determine if a fishing closure or associated reopening is warranted:

Any water of the state not currently listed in Section 8.00 of these regulations may be closed to fishing by the Department when the Director, or his or her designee, determines one or more of the following conditions have been met:

- Water temperatures in occupied habitat exceed 70° Fahrenheit for over eight hours a day for three consecutive days.
- Dissolved oxygen levels in occupied habitat drop below 5 mg/L for any period of time over **two** consecutive days.
- Fish passage is impeded or blocked for fish species that rely on migration as part of a life history trait.
- Water levels for ponds, lakes and reservoirs drop below 10% of their capacity.

- Adult breeding population levels are estimated to be below **50 individuals for a sub-population and 500 individuals for a standard population.** All waters closed pursuant to this section will be reopened by the Department when the Director, or his or her designee, determines the initial closure-based criteria are no longer met and **water temperatures do not exceed 70° Fahrenheit for over eight hours a day for 14 consecutive days and dissolved oxygen remains above 5 mg/L for 14 consecutive days.**

PROPOSED REGULATORY CHANGES FROM EMERGENCY REGULATIONS

The Department proposes additional modifications to the originally approved "emergency" text as shown in bold above due to further review of scientific literature as follows:

1. A consecutive 48-hour (two days) exposure rate for dissolved oxygen provides a better basis to address natural variability and risk for juvenile and early life stages of fish.
2. The Department is proposing to use the 50/500 rule in evaluating angling closures to address the effects on both the localized level for smaller sub-populations and larger meta-population complexes.
3. The Department is proposing an extended period of recovery for water temperature and dissolved oxygen closures to account for natural variability and fluctuations once the upper limits for water temperature and dissolved oxygen have been exceeded.

Justification and associated data for closure and reopening decisions will be provided to the Commission for any water that is subject to a fishing closure.

BENEFITS OF THE REGULATIONS

As set forth in Fish and Game Code section 1700 it is "the policy of the state to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction and influence of the state for the benefit of all the citizens of the state and to promote the development of local fisheries and distant-water fisheries based in California in harmony with international law respecting fishing and the conservation of the living resources of the oceans and other waters under the jurisdiction and influence of the state.

Adoption of scientifically-based criteria for angling closures due to adverse habitat conditions provides for the protection and maintenance of sport fish popula-

tions to ensure their continued existence. The benefits of the proposed regulations are in sustainable management of the State's sport fish resources, and the businesses that rely on sport fishing in California.

CONSISTENCY WITH STATE AND FEDERAL REGULATIONS

Section 20, Article IV, of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to regulate recreational fishing in waters of the state (Fish & Game Code, §§ 200, 202, 205). The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the California Code of Regulations and finds no other state agency regulations pertaining to angling closures to protect sport fish populations. Further, the Commission has determined that there are no existing comparable federal regulations.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California, on Thursday, February 11, 2016 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 the Flamingo Conference Resort & Spa, 2777 Fourth Street, Santa Rosa, CA 95405, California, on Thursday, April 14, 2016, at 8:30 a.m., or as soon thereafter as the matter may be heard. Written comments may be submitted at the address given below or by e-mail to FGC@fgc.ca.gov. Written comments mailed or e-mailed to the Commission office must be received before 12:00 noon on April 12, 2016. All comments must be received no later than April 14, 2016, at the hearing location listed above. 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, Sonke Mastrup, 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 reg-

ulatory process to Sonke Mastrup or Jon Snellstrom at the preceding address or phone number. **Roger Bloom, Department of Fish and Wildlife, phone (916) 445-3777, 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/RESULTS OF THE ECONOMIC IMPACT ANALYSIS

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

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

The proposed action is not anticipated to have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states because the expected impact of the proposed regulations on the amount of fishing activity is anticipated to be minimal relative to recreational angling effort statewide.

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

The expected impact of the proposed regulations on the amount of fishing activity is anticipated to be minimal relative to recreational angling effort statewide. Therefore the Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing business or the expansion of businesses in California.

The Commission anticipates benefits to the health and welfare of California residents. Protecting fish populations during poor habitat conditions ensures the maintenance of the fishery and is needed to ensure future opportunity for California anglers. Recreational angling is a healthy outdoor activity that encourages consumption of a nutritious food.

The Commission does not anticipate any non-monetary benefits to worker safety because the proposed regulations do not affect working conditions.

The Commission anticipates benefits to the environment by the sustainable management of California’s sport fishing resources.

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

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

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

None.

(e) Nondiscretionary Costs/Savings to Local Agencies:

None.

(f) Programs Mandated on Local Agencies or School Districts:

None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:

None.

(h) Effect on Housing Costs:

None.

EFFECT ON SMALL BUSINESS

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to

Government Code Sections 11342.580 and 11346.2(a)(1).

CONSIDERATION OF ALTERNATIVES

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

TITLE 14. FISH AND GAME COMMISSION

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 200, 202, 205, 220, 240, 316.5 and 2084 of the Fish and Game Code and to implement, interpret or make specific Sections 200, 202, 205, 316.5 and 2084 of said Code, proposes to amend subsection (c) of Section 27.80, Title 14, California Code of Regulations (CCR), relating to ocean salmon sport fishing during the month of April 2016.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Pacific Fishery Management Council (PFMC) coordinates west coast management of recreational and commercial ocean salmon fisheries in the federal fishery management zone (three to 200 miles offshore) along the coasts of Washington, Oregon and California. The annual PFMC ocean salmon regulation recommendations are subsequently implemented by the National Marine Fisheries Service (NMFS) effective on May 1 of each year.

California’s recreational salmon fishing regulations need to conform to the federal regulations to achieve optimum yield in California under the federal Salmon Fishery Management Plan. The Commission adopts regulations for the ocean salmon recreational fishery in State waters (zero to three miles offshore) which are consistent with these federal fishery management goals.

PRESENT REGULATIONS

Regulations for 2015 [subsections 27.80(c) and (d)] authorized ocean salmon recreational fishing seven days per week north of Horse Mountain including

Humboldt Bay from May 1 to September 7, 2015. Between Horse Mountain and Point Arena, ocean salmon recreational fishing was authorized seven days per week from April 4 to November 8, 2015. Between Point Arena and Pigeon Point, ocean salmon recreational fishing was authorized seven days per week from April 4 to October 31, 2015. Between Pigeon Point and Point Sur, ocean salmon recreational fishing was authorized seven days per week from April 4 to September 7, 2015. For areas south of Point Sur, the ocean salmon recreational fishing season was authorized seven days per week from April 4 to July 19, 2015. The bag limit for all areas in 2015 was two fish per day (all species except coho). The areas north of Point Arena had a minimum size limit of 20 inches total length. The area between Point Arena and Pigeon Point had a minimum size limit of 24 inches total length through April 30, 2015 and 20 inches total length thereafter. Areas south of Pigeon Point had a minimum size limit of 24 inches total length through May 31, 2015 and 20 inches total length thereafter. Since the existing regulations pertained only to the 2015 season, amendment of these regulations is essential to allow for any fishing in State waters during 2016.

PROPOSED REGULATIONS

Two separate Commission actions are necessary to conform State regulations to federal rules that will apply in 2016. The first action would amend subsection 27.80(c), establishing salmon fishing regulations for the month of April 2016 consistent with federal regulations for the federal fishery management zone off California. Recreational salmon fishing regulations for May 1 through the end of 2016 will be considered in the second rulemaking action, tentatively scheduled for adoption in April 2016.

For public notice purposes and to facilitate Commission discussion, the Department of Fish and Wildlife (Department) is proposing the following regulations to encompass the range of federal ocean salmon regulations that are expected to be in effect April 2 through April 30, 2016. This approach will allow the Commission to adopt State ocean salmon recreational fishing regulations to conform to those in effect in federal ocean waters shortly after the federal rules are promulgated.

(1) North of Horse Mountain and in Humboldt Bay: The fishery shall remain closed in this area during April. The remainder of the 2016 season will be decided in April by the PFMC and Commission and the section will be amended pursuant to the regulatory process.

(2) South of Horse Mountain: The season, if any, may open on a date within the range of April 2 through April 30, 2016. The proposed daily bag limit will be from zero to two fish, and the proposed minimum size will be from 20 to 26 inches total length. The exact opening date, along with daily bag limit, minimum size, and days of the week open will be determined by the Commission, considering federal regulations applicable to each area for April 2016 and may be different for each area.

The benefits of the proposed regulations are concurrence with federal law, sustainable management of ocean salmon resources, and promotion of businesses that rely on recreational ocean salmon fishing.

