



California Regulatory Notice Register

REGISTER 2018, NO. 19-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

MAY 11, 2018

PROPOSED ACTION ON REGULATIONS

TITLE 2. BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY

Conflict-of-Interest Code — Notice File No. Z2018-0501-05 727

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

Conflict-of-Interest Code — Notice File No. Z2018-0501-03 727

Amendment

State Agency: California State University Risk Management Authority

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

Huanglongbing Interior Quarantine— Notice File No. Z2018-0425-01 728

TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Investigation and Trial Preparation Course — Notice File No. Z2018-0501-04 731

TITLE 13. AIR RESOURCES BOARD

*Warranty Regulations for On-Road Heavy-Duty Diesel Vehicles and Engines —
Notice File No. Z2018-0424-06* 733

TITLE 14. FISH AND GAME COMMISSION

Sage Grouse Preference Points and Draw — Notice File No. Z2018-0505-01 741

TITLE 16. COURT REPORTERS BOARD OF CALIFORNIA

Schedule of Fees — Notice File No. Z2018-0426-01 743

TITLE 18. FRANCHISE TAX BOARD

Check the Box — Notice File No. Z2018-0501-02 746

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

*California Endangered Species Act Consistency Determination No. 2080-2018-004-05 —
Line 300 Pipeline Investigation and Replacement Project, Santa Barbara County* 750

(Continued on next page)

***Time-
Dated
Material***

DEPARTMENT OF FISH AND WILDLIFE
*Habitat Restoration and Enhancement Act Consistency Determination No. 1653–2018–013–001–R5 —
Eradication of Invasive Sea Lavender (Limonium duriusculum) from Carpinteria Salt Marsh,
Santa Barbara County* 752

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
Benicia International Associated Consent Decree 755

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT
Updated Public Health Goals (PHGs) for Nitrate and Nitrite 755

SUMMARY OF REGULATORY ACTIONS

Regulations filed with the Secretary of State 756
Sections Filed, November 29, 2017 to May 2, 2018 758

2018 RULEMAKING CALENDAR

(Incorporated by Reference)

Special Note 764

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.

CALIFORNIA REGULATORY NOTICE REGISTER is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Barclays, a subsidiary of West, a Thomson Reuters Business, and is offered by subscription for \$205.00 (annual price). To order or make changes to current subscriptions, please call (800) 328-4880. The Register can also be accessed at <http://www.oal.ca.gov>.

**PROPOSED ACTION ON
REGULATIONS**

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

TITLE 2. BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY

NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE OF THE BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY

NOTICE IS HEREBY GIVEN that the Business, Consumer Services and Housing Agency, pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its conflict-of-interest code. A comment period has been established commencing on May 11, 2018 and closing on June 25, 2018. All inquiries should be directed to the contact listed below.

The Business, Consumer Services and Housing Agency 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: adding Deputy General Counsel and Special Assistant to the list of designated positions that must file statements of economic interest with the Agency, and other technical changes to include e-filing language in the incorporation page and FPPC's standard language for disclosure categories. The proposed amendment and explanation of the reasons can be obtained from the agency's contact set forth below.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than June 25, 2018, 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 June 11, 2018.

The Business, Consumer Services and Housing Agency 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:

Phil Laird, Deputy General Counsel
915 Capitol Mall, Ste. 350A
Telephone: (916) 653-4090
Sacramento, CA 95814
E-Mail: philip.laird@bcsh.ca.gov

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

STATE AGENCY: California State University Risk Management Authority

A written comment period has been established commencing on May 11, 2018, and closing on June 25, 2018. Written comments should be directed to the Fair Political Practices Commission, Attention Sasha Linker, 1102 Q Street, Suite 3000, Sacramento, California 95811.

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 June 25, 2018. 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 Sasha Linker, Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California 95811, 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 Sasha Linker, Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California 95811, telephone (916) 322-5660.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

The Department of Food and Agriculture (the Department) amended subsection 3439(b) of the regulations in Title 3 of the California Code of Regulations pertaining to the Huanglongbing (HLB) Disease Interim or Quarantine as an emergency action that was effective on February 16, 2018. 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 August 15, 2018.

This notice is being provided to comply 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 or a request for a public hearing relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.651.2900 or by email to Dean.Kelch@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on June 25, 2018. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Dean Kelch
 Department of Food and Agriculture
 Plant Health and Pest Prevention Services
 1220 N Street
 Sacramento, CA 95814
Dean.Kelch@cdfa.ca.gov
 916.403.6650
 916.651.2900 (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 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 (Food and Agricultural Code [FAC] Sections 401, 403, 407 and 5322). Existing law also provides that eradication regulations may proclaim any portion of the State as an eradication area and set forth the boundaries, the pest, its hosts and the methods to be used to eradicate the pest (FAC Section 5761).

Anticipated Benefits from This Regulatory Action

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 (Food and Agricultural Code Section 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as he deems necessary to protect the agricultural industry from the introduction and spread of pests (Food and Agricultural Code, Sections 401, 403, 407, 5301, and 5322). Existing law also provides that eradication regulations may proclaim any portion of the State as an eradication area and set forth the boundaries, the pest, its hosts and the methods to be used to eradicate said pest (Food and Agricultural Code Section 5761).

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 (Food and Agricultural Code Section 5321). This amendment provides the necessary regulatory authority to prevent the

artificial spread of a serious insect pest, which is a mandated statutory goal.

Existing law, CCR Section 3439, defines the state’s interior quarantine area for HLB, articles and commodities covered by the quarantine, restrictions, and exemptions.

The specific anticipated benefits of the amendment of this regulation are:

The adoption of this regulation benefits the citrus industries (nursery and fruit) and the environment by establishing eradication authority enabling the removal of HLB–infested host material from the environment. By removing the sources of HLB inocula it is biologically feasible to confine HLB’s devastating impacts to the smallest area possible.

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 adoption of this regulation is one step to mitigate the spread of HLB through its vector, Asian Citrus Psyllid (ACP). This prevents the ACP from naturally spreading and increasing the chances of successfully containing the disease to the smallest area possible.

Existing law, FAC Section 5911, declares that HLB is a clear and present danger to California’s citrus industry, as well as other commodities and plant life, and that prevention and management of HLB is in the public interest and for the purpose of protecting health, peace, safety, and general welfare of the people of California.

All eradication activities are conducted by the Department. Except for curry plants (*Murraya spp.*), any other host material infected with HLB will die, as there is no cure. Homeowners and others will benefit by having this host material removed at no cost to them.

California consumers benefit as the fruit from host trees infected with HLB is inedible. Confining HLB infestations to the smallest area possible ensures citrus fruit and other host fruits are available for consumption at reasonable prices. The Department considered any other possible related regulations in this area. We find that these are the only regulations dealing in this subject area, and the Department is 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 consistent and compatible with existing state regulations. There is no existing, comparable federal regulation or statute regulating the intrastate movement of ACP hosts.

AMENDED TEXT

This emergency rulemaking action expanded the quarantine area for HLB in the Westminster and Santa

Ana areas of Orange County by approximately 54 miles. The amendment of this regulation provides authority for the State to perform quarantine activities against HLB within this additional area. The total area that is under regulation is now approximately 672 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 that must be reimbursed in accordance with Government Code sections 17500 through 17630: None and no other 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.

Significant effect on housing costs: None.

Small Business Determination

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

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Based on the information above, 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 that the amendment of this regulation would have pertaining to California worker safety. The Department believes the amendment of this regulation benefits the general health and welfare of California residents by ensuring the availability of citrus for consumption at reasonable prices and protecting the economic benefits the estimated \$2.26 billion per year citrus industry brings to the State's economy. This regulation benefits

over 99 percent of the citrus industries (nursery and fruit) that are located outside the quarantine area. The amendment of this regulation helps protect this economic engine and food source, which benefits the general health and welfare of California residents. This amendment protects thousands of backyard gardeners throughout California who produce large quantities of fruit for their own use, and it supports the traditions, especially in Asian cultures, that many families have for growing and using citrus fruit. The amendment of this regulation also promotes the economic well-being of agriculturally dependent rural California communities and reduces the potential adverse environmental impacts caused by HLB [Gov. Code Sec. 11346.3(b)].

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative it considered 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 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.

AUTHORITY

The Department proposes to amend Section 3439(b) pursuant to the authority vested by sections 407, 5301, 5302, 5322, and 5705 of the Food and Agricultural Code.

REFERENCE

The Department proposes this action to implement, interpret and make specific sections 407, 5301, 5302, 5322, and 5705 of the Food and Agricultural Code.

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: Dean Kelch, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 403-6650, FAX (916) 651-2900, E-mail: Dean.Kelch@cdfa.ca.gov. In his absence, you may contact Laura Petro at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Dean Kelch.

INTERNET ACCESS

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

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department 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 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Division 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code Section 11346.8, any interested person, or his/her duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

Public Comments Due July 2, 2018, at 5:00 p.m.

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by emailing them to Janna.Munk@post.ca.gov or by letter to:

Commission on POST
 Attention: Janna Munk
 860 Stillwater Road, Suite 100
 West Sacramento, CA 95605-1630

AUTHORITY AND REFERENCE

This proposal is made pursuant to the authority vested by Penal Code Section 13503 (authority of the Commission on POST) and Penal Code Section 13506 (POST authority to adopt regulations). This proposal is intended to interpret, implement, and make specific Penal Code Section 13503(e), which authorizes POST to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

At the February 8, 2018 meeting, the Commission approved a proposal to amend Commission Procedure D-14 and Regulations 1005 and 1015, modifying the regulatory language to better serve and educate incoming District Attorney Investigators. All changes to Regulations begin with recommendations from law enforcement practitioners/course presenters, along with recommendations from POST staff to eliminate outdated content and assist with recruitment of new hires without prior investigative experience. Evaluation of the 80-hour course revealed the existing course was too long and repetitive for seasoned investigators.

Conversely, the existing course was identified as being too short and lacking in sufficient depth for new investigators. Upon review, a new strategy was adopted to create a course specifically addressing the needs of District Attorney (DA) Investigators. Learning Domains essential to the performance of all newly appointed DA Investigators were reviewed, retained, updated and re-organized.

Current laws provide for an 80-hour course for training in investigation and Trial Preparation Course for District Attorney (DA) Investigators. This proposed regulation would amend this course to provide for updated training in the various areas investigators will need in the performance of their jobs, such as, Crimes Committed by Public Officials, Officer Involved Incident Investigations, and Trial Preparation and DA specific Investigations, etc.

The specific benefits anticipated by the proposed changes to the regulation will be to bring regulations into alignment with current practices, and to allow the needs of POST agencies and stakeholders to be met.

There would be no effect to benefits in regard to public health and safety, worker safety, or the environment, the prevention of discrimination, and the increase in openness and transparency in business and government.

During the process of developing these regulations and amendments, the Commission on Peace Officer

Standards and Training 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. The proposed changes, when approved, will go into effect October 1, 2018.

Documents incorporated by Reference: D-14 — Commission Procedures: District Attorney Investigator Transition Course, October 1, 2018

ADOPTION OF PROPOSED REGULATIONS

Following the public comment period, the Commission may adopt the proposal substantially as set forth without further notice, or the Commission may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, the text of any modified language, clearly indicated, will be made available at least 15 days before adoption to all persons whose comments were received by POST during the public comment period and to all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date that the revised text is made available.

ESTIMATE OF ECONOMIC IMPACT

Fiscal impact on Public Agencies including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: **None.**

Non-Discretionary Costs/Savings to Local Agencies: **None.**

Local Mandate: **None.**

Costs to any Local Agency or School District for which Government Code Sections 17500-17630 require reimbursement: **None.**

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, including Small Businesses: The Commission on Peace Officer Standards and Training has made an initial determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California business, including the ability of California businesses to compete with businesses in other states. The Commission on Peace Officer Standards and Training has found that the proposed amendments will not affect California businesses, including small businesses, because the Commission sets selection and training

standards for law enforcement, which does not impact California businesses, including small businesses.