The proposed regulations are neither inconsistent nor incompatible with existing State regulations. The legislature has delegated authority to the Commission to adopt sport fishing regulations in general (Sections 200, 202 and 205, Fish and Game Code) and salmon sport fishing regulations specifically (Section 316.5, Fish and Game Code). The proposed regulations are consistent with regulations for sport fishing in marine protected areas (Section 632, Title 14, CCR) and with general sport fishing regulations in Chapters 1 and 4 of Subdivision 1 of Division 1, Title 14, CCR. Commission staff has searched the California Code of Regulations and has found no other State regulations related to the recreational take of salmon in the ocean.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California, on Wednesday, February 10, 2016 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 teleconference originating in the Fish and Game Commission conference room, 1416 Ninth Street, Suite 1320, Sacramento, California, on Tuesday, March 15, 2016, at 8:30 a.m., or as soon thereafter as the matter may be heard. Interested persons may also participate at the following locations: Department of Fish and Wildlife, Conference Room, 50 Ericson Court, Arcata, California; Department of Fish and Wildlife, Conference Room, 4665 Lampson Avenue, Los Alamitos, California; and Department of Fish and Wildlife Conference Room, 7329 Silverado Trail, Napa, California. Written comments may be submitted at the address given below or by e-mail to FGC@fgc.ca.gov. Written comments mailed or e-mailed to the Commission office must be received before 12:00 noon on March 10, 2016. All comments must be received no later than March 15, 2016, at one of the teleconference hearing locations listed above. 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, Sonke Mastrup, 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 Sonke Mastrup or Sherrie Fonbuena at the preceding address or phone number. **Barry Miller, Department of Fish and Wildlife, phone (707) 576–2860 or Barry.Miller@wildlife.ca.gov, 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/RESULTS OF THE ECONOMIC IMPACT ANALYSIS

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:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The Department anticipates status quo fishing levels for April 2016 as compared to the April 2015 ocean salmon sport fishing season.

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

The Commission does not anticipate that the proposed regulations will have any impact on the creation or elimination of jobs, the creation or elimination of businesses or the expansion of businesses in California.

The Commission anticipates benefits to the health and welfare of California residents. Salmon sport fishing contributes to increased mental health of its practitioners, provides opportunities for multi–generational family activities and promotes respect for California’s environment by the future stewards of California’s natural resources.

The Commission anticipates benefits to the State’s environment in the sustainable management of salmon resources.

Additional benefits of the proposed regulations are concurrence with federal law, and promotion of businesses that rely on recreational ocean salmon fishing.

The Commission does not anticipate benefits to worker safety.

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

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

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

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

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

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

EFFECT ON SMALL BUSINESS

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

CONSIDERATION OF ALTERNATIVES

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

TITLE 14. FISH AND GAME COMMISSION

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 200, 202, 205, 220, 240, 316.5 and 2084 of the Fish and Game Code and to implement, interpret or make specific Sections 200, 202, 205, 316.5 and 2084 of said Code, proposes to amend subsection (d) of Section 27.80, Title 14, California Code of Regulations (CCR), relating to ocean salmon sport fishing on and after May 1, 2016.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Pacific Fishery Management Council (PFMC) coordinates west coast management of recreational and commercial ocean salmon fisheries in the federal fishery management zone (three to 200 miles offshore) along the coasts of Washington, Oregon and California. The annual PFMC ocean salmon regulation recommendations are subsequently implemented by the National Marine Fisheries Service (NMFS) effective on May 1 of each year.

California's recreational salmon fishing regulations need to conform to the federal regulations to achieve optimum yield in California under the federal Salmon Fishery Management Plan. The Commission adopts regulations for the ocean salmon recreational fishery in State waters (zero to three miles offshore) which are consistent with these federal fishery management goals.

PRESENT REGULATIONS

Regulations for 2015 [subsections 27.80(c) and (d)] authorized ocean salmon recreational fishing seven days per week north of Horse Mountain including Humboldt Bay from May 1 to September 7, 2015. Between Horse Mountain and Point Arena, ocean salmon recreational fishing was authorized seven days per week from April 4 to November 8, 2015. Between Point Arena and Pigeon Point, ocean salmon recreational fishing was authorized seven days per week from April 4 to October 31, 2015. Between Pigeon Point and Point Sur, ocean salmon recreational fishing was authorized seven days per week from April 4 to September 7, 2015. For areas south of Point Sur, the ocean salmon recreational fishing season was authorized seven days per week from April 4 to July 19, 2015. The bag limit for all areas in 2015 was two fish per day (all species except coho). The areas north of Point Arena had a minimum size limit of 20 inches total length. The area between Point Arena and Pigeon Point had a minimum size limit of 24 inches total length through April 30, 2015 and 20 inches total length thereafter. Areas south of Pigeon Point had a minimum size limit of 24 inches total length through May 31, 2015 and 20 inches total length thereafter. Since the existing regulations pertained only to the 2015 season, amendment of these regulations is essential to allow for any fishing in State waters during 2016.

PROPOSED REGULATIONS

Two separate Commission actions are necessary to conform the State regulations to federal rules that will apply in 2016. This proposed regulation would amend subsection 27.80(d), establishing salmon fishing regulations for May 1 through the end of 2016. Recreational salmon fishing regulations for the month of April 2016 will be considered in a separate rulemaking action, tentatively scheduled for adoption in March 2016.

For public notice purposes and to facilitate Commission discussion, the Department of Fish and Wildlife is proposing the following regulations to encompass the range of federal ocean salmon regulations that are expected to be in effect on or after May 1, 2016. This approach will allow the Commission to adopt State ocean

salmon recreational fishing regulations to conform to those in effect in federal ocean waters.

- (1) North of Horse Mountain and in Humboldt Bay: The season, if any, may occur within the range of May 1 through September 30, 2016.
- (2) Between Horse Mountain and Pigeon Point: The season, if any, may occur within the range of May 1 to November 13, 2016.
- (3) South of Pigeon Point: The season, if any, may occur within the range of May 1 to October 2, 2016.
- (4) For all areas, the proposed daily bag limit will be from zero to two fish, and the proposed minimum size will be from 20 to 26 inches total length.

The exact opening and closing dates, along with daily bag limit, minimum size, and days of the week open will be determined in April by the Commission considering federal regulations and may be different for each subarea.

The benefits of the proposed regulations are concurrence with federal law, sustainable management of ocean salmon resources, and promotion of businesses that rely on recreational ocean salmon fishing.

The proposed regulations are neither inconsistent nor incompatible with existing State regulations. The legislature has delegated authority to the Commission to adopt sport fishing regulations in general (Sections 200, 202 and 205, Fish and Game Code) and salmon sport fishing regulations specifically (Section 316.5, Fish and Game Code). The proposed regulations are consistent with regulations for sport fishing in marine protected areas (Section 632, Title 14, CCR) and with general sport fishing regulations in Chapters 1 and 4 of Subdivision 1 of Division 1, Title 14, CCR. Commission staff has searched the California Code of Regulations and has found no other State regulations related to the recreational take of salmon in the ocean.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California, on Wednesday, February 10, 2016 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 teleconference originating in the Fish and Game Commission conference room, 1416 Ninth Street, Suite 1320, Sacramento, California, on Monday, April 18, 2016, at 8:30 a.m., or as soon thereafter as the matter may be heard. Interested persons may also participate at the following locations: Department of Fish and Wildlife, Conference Room, 50 Ericson Court, Arcata, California; Department of Fish and Wildlife, Conference Room, 4665 Lampson Avenue,

Los Alamitos, California; and Department of Fish and Wildlife Conference Room, 7329 Silverado Trail, Napa, California. Written comments may be submitted at the address given below or by e-mail to FGC@fgc.ca.gov. Written comments mailed or e-mailed to the Commission office must be received before 12:00 noon on April 13, 2016. All comments must be received no later than April 18, 2016, at one of the teleconference hearing locations listed above. 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, Sonke Mastrup, 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 Sonke Mastrup or Sherrie Fonbuena at the preceding address or phone number. **Barry Miller, Department of Fish and Wildlife, phone (707) 576-2860 or Barry.Miller@wildlife.ca.gov, 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/RESULTS OF THE ECONOMIC IMPACT ANALYSIS

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:

Although the recommendations of the PFMC for the 2016 ocean salmon season are unknown at this time, the Department anticipates that recreational salmon fishing effort will be similar to the 2015 season. For the purpose of evaluating potential economic impacts of the 2016 ocean salmon regulations, the Commission analyzed possible reductions in ocean salmon recreational effort ranging from zero (no change) to 100 percent. The base year used for estimating the 2016 economic impacts is the 2014 salmon season, the latest full year of economic data.

For the first two projections for 2016, representing 100-percent (120,300 angler days), and 50-percent (60,150 angler days) levels of ocean salmon angling effort, there are not likely to be significant statewide adverse economic impacts directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The elimination of ocean recreational salmon angling or the 0-percent (zero angler days) projection could constitute a significant decline in revenue to a number of businesses associated with recreational ocean angling. However, such a closure would be undertaken with the intent of ensuring the health of the resource and thus prevent longer term adverse economic impacts.

Data from the Department indicate that during the 2014 salmon season, recreational fishermen participated in 120,300 angler days of ocean salmon fishing and generated an estimated \$20.2 million (2015\$) in total economic output to the State. The projected levels of fishing effort for the 2016 salmon season are 120,300 angler days, 60,150 angler days, and zero angler days, equivalent to 100, 50, and 0-percent levels of effort, respectively. At the projected 2016 levels of angler effort, the associated fishing expenditures by fishermen would generate an estimated \$20.2 million, \$10.1 million and \$0.00 (2015\$) in total economic output for the State, respectively. Thus,

relative to the 2014 salmon season, the total incremental effects (direct, indirect, and induced) of the 2016 projections on State economic output range from no change (the same \$20.2 million); a 50-percent decrease (\$10.1 million); to a 100-percent decline (-\$20.2 million) total economic output from the recreational salmon fishery.

The proposed regulations do not include any reporting, recordkeeping or other compliance requirements.