Cost Impacts on Representative Private Persons or Businesses: The Commission on Peace Officer Standards and Training 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: The Commission on Peace Officer Standards and Training has made an initial determination that the proposed regulation would have no effect on housing costs.

RESULTS OF ECONOMIC IMPACT ASSESSMENT PER GOV. CODE SECTION 11346.3(b)

The adoption of the proposed amendments of regulations will neither create nor eliminate jobs in the State of California, nor result in the elimination of existing businesses or create or expand businesses in the State of California.

The proposed regulations would benefit the health and welfare of California residents because the new course for DA Investigators would lead to better trained law enforcement officials which ultimately benefits the welfare and safety for California residents.

There would be no impact that would affect worker safety or the State's environment.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Commission must determine that no reasonable alternative it considered, 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 provisions of the law.

CONTACT PERSONS

Questions regarding this proposed regulatory action may be directed to Janna Munk, Bureau Chief, at Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630, or by email at Janna.Munk@post.ca.gov or at (916) 227-4829. General questions regarding the regulatory process may be directed to Christy Correa at (916) 227-4847.

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

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting Christy Correa at christy.correa@post.ca.gov, or by phone at (916) 227-4847.

To request a copy of the Final Statement of Reasons once it has been prepared, submit a written request to:

Christy Correa
Commission on POST
860 Stillwater Road, Suite 100
West Sacramento, CA 95605-1630.

DATE: June 28, 2018
TIME: 9:00 a.m.
LOCATION: California Environmental
Protection Agency
California Air Resources Board
Coastal Hearing Room
1001 I Street
Sacramento, California 95814

This item will be considered at a meeting of the Board, which will commence at 9:00 a.m., June 28, 2018, and may continue at 8:30 a.m., on June 29, 2018. Please consult the agenda for the hearing, which will be available at least ten days before June 28, 2018, to determine the day on which this item will be considered.

WRITTEN COMMENT PERIOD AND
SUBMITTAL OF COMMENTS

TEXT OF PROPOSAL

Individuals may request copies of the exact language of the proposed regulations and of the initial statement of reasons, and the information the proposal is based upon from the Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630. These documents are also located on the POST website at: <http://www.post.ca.gov/regulatory-actions.aspx>.

Interested members of the public may present comments orally or in writing at the hearing and may provide comments by postal mail or by electronic submittal before the hearing. The public comment period for this regulatory action will begin on May 11, 2018. Written comments not physically submitted at the hearing must be submitted on or after May 11, 2018 and received **no later than 5:00 p.m. on June 25, 2018**. CARB requests that when possible, written and email statements be filed at least 10 days before the hearing to give CARB staff and Board members additional time to consider each comment. The Board also encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action. Comments submitted in advance of the hearing must be addressed to one of the following:

TITLE 13. AIR RESOURCES BOARD

**NOTICE OF PUBLIC HEARING TO
CONSIDER PROPOSED AMENDMENTS TO
CALIFORNIA EMISSION CONTROL SYSTEM
WARRANTY REGULATIONS AND
MAINTENANCE PROVISIONS FOR 2022 AND
SUBSEQUENT MODEL YEAR ON-ROAD
HEAVY-DUTY DIESEL VEHICLES WITH
GROSS VEHICLE WEIGHT RATINGS
GREATER THAN 14,000 POUNDS AND
HEAVY-DUTY DIESEL ENGINES
IN SUCH VEHICLES**

Postal
mail: Clerk of the Board
California Air Resources Board
1001 I Street
Sacramento, California 95814

Electronic
submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

The California Air Resources Board (CARB or Board) will conduct a public hearing at the time and place noted below to consider approving for adoption the proposed amendments to the California emission control system warranty regulations and maintenance provisions for on-road heavy-duty diesel vehicles with gross vehicle weight ratings (GVWR) greater than 14,000 pounds (lbs) and heavy-duty diesel engines in such vehicles.

Please note, that under the California Public Records Act (Gov. Code, § 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

Additionally, the Board requests but does not require that persons who submit written comments to the Board reference the title of the proposal in their comments to facilitate review.

AUTHORITY AND REFERENCE

This regulatory action is proposed under the authority granted in California Health and Safety Code, sections 38501, 38505, 38510, 38560, 38580, 39500, 39600, 39601, 40000, 43013, 43018, 43100, 43101, 43102, 43104, 43105, 43106, 43107, 43205.5, and 43806; and Section 28114, Vehicle Code. This action is proposed to implement, interpret, and make specific sections 38501, 38505, 38510, 38560, 38580, 39002, 39003, 39017, 39033, 39500, 39600, 39601, 39610, 39650, 39657, 39667, 39701, 40000, 43000, 43000.5, 43009, 43009.5, 43013, 43016, 43017, 43018, 43018.5, 43100, 43101, 43101.5, 43102, 43013, 43104, 43105, 43106, 43107, 43202, 43204, 43205, 43205.5, 43206, 43210, 43211, 43212, 43213, 43806, 44004, 44010, 44011, 44012, 44015, and 44017, Health and Safety Code; and Section 28114, Vehicle Code.

INFORMATIVE DIGEST OF PROPOSED ACTION AND POLICY STATEMENT OVERVIEW (GOV. CODE, § 11346.5, subd. (a)(3))

Sections Affected: Proposed amendments to California Code of Regulations title 13, sections 1956.8, 2035, 2036, and 2040.

Documents Incorporated by Reference (Cal. Code Regs., tit. 1, § 20, subd. (c)(3)):

The following documents would be incorporated in the regulation by reference as specified by section 1956.8(b):

- “California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles,” adopted December 12, 2002, as last amended on [insert date of last amendment]:

Background and Effect of the Proposed Regulatory Action:

Heavy-duty trucks with a GVWR over 14,000 pounds are one of the largest sources of air pollution in California. They contribute approximately 45 percent of total statewide mobile source oxides of nitrogen (NOx) emissions and 19 percent of total particulate matter (PM 2.5) emissions.¹ Most of the NOx emissions from heavy-duty trucks come from diesel-cycle engines, especially in the higher weight classes.

A key measure in CARB’s Mobile Source Strategy is the “Lower In-Use Emission Performance Level” measure, which seeks to ensure that in-use heavy-duty ve-

hicles continue to operate at their cleanest possible level (CARB, 2016b). The focus of this proposal is one element of that measure, amending the current warranty provisions and associated maintenance provisions for heavy-duty diesel trucks. The Lower In-Use Emission Performance Level measure is critical for attaining federal health-based air quality standards for ozone in 2023 and 2031 in the South Coast and San Joaquin Valley air basins, and fine particulate matter standards in the next decade.

California is the only state with the authority to initially adopt and enforce emission standards and test procedures for new motor vehicles and new motor vehicle engines that differ from federal emission standards and test procedures (Federal Clean Air Act, 209(b)(1) [(42 U.S.C. § 7543(b)(1))]. In 1978, CARB initially adopted emission warranty regulations, which require manufacturers to cover repairs needed to correct defects in materials or workmanship that would cause an engine or vehicle not to meet its applicable emission standards. Throughout the 1980s, CARB adopted several regulations, such as the vehicle in-use recall program and the Emission Warranty Information Reporting program, which work in conjunction with the warranty regulations to identify malfunctioning emission control components and encourage repair. In 1982 and 1984, the United States Environmental Protection Agency (U.S. EPA) promulgated heavy-duty vehicle “useful life”² and emissions warranty requirements identical to those adopted in California (FR, 1982; FR, 1984). Both CARB and U.S. EPA require that heavy-duty vehicles meet emission standards throughout their useful life periods.

Although CARB has adopted regulations that require certified engines to meet applicable emissions standards throughout their useful lives (13 CCR §§ 1956.8, 1971, 1976), the normal engine aging and wear over time contributes to an increase in the engine-out emissions. Manufacturers must take into account this deterioration in emission performance in the initial design of the engine and aftertreatment technology/strategy.

Since the 2007 model year, all on-road heavy-duty diesel vehicles and heavy-duty diesel engines have been subject to stringent PM and NOx emission standards (13 CCR § 1956.8). Manufacturers have met these standards by equipping new heavy-duty diesel engines with diesel particulate filters (DPF) for control of PM, and beginning with the 2010 model year have also included systems for controlling NOx using exhaust gas recirculation (EGR) and selective catalytic reduction systems. These emission control systems can re-

¹ CEPAM: 2016 SIP — Standard Emission Tool, BY2012, Oxides of Nitrogen, and PM2.5, Annual Average, Year: 2016, grown and controlled, All Sources except Natural, Stationary, and Area Wide, <https://www.arb.ca.gov/app/emsinv/fcemssumcat/fcemssumcat2016.php>.

² During the emission certification process, “useful life” means the period during which the engine is required to demonstrate compliance with applicable emission standards.

duce NOx emissions by more than 95 percent and PM emissions by more than 99 percent (MECA, 2007). Therefore, if they fail, an individual engine's and vehicle's emissions can dramatically increase. It is therefore crucial that these emission control systems continue to function as designed throughout a vehicle's life to ensure emissions remain low. The California State Implementation Plan (SIP) is relying on the emission benefits from the 2007/10 on-road heavy-duty engine and vehicle standards to attain the federal ambient air quality standards in California.

On-road heavy-duty diesel vehicles are currently required to be covered by only a 5-year, 100,000 mile, or 3,000 hour, emissions warranty period, whichever first occurs. This requirement has not changed substantially in California in almost 40 years. Emissions warranties are intended to provide a level of assurance to the vehicle owner that the engine and its associated emission control systems are unlikely to experience defects in materials and workmanship that could result in the engine not performing as required. If such defects do occur during the warranty period, the manufacturer is liable for fixing them.

Staff is proposing to amend the California on-road heavy-duty vehicle and heavy-duty engine warranty regulations to lengthen existing warranty periods and maintenance provisions to better reflect the longevity and usage of modern vehicles. This would help ensure adequate durability and proper maintenance of the engine and emission controls. Evidence supporting the need for longer minimum warranties comes from manufacturers' warranty claim data for heavy-duty vehicles, as well as from recent CARB testing of in-use heavy-duty vehicles. Specifically, CARB's test programs have identified numerous heavy-duty vehicles with mileages within their applicable regulatory useful life periods, but beyond their warranty period, that have NOx emission levels significantly above their applicable certification standards.

CARB may also consider other changes to the sections affected, as listed above, during the course of this rulemaking process.

Objectives and Benefits of the Proposed Regulatory Action:

CARB staff proposes to amend the emission control system warranty regulations and maintenance provisions for California on-road heavy-duty diesel vehicles and heavy-duty diesel engines in 13 CCR, sections 1956.8, 2035, 2036, and 2040 in the following ways:

- Lengthen the existing emissions warranty periods to better match the longer service lives of modern heavy-duty vehicles and engines. This would protect vehicle owners from excessive repair costs, incentivize better vehicle maintenance and

more timely repairs by the vehicle owners, while also encouraging manufacturers to make more durable parts, and reduce NOx and PM emissions.

- Update the minimum maintenance intervals so that they do not inadvertently negate the proposed lengthened warranty periods.
- Explicitly link the heavy-duty On-Board Diagnostic (HD OBD) system to the definition of warranted parts, as has been the case for light- and medium-duty vehicles since the 1990 model year. This would help take full advantage of all of the tools available for ensuring the control of in-use emissions and be consistent with the long-established link existing for light- and medium-duty vehicles.
- Restrict the allowable scheduled repair or replacement for turbochargers and EGR systems because of their relative high price and severe emission impacts under failure. Catalyst beds and diesel particulate filters are already restricted from scheduled replacement in the maintenance provisions during an engine's useful life unless the manufacturer pays for it. Turbochargers and EGR systems should be similarly restricted as well.
- Revise existing regulatory language that unintentionally truncates warranty periods, and other clarifications.