The Commission has made an initial determination that the amendment of this regulation may have a significant statewide adverse economic impact directly affecting business, 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 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; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

Approximately 164 jobs were indirectly supported by recreational ocean salmon angling during the 2014 salmon season. Thus, relative to the 2014 salmon season, the 2016 projections (100, 50, and 0-percent levels of effort) represent potential incremental effects on employment ranging from no change to a loss of 82 to 164 jobs statewide; potential incremental effects on the creation or elimination of businesses ranging from no impact to the potential elimination of businesses in the state in some localized areas that lack industry diversification and have a heavy reliance on recreational fishing and tourism; and potential incremental effects on the expansion of business

ranging from no effect to the contraction of some business activities in the recreational salmon fishing arena.

The Commission anticipates benefits to the health and welfare of California residents. Salmon sport fishing contributes to increased mental health of its practitioners, provides opportunities for multi-generational family activities and promotes respect for California's environment by the future stewards of California's natural resources.

The Commission anticipates benefits to the State's environment in the sustainable management of salmon resources.

Additional benefits of the proposed regulations are concurrence with federal law, and promotion of businesses that rely on recreational ocean salmon fishing.

The Commission does not anticipate benefits to worker safety.

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

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

(d) **Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:** None.

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

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

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

(h) **Effect on Housing Costs:** None.

EFFECT ON SMALL BUSINESS

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

CONSIDERATION OF ALTERNATIVES

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying

out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

TITLE 14. FISH AND GAME COMMISSION

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 200, 202, 205, 219, 220, 240 and 316 of the Fish and Game Code, and to implement, interpret or make specific Sections 200, 202, 203.1, 205, 207, 215, 219, 220 and 316 of said code, and 50 Code of Federal Regulation (CFR) Part 300, Subpart E; and 50 CFR 300.66, proposes to amend Section 28.20, Title 14, California Code of Regulations (CCR), relating to Pacific halibut sport fishing.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Pacific halibut is internationally managed under the authority of the Northern Pacific Halibut Act of 1982 between the United States of America and Canada. Pacific halibut along the United States west coast is jointly managed through authorities of the International Pacific Halibut Commission (IPHC), Pacific Fishery Management Council (PFMC), and the National Marine Fisheries Service (NMFS), in conjunction with the west coast state agencies. The PFMC coordinates west coast management of all recreational and commercial Pacific halibut fisheries in United States waters through the Pacific Halibut Catch Sharing Plan (CSP), which constitutes a framework for recommending annual management measures. The NMFS is responsible for specifying the final CSP language and management measures in federal regulations (50 CFR Part 300, Subpart E and the Federal Register) and noticing them on their halibut telephone hotline. Federal regulations for Pacific halibut are applicable in federal waters (three to 200 miles offshore) off Washington, Oregon, and California. Each state adjacent to federal waters adopts corresponding fishery regulations for their own waters (zero to three miles off shore).

For consistency, the Commission routinely adopts regulations to bring State law into conformance with federal and international law for Pacific halibut.

The November PFMC regulatory recommendation and NMFS final rule will be considered by the Commission when it takes its own regulatory action to establish the State's recreational Pacific halibut fishery regulations for 2016.

SUMMARY OF PROPOSED AMENDMENTS

The Department of Fish and Wildlife is proposing the following regulatory changes to be consistent with PFMC recommendations and the CSP for Pacific halibut regulations in 2016. This approach will allow the Commission to adopt State recreational Pacific halibut regulations to conform in a timely manner to those taking effect in federal ocean waters on or before May 1, 2016.

The proposed regulatory changes modify Pacific halibut regulations to allow for timely conformance to federal fisheries regulations and in-season changes. The proposed regulatory changes would modify the seasons to include a range from May 1 to October 31 which may include periodic closures, and replace the text regarding the 2015 quota with a reference to the Federal Register specifying the 2016 federal quota amount. The final regulation will conform to the season established by federal regulations in May 2016.

The benefits of the proposed regulations are: consistency with federal regulations, the sustainable management of California's Pacific halibut resources, and health and welfare of California residents.

The proposed regulations are neither inconsistent nor incompatible with commercial fishing regulations (Chapter 6, Title 14 CCR), State Coastal Conservancy regulations for experimental fishing gear loan programs (Section 13862, Title 14, CCR), and State Board of Equalization tax regulations (Section 1602, Title 18, CCR). The Legislature has delegated authority to the Commission to adopt sport fishing regulations (Fish and Game Code, Sections 200, 202, and 205) and Pacific halibut fishing regulations specifically (Fish and Game Code, Section 316). The proposed regulations are consistent with regulations for sport fishing in marine protected areas (Section 632, Title 14, CCR) and with general sport fishing regulations in Chapters 1 and 4 of Subdivision 1 of Division 1, Title 14, CCR. Commission staff has searched the California Code of Regulations and has found no other State regulations related to the recreational take of Pacific halibut.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California, on Wednesday, February 10, 2016 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 the Flamingo Conference Resort and Spa, 2777 Fourth Street, Santa Rosa, California, on Wednesday, April 13, 2016, at 8:30 a.m., or as soon thereafter as the matter may be heard. It

is requested, but not required, that written comments be submitted on or before March 30, 2016 at the address given below, or by email to FGC@fgc.ca.gov. Written comments mailed, or emailed to the Commission office must be received before 12:00 noon on April 8, 2016. All comments must be received no later than April 13, 2016, at the hearing in Santa Rosa, California. 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, Sonke Mastrup, 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 Sonke Mastrup or Sherrie Fonbuena at the preceding address or phone number. **Melanie Parker, Department of Fish and Wildlife, phone (831) 649–2814 or Melanie.Parker@wildlife.ca.gov, 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/RESULTS OF THE ECONOMIC IMPACT ANALYSIS

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:

The proposed action will not have a significant adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states because the regulatory action does not substantially alter existing conditions.

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

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

The Commission does not anticipate any impacts on the creation of new businesses, the elimination of existing businesses, or the expansion of businesses in California because the regulatory action does not substantially alter existing conditions.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities to participate in sport fisheries fosters conservation through education and appreciation of fish and wildlife.

The Commission anticipates benefits to the environment by the sustainable management of California's Pacific halibut resources.

The Commission does not anticipate any benefits to worker safety.

Additional benefits of the proposed regulations are consistency with federal regulations and promotion of businesses that rely on recreational Pacific halibut fishing.

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

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

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.
- (h) Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

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

CONSIDERATION OF ALTERNATIVES

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

TITLE 14. FISH AND GAME COMMISSION

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 240, 2070, 2075.5 and 2076.5, of the Fish and Game Code, and to implement, interpret or make specific sections 1755, 2055, 2062, 2067, 2070, 2072.7, 2074.6, 2075.5, 2077, 2080, 2081 and 2835, of said Code, proposes to amend Section 670.5, Title 14, California Code of Regulations, relating to Animals of California Declared to Be Endangered or Threatened.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Section 670.5 of Title 14, California Code of Regulations (CCR), provides a list, established by the California Fish and Game Commission (Commission), of ani-

mals designated as endangered or threatened in California. The Commission has the authority to add or remove species from this list if it finds that the action is warranted.

As required by Fish and Game Code Section 2075.5, subsection (e)(2), the Commission must initiate proceedings in accordance with the Administrative Procedure Act to amend subsection (b)(2) of Section 670.5, to add Clear Lake hitch (*Lavinia exilicauda chi*) to the list of threatened animals.

In making the recommendation to list Clear Lake hitch pursuant to the California Endangered Species Act, the Department identified the following primary threats: 1) present or threatened modification or destruction of habitat; 2) predation; 3) competition; and 4) climate change. More detail about the current status of Clear Lake hitch can be found in the Report to the Fish and Game Commission, "A status review of Clear Lake hitch (*Lavinia exilicauda chi*)" (Department of Fish and Wildlife, May 28, 2014).

The proposed regulation will benefit the environment by protecting Clear Lake hitch as a threatened species.

Commission staff has searched the CCR and has found that the proposed regulation is neither inconsistent nor incompatible with existing state regulations. No other state entity has the authority to list threatened and endangered species.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Resources Building Auditorium, 1416 Ninth Street, Sacramento, California, on February 11, 2016, at 8:00 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before January 13, 2016, at the address given below, or by e-mail to FGC@fgc.ca.gov. Written comments mailed or e-mailed to the Commission office must be received before 5:00 p.m. on February 8, 2016. All comments must be received no later than February 11, 2016, at the hearing in Sacramento, California. 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, Sonke Mastrup, 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 Sonke Mastrup or Sheri Tiemann (back-up contact) at the preceding address or phone

number. **Karen Mitchell, Fisheries Branch, Department of Fish and Wildlife, phone (916) 445-0826, 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/RESULTS OF THE ECONOMIC IMPACT ANALYSIS

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

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

Although localized economic impacts could result from adding Clear Lake hitch to the list of threatened species, the Commission does not anticipate that there will be significant, statewide adverse economic impact on California businesses or significant costs to private or public entities due to the limited area affected by the listing.

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

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The entire distribution of Clear Lake hitch is limited to the Clear Lake watershed. Because of this localized distribution, adding the Clear Lake hitch to the list of threatened species under CESA is unlikely to affect the creation or elimination of jobs or businesses within the state as a whole.

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

The Commission anticipates benefits to the environment by the protection of the Clear Lake hitch.

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

Designation of threatened or endangered status, per se, would not necessarily result in any significant cost to private persons or entities undertaking projects subject to public agency review and approval under the California Environmental Quality Act (CEQA), since impacts to Clear Lake hitch would have been evaluated as part of the CEQA lead agency’s mandatory consideration of a project’s impacts to biological resources and species of special concern.

Some costs to individuals associated with avoiding take or obtaining take authorization arose with the candidacy designation, which took place more than two years ago. Because the take prohibition for both candidate and listed species is the same, such costs would not be increased by the act of adding Clear Lake hitch to the threatened species list. However, individuals may have delayed actions in anticipation of a final listing decision by the Commission; therefore listing could increase such costs.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:
None.

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

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

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

- (h) Effect on Housing Costs:
None.

EFFECT ON SMALL BUSINESS

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

CONSIDERATION OF ALTERNATIVES

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

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code (GC) Section 12838.5 and Penal Code (PC) Section 5055, and the rulemaking authority granted by PC Section 5058 and 5058.3, proposes to amend Sections 3310, and 3317 and adopt Sections 3317.1 and 3317.2 of the California Code of Regulations (CCR), Title 15, Division 3 concerning Inmate Discipline.

PUBLIC HEARING

Date and Time: **February 16, 2016 – 10:00 a.m. to 11:00 a.m.**

Place: Department of Corrections and Rehabilitation
Kern Room
1515 S Street — North Building
Sacramento, CA 95811

Purpose: To receive comments about this action.

PUBLIC COMMENT PERIOD

The public comment period will close **February 16, 2016, at 5:00 p.m.** Any person may submit public comments in writing (by mail, by fax, or by e-mail) regarding the proposed changes. To be considered by the Department, comments must be submitted to the CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001; by fax at (916) 324-6075; or by e-mail at RPMB@cdcr.ca.gov before the close of the comment period.

CONTACT PERSON

Please direct any inquiries regarding this action to:

**Timothy M. Lockwood, Chief
Regulation and Policy Management Branch
Department of Corrections and Rehabilitation
P.O. Box 942883
Sacramento, CA 94283-0001
Telephone (916) 445-2269**

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

**R. Ruiz
Regulation and Policy Management Branch
Telephone (916) 445-2244**

Questions regarding the substance of the proposed regulatory action should be directed to:

**Eric Hobbs
Division of Adult Institutions, Coleman Team
Telephone (916) 322-1725**

AUTHORITY AND REFERENCE

PC Section 5000 provides that commencing July 1, 2005, any reference to the Department of Corrections in

this or any code, refers to the CDCR, Division of Adult Operations.

PC Section 5050 provides that commencing July 1, 2005, any reference to the Director of Corrections, in this or any other code, refers to the Secretary of the CDCR. As of that date, the office of the Director of Corrections is abolished.

PC Section 5054 provides that commencing July 1, 2005, the supervision, management, and control of the state prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR.

PC Section 5058.3 authorizes the Secretary to adopt, amend, or repeal emergency regulations conducted pursuant to GC Section 11340.

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW

Current regulations provide for inmate discipline to maintain the safety and security of the institution, and administer disciplinary sanctions for the action committed. However, the regulations do not include agreed-to policies and procedures concerning mental health input into the inmate disciplinary process in CDCR prisons established between the *Coleman Special Master* and CDCR in 2011.

The proposed regulations establish the agreed-to procedures to include clinical input in each step of the disciplinary process for inmates who have a mental illness and/or developmental disability/cognitive or adaptive functioning deficits. This clinical input includes recommendations for appropriate disciplinary sanctions based on the individual inmate and for the appropriate disposition of the RVR. Additionally, clinical staff now has the ability to recommend documenting an inmate's behavior in an alternate manner when the inmate's behavior was strongly influenced by mental illness and/or developmental disability/cognitive or adaptive functioning deficits. In addition to the clinical input, custody staff must receive training on mental health assessments prior to conducting a disciplinary hearing. This training identifies the importance of considering information offered through mental health assessments. This ensures the fair treatment of all inmates and prevents administering punitive measures without regard for the inmates' mental illness and/or developmental disability/cognitive or adaptive functioning deficits.

This action provides the following:

- Establishes that employees who serve over disciplinary proceedings must have received training in mental health assessment requirements.

- Establishes the criteria for an inmate to automatically receive a mental health assessment when issued an RVR.
- Establishes the circumstances surrounding the behavior under which the inmate will not be issued an RVR.

**DOCUMENTS INCORPORATED
BY REFERENCE**

CDCR 115–MH–A (Rev. 12/15), Rules Violation Report: Mental Health Assessment
 CDCR 128–MH5 (Rev. 05/14), Mental Health Referral Chrono
 CDCR 1154 (Rev. 03/08), Disciplinary Action Log
 These documents are incorporated by reference into these regulations and will be made available to the public along with the Notice of Proposed Regulations, Text of Proposed Regulations, and Initial Statement of Reasons.

**SPECIFIC BENEFITS ANTICIPATED BY THE
PROPOSED REGULATIONS**

The Department anticipates the proposed regulations will benefit the Department and inmates by establishing new disciplinary procedures for inmates with a mental illness and/or developmental disability/cognitive or adaptive functioning deficits, allowing for disciplinary actions to be applied more evenly and fairly, and preventing further decompensation of inmates as a result of assessed disciplinary sanctions. The proposed regulations will also benefit the public health and safety as inmates who suffer from mental health issues will receive appropriate medical treatment while incarcerated, minimizing the risk to society upon their release. Applying disciplinary regulations more appropriately and fairly will also reduce inmate–staff physical altercations resulting from issued RVRs, benefiting worker safety.

**EVALUATION OF CONSISTENCY /
COMPATIBILITY WITH
EXISTING REGULATIONS**

The Department has reviewed existing statutes and regulations governing the discipline of prisoners with mental health issues, and determined that this action is not inconsistent or incompatible with existing State laws and regulations.

LOCAL MANDATES

The proposed regulatory action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement pursuant to Part 7 (Section 17561) of Division 4.

FISCAL IMPACT STATEMENT

- Cost to any local agency or school district that is required to be reimbursed: *None*
- Cost or savings to any state agency: *None*
- Other nondiscretionary cost or savings imposed on local agencies: *None*
- Cost or savings in federal funding to the State: *None*

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will have no significant effect on housing costs.

**SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT AFFECTING BUSINESS**

The Department has initially determined that the proposed regulations will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

**COST IMPACTS ON REPRESENTATIVE
PRIVATE PERSONS OR BUSINESSES**

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.

EFFECT ON SMALL BUSINESSES

It is determined that this action has no significant adverse economic impact on small business as these regulations describe Department procedure concerning inmate discipline for inmates with mental health issues, and the prison population does not have a significant impact on small businesses.

**RESULTS OF ECONOMIC
IMPACT ASSESSMENT**

The Department has determined that the proposed regulations will not have an impact on the creation of

new or the elimination of existing jobs or businesses within California, or affect the expansion of businesses currently doing business in California as the proposed regulations relate only to the internal management of CDCR institutions. Existing Department staff will perform the actions described in the proposed regulations through their current duties.

Clinical input is applied during the disciplinary process, and allows for the proposed regulations to be applied fairly and consistently which promotes fairness and social equality, and helps to avoid further decompensation of inmates as a result of assessed disciplinary sanctions when it is discovered they suffer from a mental illness and/or developmental disability/cognitive or adaptive functioning deficits. The proposed regulations also provide for the protection of public health and safety as inmates with a mental illness and/or development disability/cognitive or adaptive functioning deficits will be identified and reported for appropriate treatment, minimizing the risk to society upon their release. In addition, applying disciplinary actions more fairly and consistently will potentially reduce the number of inmate–staff physical altercations, improving worker safety within the institutions.

CONSIDERATION OF ALTERNATIVES

The Department 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, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost–effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. Interested persons are accordingly invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared, and will make available, the text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the Department’s contact person. The proposed text, ISOR, and Notice of Proposed Action will also be made available on the Department’s website: <http://www.cdcr.ca.gov>.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the Department’s contact person.

AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this Notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

TITLE 16. BOARD OF PHARMACY

NOTICE IS HEREBY GIVEN that the Board of Pharmacy (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments in writing relevant to the action proposed. Written comments, including those sent by mail, facsimile, or email to the addresses listed under Contact Person in this Notice, must be received by the Board of Pharmacy at its office not later than 5:00 p.m. on February 8, 2016.

The Board does not intend to conduct a regulation hearing on the matter, unless requested. Any interested person may submit a written request for a public hearing no later than 15 days prior to the close of the 45–day written comment period.

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

Authority and Reference: Pursuant to the authority vested in the Board by sections 4005 and 4210 of the Business and Professions Code to implement, interpret

and make specific sections 4052.6, 4210, and 4233 of the Business and Professions Code, the Board is proposing to add and adopt Section 1730.2 of Article 3 of Division 17 of Title 16 of the California Code of Regulations, as follows:

INFORMATIVE DIGEST/ POLICY STATEMENT
OVERVIEW

The Board proposes to add and adopt Section 1730.2 of Article 2 of Division 17 of Title 16 of the California Code of Regulations (CCR) for the purpose of adding to the Board’s regulations specific requirements for certification programs related to Advanced Practice Pharmacist licensure as part of the Board’s efforts to implement Senate Bill 493 (Hernandez, Chapter 469, Statutes of 2013). SB 493 established the new license category of Advanced Practice Pharmacist at Business and Professions Code (B&P) section 4210.