Additionally, lengthened warranty periods are needed in the near-term to protect heavy-duty vehicle owners from potentially high future repair costs under the requirements of CARB's planned future amendments to the Periodic Smoke Inspection Program (PSIP) and Heavy-Duty Vehicle Inspection Program (HDVIP) and any potential future California heavy-duty vehicle inspection and maintenance (HD I/M) program. Amendments to PSIP and HDVIP are scheduled for Board consideration in May 2018. The PSIP and HDVIP amendments include much stricter opacity limits, which will spur more vehicle owners to make timely engine repairs and replace DPFs, beginning in 2019 (CARB, 2018g).

Lengthened warranty periods may also reduce incidences of tampering and mal-maintenance. For example, there would be little incentive for a vehicle owner to tamper with the vehicle's emission control system, such as by coring out a DPF or bypassing a catalyst, when the manufacturer is obligated to pay for any defect-related repairs. Further, vehicle owners would also have more of an incentive to timely perform scheduled maintenance so as not to void their lengthened warranty.

The applicability of staff's proposal is limited to new diesel vehicles and new heavy-duty diesel engines only. Further, there are no proposed modifications to the warranty periods specific to greenhouse gas components (CARB, 2017j). In addition to not being applica-

ble to heavy-duty vehicles powered by spark-ignition engines, staff’s proposal does not include heavy-duty vehicles powered by battery electric systems, fuel cells, hybrid-electric systems, or any other hybrid systems. Staff’s proposal would apply to California-certified and registered (13 CCR § 2035(b)) vehicles and engines only. Federally certified heavy-duty vehicles operating in California would not be subject to the new warranty period requirements.

The benefits from staff’s proposal to the environment and public health and safety comes from the air quality benefits of a 0.75 tons per day reduction in NOx and 0.008 tons per day reduction in PM2.5 emissions statewide in 2030. Lowering NOx emissions helps in lowering the levels of ozone, thereby reducing the premature aging of lungs and instances of chronic respiratory illnesses (CARB, 2017f). Furthermore, lowering NOx emissions also results in lower PM2.5 levels,

which helps to prevent cases of bronchitis, asthma, emergency room visits, respiratory symptoms, and restricted activity days, as well as premature deaths. In addition, there are no benefits to worker safety anticipated as a result of this rulemaking.

Comparable Federal Regulations:

Staff is proposing to adopt lengthened warranty period requirements for Class 4–8 California certified heavy-duty vehicles and the new heavy-duty diesel engines in such vehicles that would significantly differ from existing federal requirements codified in Title 40 Code of Federal Regulations (CFR) 86.004–2. The differences between the proposed California requirements and existing federal requirements (see Table 1 below) are intended to help ensure that heavy-duty engines certified and sold in California will remain compliant with applicable emission standards throughout their useful lives, which currently is not happening.

Table 1. Existing Federal/California Warranty vs. California Proposed Warranty

VEHICLE/ENGINE CATEGORY	FEDERAL/CALIFORNIA CURRENT WARRANTY (miles)	CALIFORNIA PROPOSED WARRANTY (miles)
	DIESEL	DIESEL
Class 8 Heavy Heavy GVWR > 33,000 lbs	100,000 5 years / 3,000 hours ¹	350,000 5 years
Class 6-7 Medium Heavy 19,500 lbs. < GVWR ≤ 33,000 lbs	100,000 5 years / 3,000 hours ¹	150,000 5 years
Class 4-5 Light Heavy 14,000 lbs. < GVWR ≤ 19,500 lbs	100,000 5 years / 3,000 hours ¹	110,000 5 years

¹ The current warranty period for heavy-duty diesel vehicles in California includes a 3,000 hour of operation limit in addition to mileage and yearly limits. U.S. EPA does not limit warranty on the basis of hours of operation, and staff is proposing to eliminate the 3,000 hour warranty limit as part of its proposed amended warranty requirements.

An Evaluation of Inconsistency or Incompatibility with Existing State Regulations (Gov. Code, § 11346.5, subd. (a)(3)(D)):

During the process of developing the proposed regulatory action, CARB conducted a search of any similar regulations on this topic and concluded these regulations are neither inconsistent nor incompatible with existing state regulations.

DISCLOSURE REGARDING THE PROPOSED REGULATION

Fiscal Impact/Local Mandate Determination Regarding the Proposed Action (Gov. Code, § 11346.5, subs. (a)(5)&(6)):

The determinations of the Board’s Executive Officer concerning the costs or savings incurred by public agencies and private persons and businesses in reasonable compliance with the proposed regulatory action are presented below.

Under Government Code sections 11346.5, subdivision (a)(5) and 11346.5, subdivision (a)(6), the Executive Officer must determine whether the proposed regulatory action would create costs or savings to any State agency or in federal funding to the State, create costs or mandates to any local agency or school district, whether or not reimbursable by the State under Government Code, title 2, division 4, part 7 (commencing with section 17500), or create other nondiscretionary cost or savings to State or local agencies. Accordingly, the Executive Officer’s determination is as follows:

Cost to any Local Agency or School District Requiring Reimbursement under section 17500 et seq.:

The proposed regulatory action would not impose a mandate on any local agency or school district, whether or not the mandate is reimbursable, but the amendments would create costs to local agencies and school districts that would not be reimbursable by the State under Government Code, title 2, division 4, part 7 (commencing with section 17500). The direct costs from the proposed warranty amendments on regulated manufacturers

would be passed on to the heavy-duty fleets who purchase California certified heavy-duty vehicles greater than 14,000 lbs. GVWR through increased vehicle prices. Thus, there would be cost impacts on local government fleets that purchase those vehicles.