B&P section 4210(a)(2)(A) permits certification as a criteria to obtain an Advanced Practice Pharmacist license. This section states that qualifying certification must be earned from an organization recognized by the Accreditation Council for Pharmacy Education (ACPE) or another entity recognized by the Board. This proposed regulation will standardize the requirements for certification programs that will satisfy the criteria.

B&P section 4001.1 specifies that protection of the public shall be the highest priority for the California State Board of Pharmacy in exercising its licensing, regulatory, and disciplinary functions. This section further states that whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

B&P section 4005 generally authorizes the Board to adopt rules and regulations necessary for the protection of the public pertaining to the practice of pharmacy.

B&P section 4052.6 generally defines the duties a pharmacist holding an Advanced Practice Pharmacist license may perform.

B&P section 4210 generally defines the requirements to obtain an Advanced Practice Pharmacist license.

ANTICIPATED BENEFITS OF PROPOSAL

This proposal will define and standardize the certification program requirements necessary to earn a certificate to obtain an Advanced Practice Pharmacist license. By having clear and standardized requirements, pharmacists who wish to obtain an Advanced Practice Pharmacist license will be able to find and take Advanced Practice Pharmacist appropriate certification program courses. Additionally, new programs can be developed by qualified agencies to meet the specifications needed

for certification. This will benefit businesses, licensees, and residents of California by encouraging development of programs, more knowledgeable and specialized pharmacists, and increased access to health care providers.

CONSISTENCY AND COMPATIBILITY WITH
EXISTING STATE REGULATIONS

During the process of developing these regulations and amendments, the Board has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs/Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Cost to Any Local Agency or School District for Which Government Code Sections 17500–17630 Require Reimbursement: None.

Business Impact:

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This initial determination is based on the fact that the proposed regulation defines the certification program requirements for a voluntary program. Additionally, businesses who wish to provide a certification program would do so voluntarily and would receive compensation from pharmacists that wish to complete the certification program. Any cost associated with the creation of the certification program would be offset by the charges to those attending the program.

Cost Impact on Representative Private Person or Business:

As obtaining an Advanced Practice Pharmacist license is voluntary, the Board believes that pharmacists who seek to obtain an Advanced Practice Pharmacist license will do so with the expectation that the cost involved in obtaining and maintaining an Advanced Practice Pharmacist license will be fully compensated by the increased income generated as a result of the expanded scope of practice possible with the Advanced Practice Pharmacist licensure. Aside from this issue, the Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESSES

While the Board does not have nor does it maintain data to define if any of its licensees (pharmacies) are a "small business" as defined in Government Code section 11342.610, the Board has made an initial determination that the proposed regulation would not have a significant adverse economic impact directly affecting small businesses. This determination was made based on the fact that the proposed regulation does not require that businesses participate. Additionally, if businesses elect to develop certification programs, they can be reimbursed by a licensee (pharmacist) by charging a fee for the program.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/New Businesses:

The Board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California. This initial determination is based on the fact the program is voluntary. Additionally, it is based on the absence of testimony to that effect during the development of the proposed regulations.

Benefits of Regulation:

The Board has determined that this regulatory proposal will benefit the health and welfare of California residents, worker safety, and the state's environment because this proposal standardizes the requirements for a certification program to qualify a pharmacist to obtain an Advanced Practice Pharmacist license. This new license type adds pharmacists to the list of health care providers from which Californians can obtain advice, treatment and referrals. This will lower the overall cost of health care for Californians, help ease the shortage of primary care physicians in the state, and broaden public access to health care.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in

this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments in writing relevant to the above determinations at the address listed for the Contact Person.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulation, and any document incorporated by reference, and of the Initial Statement of Reasons, and all of the information upon which the proposal is based may be obtained upon request from the Board of Pharmacy at 1625 N. Market Blvd., N-219, Sacramento, California 95834, or from the Board of Pharmacy's website at <http://www.pharmacy.ca.gov>.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All of the information upon which the proposed regulation is based is contained in the rulemaking file which is available for public inspection by contacting the contact person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the Contact Person named below or by accessing the Board of Pharmacy's website at <http://www.pharmacy.ca.gov>.

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Lori Martinez
Address: 1625 N. Market Blvd., N-219
Sacramento, CA 95834
Phone No.: (916) 574-7917
Fax No.: (916) 574-8618
E-Mail
Address: Lori.Martinez@dca.ca.gov

The backup contact person is:

INFORMATIVE DIGEST

Name: Anne Sodergren
 Address: 1625 N. Market Blvd., N-219
 Sacramento, CA 95834
 Phone No.: (916) 574-7910
 Fax No.: (916) 574-8618
 E-Mail
 Address: Anne.Sodergren@dca.ca.gov

WEBSITE ACCESS

Materials regarding this proposal can be found at the Board of Pharmacy’s website: www.pharmacy.ca.gov.

TITLE 16. BOARD OF PODIATRIC MEDICINE

NOTICE IS HEREBY GIVEN that the Board of Podiatric Medicine is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at 2005 Evergreen St., Sacramento, California, at 10:00 a.m. on February 18, 2016. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board of Podiatric Medicine at its office not later than 5:00 p.m. on February 18, 2016 or must be received by Contact Person in this Notice, on February 18, 2016, at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Section 2470 of the Business and Professions Code, and to implement, interpret or make specific Sections 1399.730, 1399.731, and 1399.732 of said Code, the Board of Podiatric Medicine is considering changes to Division 13.9 of Title 16 of the California Code of Regulations as follows:

A. Informative Digest

This rulemaking action seeks to amend Division 13.9 of Title 16 of the California Code of Regulations (CCR) by adopting Article 13, sections 1399.730, 1399.731, and 1399.732, to provide provisions for the conduct of oral argument following the non-adoption of a proposed decision as required by section 2336 of the California Business and Professions Code. Additionally, the addition of regulations relating to amicus briefs, and the written argument submitted in response to an order of non-adoption or reconsideration will provide needed guidance to future stakeholders presenting evidentiary matters before the Board of Podiatric Medicine. The Medical Board of California has enacted regulations to comply with section 2336 by adopting 16 CCR sections 1364.30, 1364.31, and 1364.32. The Board of Podiatric Medicine has tracked the language used by the Medical Board with the only changes consisting of the use of proper numbering, and changing the words “panel” to “board” and “panel members” to “board members.”

B. Policy Statement Overview/Anticipated Benefits of Proposal

In cases where the Board of Podiatric Medicine elects to non-adopt the Administrative Law Judge’s decision, there are no procedural rules regarding the delivery of oral argument for the stakeholders to follow. Regulatory language governing the conduct of oral argument following the non-adoption of an ALJ decision to permit such argument has been taken from existing law from the Medical Board of California. By adopting these proposed regulations, the Board of Podiatric Medicine will achieve compliance with the requirements of section 2336 which mandates that such regulations be enacted. Additionally, stakeholders will have procedural rules to follow and this will result in orderly presentations to the Board of Podiatric Medicine regarding matters coming before it for resolution.

Additional outcomes include benefits to the health and safety of the public and general welfare of California by assuring clear procedural rules for the conduct of oral arguments, amicus briefs, and written argument submitted in response to an order of nonadoption or reconsideration. Additionally, the proposed regulations will likely increase assurances of due process, fairness and transparency.

C. Consistency and Compatibility with Existing State Regulations

During the process of developing these regulations and amendments, the Board of Podiatric Medicine has conducted a search of any similar regulations on this topic and has concluded that these regulations are nei-

ther inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Cost to Any Local Agency or School District for Which Government Code Sections 17500–17630 Require Reimbursement: None.

Business Impact:

The Board of Podiatric Medicine has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

If no cost impacts are known to you:

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

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Board of Podiatric Medicine has determined that the proposed regulations would not affect small businesses because this regulatory change applies to individual licensees and not businesses.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

The Board of Podiatric Medicine has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of Regulation:

The Board of Podiatric Medicine has determined that this regulatory proposal will have the following benefits to health and welfare of California residents, worker safety, and state's environment:

This regulation benefits the Board of Podiatric Medicine and all stakeholders by publishing clear rules and procedures for the conduct of oral argument after the

board has issued an order of nonadoption of a proposed decision, and after the granting of a petition for reconsideration.

Additional outcomes include benefits to the health and safety of the public and general welfare of California by assuring clear procedural rules for the conduct of oral arguments, amicus briefs, and written argument submitted in response to an order of nonadoption or reconsideration. Additionally, the proposed regulations will likely increase assurances of due process, fairness and transparency.

CONSIDERATION OF ALTERNATIVES

The Board of Podiatric Medicine must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board of Podiatric Medicine has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board of Podiatric Medicine, 2005 Evergreen Street, Suite 1300, Sacramento, CA 95815.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed rule-making action may be addressed to:

Name: Kathleen Cooper
 Address: 2005 Evergreen St. #1300
 Telephone No.: 916-263-0315
 Fax No.: 916-263-2651
 E-Mail Address: kathleen.cooper@dca.ca.gov

The backup contact person is:

Name: Jason Campbell
 Address: 2005 Evergreen St. #1300
 Telephone No.: 916-263-2650
 Fax No.: 916-263-2651
 E-Mail Address: jason.campbell@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.bpm.ca.gov.

TITLE 20. CALIFORNIA ENERGY COMMISSION

NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE OF THE CALIFORNIA ENERGY COMMISSION

NOTICE IS HEREBY GIVEN that the California Energy Commission, pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its Conflict-of-Interest Code. All inquiries should be directed to the contact listed below.

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

Changes to the Conflict-of-Interest Code include: the addition of classifications that are new to the Energy Commission or to a particular division, deletion of clas-

sifications no longer used by the Energy Commission or by a particular division, the addition of a new disclosure category for certain auditors, and changes required due to the reorganization of certain divisions. The proposed amendment also makes other technical changes.

The proposed amendment is attached to this Notice and an explanation of the reasons can be obtained from the agency's contact.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than February 8, 2016, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than January 25, 2016.

The California Energy Commission has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to: Jennifer Martin-Gallardo, Attorney, (916) 651-3748, Jennifer.Martin-Gallardo@energy.ca.gov.

GENERAL PUBLIC INTEREST

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Former Technichem, Inc., Site
 Proposed Consent Decree
 4245 Halleck Street, Emeryville, California 94608

NOTICE OF PUBLIC COMMENT PERIOD

December 25, 2015 through January 24, 2016

Si usted desea informacion en espanol sobre este aviso, favor de llamar a Jesus Cruz sin costo al (866) 495-5651.

The Department of Toxic Substances Control ("DTSC") invites you to review and comment on a pro-

posed consent decree (the “Consent Decree”) with Virginia Pellegrini and the Mario J. and Virginia E. Pellegrini Trust (collectively “Pellegrini”) regarding the former Technichem, Inc., site located at 4245 Halleck Street, Emeryville, Alameda County, California 94608 (the “Site”). The Consent Decree resolves DTSC’s claims against Pellegrini under the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”), 42 U.S.C. section 9601, et seq., for the Site. DTSC filed a CERCLA lawsuit on November 14, 2012, against several parties, including Pellegrini, to recover DTSC’s costs of investigating and cleaning up hazardous substances releases at the Site. Virginia Pellegrini initially co-owned the Site with her late husband; now she is the trustee of the Trust, which owns the property. Under the Consent Decree, in lieu of making a settlement payment to DTSC for DTSC’s response costs, Pellegrini will undertake specified work on the Site to remediate the soil, soil gas, and groundwater that is contaminated with tetrachloroethylene, subject to certain conditions and reservations.

DTSC will consider comments received during the public comment period on the Consent Decree and file with the Court any written comments received and DTSC’s responses thereto. The Court may then enter or approve the Consent Decree. DTSC also reserves the right to withdraw or withhold its consent to entry (approval) of the Consent Decree if comments regarding the Consent Decree disclose facts or considerations that indicate the Consent Decree is inappropriate, improper or inadequate.

WHERE DO I SUBMIT MY COMMENTS?

DTSC will consider comments that are postmarked or received by January 24, 2016. Please submit comments by January 24, 2016 to:

Karen Toth, Project Manager
Department of Toxic Substances Control
700 Heinz Avenue
Berkeley, CA 94710
Karen.Toth@dtsc.ca.gov

You may view documents at the following locations:

The Consent Decree and background documents may be examined on the DTSC EnviroStor website at: http://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=80001769.

You may also review documents in the File Room at DTSC’s Berkeley office (by appointment only) located at:

Department of Toxic Substances Control
700 Heinz Avenue
Berkeley, CA 94710
Call (510) 540–3800 for an appointment

For questions on the Technichem, Inc. Site or the proposed Consent Decree:

Karen Toth, Project Manager
Department of Toxic Substances Control
700 Heinz Avenue
Berkeley, CA 94710
(510) 540–3834
Karen.Toth@dtsc.ca.gov

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

NOTICE OF PUBLIC MEETING AND BUSINESS MEETING OF THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Pursuant to Government Code Section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2, 142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board of the State of California has set the time and place for a Public Meeting and Business Meeting:

PUBLIC

MEETING: On **February 18, 2016**, at 10:00 a.m. in the Auditorium of the Harris State Building 1515 Clay Street, Oakland, California.

At the Public Meeting, the Board will make time available to receive comments or proposals from interested persons on any item concerning occupational safety and health.

BUSINESS

MEETING: On **February 18, 2016**, at 10:00 a.m. in the Auditorium of the Harris State Building 1515 Clay Street, Oakland, California.

At the Business Meeting, the Board will conduct its monthly business.

DISABILITY ACCOMMODATION NOTICE: Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the public hearings/meetings of the Occupational Safety and Health Standards Board should contact the Disability Accommodation Coordinator at (916) 274–5721 or the state-wide Disability Accommodation Coordinator at 1–866–326–1616 (toll free).

The state-wide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY-Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing.

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| <p>SUMMARY OF REGULATORY ACTIONS</p> |
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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# 2015-1104-01
BOARD OF EQUALIZATION
 Teleproduction or Other Postproduction Service

The State Board of Equalization amended sections 1532, 1533.1, 1533.2, 1534, 1535, 1805, and 1825 of title 18 of the California Code of Regulations as a change without regulatory effect to reflect the end of the "revenue exchange period" as defined in subdivision (b) of section 7203.1 of the Revenue and Taxation Code and to make other nonsubstantive changes.

Title 18
 AMEND: 1532, 1533.1, 1533.2, 1534, 1535, 1805, 1825
 Filed 12/16/2015
 Agency Contact: Richard Bennion (916) 445-2130

File# 2015-1204-02
CALIFORNIA HEALTH BENEFIT EXCHANGE
 Eligibility and Enrollment Process for the Individual Exchange

This emergency action was submitted for a seventh re-adopt of the regulations pursuant to Government Code section 100504(a)(6). These regulations established the Health Benefit Exchange's policies and procedures for eligibility determination and redetermination, enrollment in qualified health plans, and termination of coverage through the Exchange in the individual Market.

In this seventh re-adopt, the regulations are amended to add a required statement in the application, revise the eligibility redetermination process, modify the process for dismissing an appeal based on the appellant's verbal withdrawal, and revise the expedited appeals process.

Title 10
 ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620
 Filed 12/14/2015
 Effective 12/14/2015
 Agency Contact: Bahara Hosseini (916) 228-8486

File# 2015-1027-03
CALIFORNIA HIGHWAY PATROL
 Inhalation Hazard Shipment: Routes and Stops

The California Highway Patrol is amending 11 sections and adopting one section in Title 13 of the California Code of Regulations to update the locations of required inspection stops, inspection stops, and stopping places to be used by carriers of inhalation hazards along the designated inhalation hazard routes. The updates are mainly due to business closures or ownership changes.

Title 13
 ADOPT: 1157.21 AMEND: 1157, 1157.4, 1157.6, 1157.8, 1157.10, 1157.12, 1157.13, 1157.14, 1157.16, 1157.18, 1157.20
 Filed 12/09/2015
 Effective 04/01/2016
 Agency Contact: Tian-Ting Shih (916) 843-3400

File# 2015-1029-08
CALIFORNIA HORSE RACING BOARD
 Jockey's Riding Fee

This rulemaking action by the California Horse Racing Board amends regulatory provisions relating to

jockey's riding fee to account for increases in the California minimum wage that go into effect on January 1, 2016.

Title 4
AMEND: 1632
Filed 12/10/2015
Effective 01/01/2016
Agency Contact:
Nicole Lopes–Gravely (916) 263–6397

File# 2015–1023–04
COMMISSION ON PEACE OFFICER STANDARDS
AND TRAINING
Minimum Training Standards for Instructors of POST
— Certified Specialized Training.

In this change without regulatory effect, the Commission amends section 1070, subdivision (c), of title 11 of the California Code of Regulations to add the words “is required.” This change would complete a sentence, emphasizing the existing requirement to submit to POST an attestation of equivalency.

Title 11
AMEND: 1070(c)
Filed 12/09/2015
Agency Contact: Patti Kaida (916) 227–4847

File# 2015–1023–05
COMMISSION ON PEACE OFFICER STANDARDS
AND TRAINING
Clarification and Various Corrections

In this action, POST makes various changes without regulatory effect to Articles 1 and 3 of Division 2 of Title 11.

Title 11
AMEND: 1001, 1003, 1004, 1005, 1006, 1007,
1008, 1009, 1010, 1011, 1012, 1013, 1016, 1018,
1019, 1051, 1054, 1055, 1056, 1057, 1058, 1060,
1070, 1071, 1080, 1081, 1082, 1083, 1084, 1950,
1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958,
1959, 1960
Filed 12/09/2015
Agency Contact: Patti Kaida (916) 227–4847

File# 2015–1029–05
COMMISSION ON TEACHER CREDENTIALING
Supplementary Authorization in Computer Science

The Commission on Teacher Credentialing (Commission) filed this action to modify and expand the scope of the current teaching credential supplemental authorization for Computer Concepts and Applications (CCA) to encompass much broader areas of instruction in computer technology in K–12 schools and to broaden the educational requirements for the CCA supplement-

tal authorization. The name of the supplemental authorization is being changed from “Computer Concepts and Applications” to “Computer Science” and the new requirements will apply to both specific subject supplementary authorizations and introductory supplementary authorizations. By the express terms of the amended regulations, the new supplementary authorization requirements for Computer Science will be effective April 1, 2016. Although not clearly discussed in the 45–day notice, the regulation text also changes the examination requirements for a teaching credential supplementary authorization in any language other than English for both specific subject supplementary authorizations and introductory supplementary authorizations.