The cost to local government in the current (2018/2019) fiscal year and two subsequent fiscal years is zero because the proposed amendments will not be implemented until year 2022. However, there will be costs and cost savings to local agencies who purchase heavy-duty vehicles greater than 14,000 pounds GVWR in future years. Local government agencies would be expected to pay a higher purchase price for new heavy-duty vehicles with engines covered by the proposed lengthened warranties and would also obtain the benefit of repair cost savings. Staff estimates the local government heavy-duty vehicle population to be about 8.1 percent of the State total, per CARB's EMFAC model, thus local government would bear 8.1 percent of the net cost of the proposed amendments. The cumulative regulatory cost to local government is estimated to be between \$2,804,000 to \$7,458,000 over 2022 through 2040, or approximately \$148,000 to \$393,000 per year on average.

Cost or Savings for State Agencies:

(A) State Government Fleets

The cost to State government fleets in the current (2018/2019) fiscal year and two subsequent fiscal years is zero because the proposed amendments will not be implemented until year 2022. However, there will be costs and cost-savings to State agencies who purchase heavy-duty vehicles greater than 14,000 pounds GVWR in future years. State government agencies would be expected to pay a higher purchase price for new heavy-duty vehicles with engines covered by the proposed lengthened warranties, and would also obtain the benefit of repair cost-savings. Staff estimates the State government heavy-duty vehicle population to be about 3.1 percent of the total, per CARB's EMFAC model, thus State government would bear 3.1 percent of the net cost of the proposed amendments. The cumulative regulatory cost to State government fleets is estimated to be between \$1,073,000 to \$2,854,000 over 2022 through 2040, or approximately \$56,000 to \$150,000 per year on average.

(B) CARB

There would be some additional state costs to implement and enforce the proposed amendments. The longer warranty periods would require additional CARB resources for reviewing warranty reports and approving corrective action plans. The proposed regulatory action is anticipated to require the addition of two

CARB positions for the proposed amendments to be implemented and enforced.

Other Non-Discretionary Costs or Savings on Local Agencies:

No additional costs or savings to local agencies beyond those addressed above are expected.

Cost or Savings in Federal Funding to the State:

No costs or savings in federal funding is anticipated.

Housing Costs (Gov. Code, § 11346.5, subd. (a)(12)):

The Executive Officer has also made the initial determination that the proposed regulatory action will not have a significant effect on housing costs.

Significant Statewide Adverse Economic Impact Directly Affecting Business, Including Ability to Compete (Gov. Code, §§ 11346.3, subd. (a), 11346.5, subd. (a)(7), 11346.5, subd. (a)(8)):

The Executive Officer has made an initial determination that the proposed regulatory action would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons. The proposed warranty amendments would not affect the ability of California businesses to compete with businesses in other states, as explained further below:

- Heavy-duty vehicles used for local and regional business operations (which typically are Class 4-7 vehicles) typically compete only with other California businesses or out-of-state businesses who purchase vehicles within California because their operations are limited to within the State. All California businesses would be subject to the proposed amendments, and so there would be no impact on competitiveness.
- Heavy-duty vehicles used for interstate commerce (which typically are Class 8 vehicles) typically travel many miles and are likely to already be purchased with extended warranties regardless of whether the vehicle is California certified or federally certified. Thus, the cost would be the same for a Class 8 truck purchased in California (which would have a longer warranty, as required by the proposed amendments, paid for as part of the vehicle purchase price) or outside California (which would have an extended warranty paid for as an add-on cost).

Even in the rare instance where a California business is competing with an out-of-state business with a truck purchased outside California with a shorter warranty, any impact on competitiveness would likely be insignificant because the overall costs of the proposed amendments is small when the repair savings are taken into account.

Results of the Economic Impact Analysis/Assessment (Gov. Code, § 11346.5, subd. (a)(10)):

NON-MAJOR REGULATION: Statement of the Results of the Economic Impact Assessment (EIA):

(A) The creation or elimination of jobs within the State of California.

The proposed lengthening of the heavy-duty vehicle and engine warranty periods may provide some increased emission-related repair business to heavy-duty vehicle and engine repair facilities from vehicle owners who otherwise may not bring their vehicles and engines in for repair without the lengthened warranty. Also, there may be a slight shift in income from independent to dealership-owned repair facilities. However, the Executive Officer has determined that the proposed regulatory action would not significantly affect the increase or decrease of jobs created in California.

(B) The creation of new business or the elimination of existing businesses within the State of California.

Minimal impacts to the creation or elimination of businesses within California are expected. For California heavy-duty vehicle fleets, the incremental costs would be small when the savings resulting from additional repair costs being covered through the lengthened warranties are included. It is anticipated that any additional costs can be absorbed without changing the number of employees or forcing any heavy-duty vehi-

cle businesses to cease operations. For example, trucking companies who purchase heavy-duty vehicles with the proposed lengthened warranties will have to pay an increased cost for the longer warranties through the higher purchase price of heavy-duty vehicles. However, the benefits from reduced emission-related repair costs would mostly offset the increased capital cost.

(C) The expansion of businesses currently doing business within the State of California.

No significant impacts to the expansion of businesses due to the proposed amendments are anticipated. Nearly all affected engine and vehicle manufacturers are located outside of California and the impacts to California heavy-duty vehicle fleets are small.

(D) The benefits of the regulation to the health and welfare of California residents, worker safety, and the state’s environment.

The proposed amendments would lengthen the emission warranties for 2022 and subsequent model year on-road heavy-duty vehicles with gross vehicle weight ratings (GVWR) greater than 14,000 pounds (lbs) and the heavy-duty engines in such vehicles.

This would lead to a benefit for the state’s environment with reductions in NOx and PM2.5 emissions shown in Table 2. In 2030, the proposed amendments would provide emission reductions of approximately 0.75 tons per day NOx emissions and 0.008 tons per day PM2.5 emissions.

Table 2. NOx and PM Statewide Emission Inventories of Diesel Heavy-Duty Vehicles and Statewide Emission Benefits from Proposed Warranty Amendments

Calendar Year	NOx		PM2.5	
	Baseline Inventory	Emission Benefit	Baseline Inventory	Emission Benefit
2023	157.3	0.06	1.39	0.001
2030	163.2	0.75	1.47	0.008
2040	173.9	1.49	1.57	0.016

* 2022 Implementation

Health benefits for California’s residents due to the proposed regulatory action were calculated using the health effects analysis model (CARB, 2010a) projected for the years 2022–2040. The projected reductions in diesel PM and NOx emissions resulting from the proposal would benefit public health in California. Specifically, there would be 40 estimated fewer premature mortalities, 17 fewer emergency room visits, and six fewer hospitalizations due to the proposed amendments.

Effect on Jobs/Businesses:

The Executive Officer has determined that the proposed regulatory action would have minimal impact on the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California. A detailed assessment of the economic impacts of the proposed regulato-

ry action can be found in the Economic Impact Analysis in the Initial Statement of Reasons (ISOR). However, as stated above, the effect on jobs and businesses is expected to be small.

Benefits of the Proposed Regulation:

The objective of the proposed regulatory action is to lengthen the warranty period to ensure that the warranties are matched to the longer service life of modern heavy-duty engines. With the lengthened coverage, heavy-duty vehicle owners would be protected from paying out-of-pocket expenses to replace emissions-related components that are supposed to remain durable throughout the useful life of the engine.

A summary of these benefits is provided. Please refer to “Objectives and Benefits,” under the Informative Digest of Proposed Action and Policy Statement Overview Pursuant to Government Code 11346.5(a)(3) discussion above.

Cost Impacts on Representative Private Persons or Businesses (Gov. Code, § 11346.5, subd. (a)(9)):

In developing this regulatory proposal, the potential economic impacts on representative private persons or businesses were evaluated. The proposed amendments would impose additional costs on the regulated engine and vehicle manufacturers of heavy-duty vehicles greater than 14,000 lbs. GVWR that are subject to the lengthened warranty requirements. These increased costs would be passed on to the California heavy-duty vehicle fleets that purchase these California certified heavy-duty vehicles. Cost impacts on a representative business were estimated based on increased costs per California heavy-duty vehicle fleet. The average annual costs for an impacted representative business range from \$876 to \$1,270 per year over an average loan period of 5 years at 6 percent interest. These costs would be offset by the repair cost savings from the lengthened warranties.

There would be no direct cost impacts to individuals in California. Though individuals may be indirectly impacted if California fleets pass on slightly increased trucking costs, the cost is so small that this impact is expected to be negligible.

Effect on Small Business (Cal. Code Regs., tit. 1, § 4, subds. (a) and (b)):

The Executive Officer has also determined under CCR, title 1, section 4, that the proposed regulatory action would affect small businesses. The cost impacts on small businesses, which are small California heavy-duty fleets, would be proportionately the same as the estimated cost impacts on a representative business as described above. However, smaller fleets that tend to purchase used heavy-duty vehicles compared to larger fleets that have more capital to invest in new vehicles would experience a smaller impact due to the proposed

amendments because they would likely only pay for the residual value of the remaining warranty on the vehicle, if any.

For those small fleets that choose to buy new heavy-duty vehicles, the average annual costs for an impacted small business range from \$71 to \$102 over an average loan period of 5 years at 6 percent interest. In addition, for those small businesses that do purchase new heavy-duty vehicles with lengthened warranties, there would be repair cost savings that would offset the majority of the costs of a lengthened warranty.

Alternatives Statement (Gov. Code, § 11346.5, subd. (a)(13)):

Before taking final action on the proposed regulatory action, the Board must determine that no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, 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. Alternatives to the proposed rulemaking that were considered are described in the ISOR.

STATE IMPLEMENTATION PLAN REVISION

If adopted by CARB, CARB plans to submit the proposed regulatory action to the U.S. EPA for approval as a revision to California’s SIP required by the federal Clean Air Act (CAA). The adopted regulatory action would be submitted as a SIP revision because it amends regulations intended to reduce emissions of air pollutants in order to attain and maintain the National Ambient Air Quality Standards promulgated by U.S. EPA pursuant to the CAA.

ENVIRONMENTAL ANALYSIS

CARB, as the lead agency for the proposed regulatory amendments, has concluded that this action is exempt from CEQA, as described in CEQA Guidelines § 15061, because the action is both an Action Taken by Regulatory Agencies for Protection of the Environment (as described in CEQA Guidelines § 15308 for “class 8” exemptions); and it is also exempt as described in CEQA Guidelines § 15061(b)(3) (“common sense” exemption) because it can be seen with certainty that there is no possibility that the proposed action may result in a significant adverse impact on the environment. A brief explanation of the basis for reaching this conclusion is included in Chapter VII (the CEQA Chapter) of the ISOR.

SPECIAL ACCOMMODATION REQUEST

Consistent with California Government Code Section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language; and
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than 10 business days before the scheduled Board hearing. TTY/TDD/Speech-to-Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia;
- Documentos disponibles en un formato alternativo u otro idioma; y
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Re-transmisión de Mensajes de California.

AGENCY CONTACT PERSONS

Inquiries concerning the substance of the proposed regulatory action may be directed to the agency representative Jeff Lowry, Staff Air Pollution Specialist, Off-Road Control Section, at (626) 575-6841 or (designated back-up contact) Ronald Haste, Manager of the Off-Road Control Section, at (626) 575-6676.

AVAILABILITY OF DOCUMENTS

CARB staff has prepared a Staff Report: ISOR for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The report is entitled: Public Hearing to Consider Proposed Amendments to California Emission Control System Warrantly Regulations and Maintenance Provisions for 2022 and Subsequent Model Year On-Road

Heavy-Duty Diesel Vehicles and Heavy-Duty Engines with Gross Vehicle Weight Ratings Greater Than 14,000 Pounds and Heavy-Duty Diesel Engines in Such Vehicles.

Copies of the ISOR and the full text of the proposed regulatory language, in underline and strikeout format to allow for comparison with the existing regulations may be accessed on CARB's website listed below, or may be obtained from the Public Information Office, California Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814, on May 8, 2018.