Title 5
AMEND: 80057.5, 80089, 80089.1, 80089.2
Filed 12/14/2015
Effective 04/01/2016
Agency Contact: David Crable (916) 323–5119

File# 2015–1028–02
DEPARTMENT OF CORRECTIONS AND
REHABILITATION
Content of Law Libraries

This Certificate of Compliance filing submitted by the Department of Corrections and Rehabilitation (DOCS) makes permanent the prior emergency regulatory action (OAL File No. 2015–0513–06EON) that amended section 3124 of title 15 of the California Code of Regulations to update the list of legal materials to be made available to inmates in Department institution law libraries.

Title 15
AMEND: 3124
Filed 12/14/2015
Effective 12/14/2015
Agency Contact: Josh Jugum (916) 445–2228

File# 2015–1109–03
DEPARTMENT OF CORRECTIONS AND
REHABILITATION
Cognitive Behavioral Interventions for Sex Offenders
Pilot Program

The Department of Corrections and Rehabilitation adopted section 3999.20 of title 15 of the California Code of Regulations as a pilot program on cognitive behavioral interventions for sex offenders. This filing is exempt from Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code pursuant to Penal Code section 5058.1 and is not subject to review by the Office of Administrative Law. This action is effective on filing with the Secretary of State and remains in effect for two years pursuant to Penal Code section 5058.1.

Title 15
 ADOPT: 3999.20
 Filed 12/14/2015
 Effective 12/14/2015
 Agency Contact: Laura Lomonaco (916)445-2217

Title 3
 AMEND: 3435
 Filed 12/14/2015
 Effective 12/14/2015
 Agency Contact: Sara Khalid (916)403-6625

File# 2015-1103-02
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This certificate of compliance action makes permanent the expansion of the quarantine area for the Asian Citrus Psyllid (ACP) (*Diaphorina citri*) in San Luis Obispo County related to emergency action OAL File No. 2015-0505-03E.

Title 3
 AMEND: 3435(b)
 Filed 12/15/2015
 Effective 12/15/2015
 Agency Contact: Sara Khalid (916)403-6625

File# 2015-1103-03
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This Certificate of Compliance by the Department of Food and Agriculture makes permanent the prior emergency rulemaking action (OAL File No. 2015-0505-04E) that expanded the quarantine area for the Asian Citrus Psyllid (ACP) (*Diaphorina citri*) by approximately 63 square miles in the Bakersfield area of Kern County. This amendment provides authority for the state to perform quarantine activities against ACP within this additional area.

Title 3
 AMEND: 3435(b)
 Filed 12/16/2015
 Effective 12/16/2015
 Agency Contact: Sara Khalid (916)403-6625

File# 2015-1207-05
 DEPARTMENT OF FOOD AND AGRICULTURE
 Asian Citrus Psyllid Interior Quarantine

This emergency regulatory action by the Department of Food and Agriculture will expand the quarantine area for the Asian Citrus Psyllid (ACP) (*Diaphorina citri*), by approximately 28 square miles in the Bakersfield area of Kern County. The effect of the emergency action provides authority for the state to perform quarantine activities against ACP within this additional area, along with the existing regulated areas in the entire counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, and Ventura, and a portion of Fresno, Kern and Tulare counties that are already under quarantine for the ACP.

File# 2015-1029-04
 DEPARTMENT OF HEALTH CARE SERVICES
 LEA Program Specialized Medical Transportation Services

In this regulatory action, the Department adopts a section in title 22 of the California Code of Regulations to add a definition for the term "Local Educational Agency (LEA) Specialized Medical Transportation Services." It also amends a number of other sections in order to have the regulations be consistent with the Welfare and Institutions Code and the Code of Federal Regulations.

Title 22
 ADOPT: 51190.4.1
 AMEND: 51231.1, 51231.2, 51323, 51360, 51491
 Filed 12/10/2015
 Effective 04/01/2016
 Agency Contact: Lori Manieri (916)650-6825

File# 2015-1204-05
 DEPARTMENT OF HEALTH CARE SERVICES
 Managed Care Information Sharing

This emergency readopt action by the Department of Health Care Services (the "Department") maintains the changes adopted in OAL File No. 2015-0615-02E, which adopted section 50188 in title 22 of the California Code of Regulations. Section 50188 was adopted to address the matter of describing how and under what circumstances updated Medi-Cal beneficiary contact information shall be reported, which the Department was required to do through an emergency rulemaking no later than July 1, 2015. (See Health & Saf. Code, sec. 14005.36, subd. (e).)

Title 22
 ADOPT: 50188
 Filed 12/14/2015
 Effective 12/21/2015
 Agency Contact: Jordan Espey (916)445-1514

File# 2015-1029-06
 DEPARTMENT OF MANAGED HEALTH CARE
 Health Plan Financial Reporting and Monitoring

This rulemaking by the Department of Managed Health Care amends sections in Title 28 of the California Code of Regulations regarding the reporting requirements for, and monitoring of, health plans. More specifically, this action revises deposit requirements, removes phase in provisions for compliance, and clarifies financial reserve requirements for health plans.

Title 28
AMEND: 1300.76, 1300.76.1, 1300.82.1,
1300.84.06, 1300.84.2, 1300.84.3
Filed 12/09/2015
Effective 04/01/2016
Agency Contact: Jennifer Willis (916) 324-9014

File# 2015-1207-02
DEPARTMENT OF PARKS AND RECREATION
Grants and Cooperative Agreement Program

The Department of Parks and Recreation amended sections 4970.00, 4970.01, 4970.04, 4970.05, 4970.06.1, 4970.07, 4970.08, 4970.09, 4970.10.4, 4970.17, 4970.23, 4970.24.1, and 4970.25.1 of title 14 of the California Code of Regulations concerning the Off-Highway Motor Vehicle Recreation Grants and Cooperative Agreements Program.

Title 14
AMEND: 4970.00, 4970.01, 4970.04, 4970.05,
4970.06.1, 4970.07, 4970.08, 4970.09, 4970.10.4,
4970.17, 4970.23, 4970.24.1, 4970.25.1
Filed 12/15/2015
Effective 01/11/2016
Agency Contact:
Matthew Whamond (916) 322-2651

File# 2015-1023-01
FAIR EMPLOYMENT AND HOUSING COUNCIL
Fair Employment & Housing Act Regulations

The Fair Employment and Housing Council (Council) within the Department of Fair Employment and Housing (Department) filed this action to make comprehensive changes to regulations in division 4.1 of title 2 of the California Code of Regulations that implement, interpret, and make specific the Fair Employment and Housing Act (FEHA), set forth in the Government Code commencing with section 12900. The action updates the FEHA regulations to conform to several recent legislative bills and court and administrative decisions, and makes other technical changes.

Additionally, the Council moved two articles that pertain to FEHA compliance review and enforcement proceedings under the Department from a subchapter containing Council substantive provisions to a new subchapter under an existing chapter pertaining to Department procedures, and moving one section that contains the Department conflict-of-interest code under another new chapter.

Title 2
ADOPT: 11023 AMEND: 11005.1 (renumbered to 10500), 11006, 11008, 11009, 11019, 11023 (renumbered to 11024), 11028, 11029, 11030, 11031, 11034, 11035, 11036, 11039, 11040, 11041, 11042,

11043, 11044, 11045, 11046, 11047, 11049, 11050, 11051, 11059, 11060, 11062, 11064, 11065, 11066, 11067, 11068, 11070, 11071, 11075, 11100, 11101, 11103, 11104, 11105, 11111, 11113, 11114, 11121, 11122, 11123, 11128, 11131, 11132, 11133 (renumbered to 10250), 11134 (renumbered to 10251), 11135 (renumbered to 10252), 11136 (renumbered to 10253), 11137 (renumbered to 10254), 11138 (renumbered to 10255), 11139 (renumbered to 10256), 11140 (renumbered to 10257), 11141 (renumbered to 10258)

REPEAL: 11024
Filed 12/09/2015
Effective 04/01/2016
Agency Contact: Brian Sperber (213) 337-4495

File# 2015-1120-02
FAIR POLITICAL PRACTICES COMMISSION
Enforcement Complaints/Access to Enforcement Records

This action by the Fair Political Practices Commission makes changes to regulations relating to enforcement complaints and access to enforcement records.

Title 2
ADOPT: 18360 AMEND: 18362 REPEAL: 18360
Filed 12/15/2015
Effective 01/14/2016
Agency Contact: Cesar R. Cuevas (916) 324-3854

File# 2015-1204-03
FAIR POLITICAL PRACTICES COMMISSION
Reporting Independent Expenditures by Eligible 501(c)(3)/501(c)(4) Organizations

In this rulemaking action, the Fair Political Practices Commission repeals section 18413, "Reporting Independent Expenditures by Eligible 501(c)(3)/501(c)(4) Organizations."

Title 2
REPEAL: 18413
Filed 12/15/2015
Effective 01/14/2016
Agency Contact: Cesar R. Cuevas (916) 324-3854

File# 2015-1027-02
FISH AND GAME COMMISSION
Transgenic Definition; Application and Fee

In this rulemaking action, the Fish and Game Commission is amending the definition of the term "transgenic," as it relates to fish, amphibians, and reptiles, so as to prevent producers of transgenic animals from evading the protections for native fish, wildlife, and plants set forth in Title 14 California Code of Regulations sections 671 and 671.1 by, for example, withholding the first generation of animals subject to direct ge-

netic manipulation and by importing, distributing, and selling only the progeny of that first generation. The action also adds a new provision whereby a person may apply for a determination by the Department of Fish and Wildlife that a transgenic aquatic animal is not detrimental and poses no reasonably foreseeable risk to native fish, wildlife, or plants and is not, therefore, subject to regulation under sections 671 and 671.1.

Title 14
 AMEND: 1.92, 703
 Filed 12/10/2015
 Effective 01/01/2016
 Agency Contact: Jon Snellstrom (916) 653-4899

File# 2015-1202-01
 STATE INDEPENDENT LIVING COUNCIL
 Conflict-of-Interest Code

This is a Conflict-of-Interest Code amendment that has been approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State.

Title 2
 AMEND: 57500
 Filed 12/15/2015
 Effective 01/14/2016
 Agency Contact: Robert McCarthy (916) 445-3005

File# 2015-1113-05
 STATE PERSONNEL BOARD
 Career Executive Assignments and Vacant Classes

The California State Personnel Board adopted sections 5.1, 5.2, 90, 248, 548.2, and 548.5 and repealed section 548.77 of title 2 of the California Code of Regulations on career executive assignments and vacant classes. This filing is exempt from the Administrative Procedure Act and review by the Office of Administrative Law pursuant to section 18211 of the Government Code.

Title 2
 ADOPT: 5.1, 5.2, 90, 248, 548.2, 548.5 REPEAL: 548.77
 Filed 12/14/2015
 Effective 01/01/2016
 Agency Contact: Jeanne Wolfe (916) 651-1043

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN July 15, 2015 TO
 December 16, 2015**

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

- 12/15/15 ADOPT: 18360 AMEND: 18362
 REPEAL: 18360
- 12/15/15 AMEND: 57500
- 12/15/15 REPEAL: 18413
- 12/14/15 ADOPT: 5.1, 5.2, 90, 248, 548.2, 548.5
 REPEAL: 548.77
- 12/09/15 ADOPT: 11023 AMEND: 11005.1
 (renumbered to 10500), 11006, 11008, 11009, 11019, 11023 (renumbered to 11024), 11028, 11029, 11030, 11031, 11034, 11035, 11036, 11039, 11040, 11041, 11042, 11043, 11044, 11045, 11046, 11047, 11049, 11050, 11051, 11059, 11060, 11062, 11064, 11065, 11066, 11067, 11068, 11070, 11071, 11075, 11100, 11101, 11103, 11104, 11105, 11111, 11113, 11114, 11121, 11122, 11123, 11128, 11131, 11132, 11133 (renumbered to 10250), 11134 (renumbered to 10251), 11135 (renumbered to 10252), 11136 (renumbered to 10253), 11137 (renumbered to 10254), 11138 (renumbered to 10255), 11139 (renumbered to 10256), 11140 (renumbered to 10257), 11141 (renumbered to 10258) REPEAL: 11024
- 12/08/15 ADOPT: 59790
- 12/03/15 REPEAL: 28010
- 12/02/15 ADOPT: 25, 26
- 12/02/15 ADOPT: 11, 12, 12.1, 155, 156, 157, 158, 159 AMEND: 547.52
- 11/19/15 ADOPT: 59550
- 11/09/15 AMEND: 18225.7 REPEAL: 18550.1
- 11/04/15 AMEND: 37000
- 11/03/15 AMEND: 1859.2, 1859.71.4, 1859.78.1, 1859.79.2, 1859.82, 1859.83, 1859.125, 1859.125.1, 1859.145, 1859.163.1, 1859.163.5, 1859.167.2, 1859.193
- 10/28/15 AMEND: 52400
- 10/19/15 AMEND: 18422
- 10/19/15 AMEND: 18422.5
- 10/12/15 AMEND: 599.500
- 09/24/15 AMEND: 1181.1, 1181.2, 1181.3, 1181.4, 1181.6, 1181.7, 1181.8, 1181.9, 1181.10, 1181.11, 1181.12, 1181.13,

CALIFORNIA REGULATORY NOTICE REGISTER 2015, VOLUME NO. 52-Z

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| 09/14/15 | ADOPT: 12.1 AMEND: 12 | 10/15/15 | ADOPT: 100044, 100044.1, 100044.2, 100044.3, 100044.4, 100044.5, 100044.6, 100044.7, 100044.8, 100044.9, 100044.10, 100045, 100046, 100047, 100048, 100049, 100050, 100051, 100052, 100053, 100054 |
| 09/03/15 | AMEND: 1399.671, 1399.673, 1399.676 | 10/02/15 | ADOPT: 51315.1, 51315.2 AMEND: 51161, 51315 |
| 08/31/15 | AMEND: 1364.10, 1364.12, 1364.13, 1364.14 | 09/03/15 | AMEND: 50961, 50962, 50963 |
| 08/24/15 | AMEND: 12, 12.5, 37 | 08/26/15 | AMEND: 51516.1 |
| 08/20/15 | AMEND: 3305 | 08/17/15 | AMEND: 97174 |
| 08/20/15 | AMEND: 1417 | 08/17/15 | ADOPT: 51000.9.5, 51000.15.5, 51000.24.3, 51000.24.4, 51000.24.4.1, 51000.24.5, 51000.24.8, 51000.70, 51000.75 AMEND: 51000, 51000.7, 51000.20, 51000.30, 51000.31, 51000.35, 51000.40, 51000.45, 51000.60, 51051, 51341.1 |
| 08/19/15 | ADOPT: 2744, 2744.1 | 07/23/15 | AMEND: 97177.15, 97244 |
| 08/18/15 | ADOPT: 309, 309.1, 309.2, 309.3, 309.4 | 07/16/15 | AMEND: 60301.400, 60301.800, 60310, 64431, 64432, 64482 |
| 08/06/15 | AMEND: 109 | | |
| 08/03/15 | AMEND: 19 | Title 23 | |
| 07/27/15 | AMEND: 2517.5, 2575.5 | 12/02/15 | ADOPT: 3008 |
| 07/23/15 | AMEND: 98 | 11/09/15 | ADOPT: 3939.47 |
| | | 11/06/15 | ADOPT: 340, 340.2, 340.4, 341, 342, 342.2, 342.4, 342.6, 343, 343.2, 343.4, 343.6, 343.8, 343.9, 343.10, 343.12, 343.14, 344, 344.2, 344.4, 344.6, 344.8, 344.10, 344.12, 344.14, 344.16, 344.18, 345, 345.2, 345.4, 346, 346.2, 346.4, 346.6 |
| Title 17 | | 10/28/15 | AMEND: 1062, 1064, 1066 |
| 11/16/15 | ADOPT: 95480, 95481, 95482, 95483, 95483.1, 95483.2, 95484, 95485, 95486, 95487, 95488, 95489, 95490, 95491, 95492, 95493, 95494, 95495, 95496, 95497 REPEAL: 95480, 95480.1, 95480.2, 95480.3, 95480.4, 95480.5, 95481, 95482, 95483, 95484, 95485, 95486, 95487, 95488, 95489, 95490 | 10/12/15 | ADOPT: 2200.7, 2200.8 AMEND: 2200, 2200.7 |
| | | 09/15/15 | ADOPT: 492.15, 495, Appendix D AMEND: 490, 490.1, 491, 492, 492.4, 492.5, 492.6, 492.7, 492.9, 492.11, 492.12, 492.13, 492.14, 492.16, 492.17, |
| 10/20/15 | AMEND: 95802, 95973, 95975, 95976, 95981, 95985, 95990 | | |
| Title 18 | | | |
| 12/16/15 | AMEND: 1532, 1533.1, 1533.2, 1534, 1535, 1805, 1825 | | |
| 12/08/15 | AMEND: 1584 | | |
| 11/10/15 | AMEND: 284, 1027 | | |
| 11/05/15 | AMEND: 1705.1, 4903, 5240, 5241, 5242 | | |
| 07/27/15 | ADOPT: 474 | | |
| Title 19 | | | |
| 12/07/15 | AMEND: 2600 | | |
| Title 20 | | | |
| 10/20/15 | AMEND: 3103 | | |
| 09/03/15 | AMEND: 3103 | | |

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| | 492.18, 493, 493.1, 494, Appendix A, Appendix B, Appendix C | 11/18/15 | AMEND: 1000 |
| Title 25 | | Title MPP | |
| 10/13/15 | AMEND: 8000, 8002, 8004, 8006, 8008, 8010, 8012 | 11/30/15 | AMEND: 40-034, 44-211, 44-303, 44-307, 44-316, 82-832 |
| Title 27 | | 11/30/15 | ADOPT: 30-777 AMEND: 30-701, 30-776 |
| 10/28/15 | AMEND: 10010 | 07/20/15 | ADOPT: 42-708, 42-709 AMEND: 42-302, 42-701, 42-711, 42-712, 42-714, 42-716, 42-720, 42-721, 42-722, 42-802, 42-1009, 42-1010, 44-111 |
| Title 28 | | | |
| 12/09/15 | AMEND: 1300.76, 1300.76.1, 1300.82.1, 1300.84.06, 1300.84.2, 1300.84.3 | | |