Further, the agency representative to whom nonsubstantive inquiries concerning the proposed administrative action may be directed is Chris Hopkins, Regulations Coordinator, at (916) 445-9564. The Board staff has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

HEARING PROCEDURES

The public hearing will be conducted in accordance with the California Administrative Procedure Act, Government Code, title 2, division 3, part 1, chapter 3.5 (commencing with section 11340).

Following the public hearing, the Board may take action to approve for adoption the regulatory language as originally proposed, or with non-substantial or grammatical modifications. The Board may also approve for adoption the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that the public was adequately placed on notice and that the regulatory language as modified could result from the proposed regulatory action. If this occurs, the full regulatory text, with the modifications clearly indicated, will be made available to the public, for written comment, at least 15 days before final adoption.

The public may request a copy of the modified regulatory text from CARB's Public Information Office, California Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814.

FINAL STATEMENT OF REASONS AVAILABILITY

Upon its completion, the Final Statement of Reasons (FSOR) will be available and copies may be requested from the agency contact persons in this notice, or may be accessed on CARB's website listed below.

INTERNET ACCESS

This notice, the ISOR and all subsequent regulatory documents, including the FSOR, when completed, are available on CARB's website for this rulemaking at <http://www.arb.ca.gov/regact/2018/hdwarranty18/hdwarranty18.htm>.

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, 203, 265 and 355 of the Fish and Game Code and to implement, interpret or make specific sections 200, 203, 203.1, 265, 270, 355 and 356 of said Code, proposes to amend subsections 300(a)(1)(D)5. and 6.; 300(a)(2)(D)3.; and 300(a)(3)(F)3.; and add Section 716, Title 14, California Code of Regulations, relating to Sage Grouse Preference Points and Draw.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Department of Fish and Wildlife (Department) proposes to establish an electronic random drawing for sage grouse permits that will include a preference point system similar to the Big Game Preference Point process. Due to the very limited number of sage grouse hunting permits made available annually, the chances of being successfully drawn have been and continue to be very low in a purely random draw. A petition was filed with the Commission (Petition 2016-010) requesting establishment of a preference point component to increase the probability of drawing success for hunters who have previously (often over many years) applied but not been successfully drawn. The addition of preference points for past participants is necessary to fairly credit prior effort and to encourage continued drawing participation for this unique hunting experience. This new process will be conducted through the Automated License Data System (ALDS).

- Section 300 will be amended, deleting the current draw described in subsection 300(a)(1)(D)5 and a reference will be made to the provisions of the new Section 716 Sage Grouse Permit Application and Drawing Process.
- Subsection 300(a)(2)(D)6 Falconry Only Permits is deleted and moved to the new Section 716(b)(6).

- Section 716 will be added, setting forth the draw requirements and the addition of preference points for past participants. This new process will be conducted through the Automated License Data System (ALDS).
 - Fifty percent (50%) of the individual zone permit quota shall be awarded using a preference point drawing. This fairly credits prior effort and encourages continued drawing participation for this unique hunting experience.
 - Fifty percent (50%) of the individual zone permit quota shall be awarded using a random drawing. Continuing to have a random draw allows all applicants (with or without points) a chance to be successful in the draw; this encourages the participation of new applicants.

BENEFITS OF THE REGULATIONS

The Commission anticipates benefits to the health and welfare of California residents. The ALDS provides a single location for the public to apply for all department hunts including big game, upland game special hunts and waterfowl hunting opportunities. Data collected and compiled through the ALDS will be accessible in a consistent format for the Department's use. Adding the sage grouse drawing with preference points to the ALDS will provide the same benefits of fairness and flexibility as well as important information necessary to properly manage upland game bird populations.

The Commission anticipates benefits to the State's environment in the sustainable management of natural resources. Adoption of regulations to increase sustainable hunting opportunity provides for the maintenance of sufficient populations of game birds to ensure their continued existence.

CONSISTENCY AND COMPATIBILITY WITH STATE REGULATIONS

The Fish and Game Commission, pursuant to Fish and Game Code Sections 200 and 203, has the sole authority to regulate hunting in California. Commission staff has searched the California Code of Regulations and has found the proposed changes pertaining to preference points for wild sage grouse hunting opportunities through the ALDS to be consistent with the provisions of Title 14. Therefore, the Commission has determined that the proposed amendments 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, First Floor, 1416 Ninth Street, Sacramento, California, on Thursday, June 21, 2018, at 8:00 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the River Lodge Conference Center, 1800 Riverwalk Drive, Fortuna, California, on Thursday, August 23, 2018, at 8:00 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before 5:00 p.m. on August 9, 2018, at the address given below, or by email to FGC@fgc.ca.gov. Written comments mailed (to Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244-2090), or emailed to the Commission office, must be received before 12:00 noon on August 17, 2018. All comments must be received no later than August 23, 2018, at the hearing in Fortuna, California. If you would like copies of any modifications to this proposal, please include your name and mailing address.

AVAILABILITY OF DOCUMENTS

The Initial Statement of Reasons, text of the regulations, as well as all related documents upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Valerie Termini, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above-mentioned documents and inquiries concerning the regulatory process to Valerie Termini or Jon Snellstrom at the preceding address or phone number. **Scott Gardner, Senior Environmental Scientist, (916) 801-6257**, has been designated to respond to questions on the substance of the proposed sage grouse hunting regulations. Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation in underline and strikeout can be accessed through our 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 ASSESSMENT

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 businesses, including the ability of California businesses to compete with businesses in other states. The proposed action incorporates the sage grouse permit draw into the existing special hunt drawing process that includes preference points through the use of the ALDS. The proposed action will not impose costs on businesses and is not anticipated to change the number of hunting trips or expenditures; thus, it will be economically neutral to 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:

The Commission anticipates benefits to the health and welfare of California residents. Adding the preference point component to the existing sage grouse permit drawing in the ALDS will provide the benefits of fairness and flexibility as well as important information necessary to properly manage sage grouse permits.

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new businesses, the elimination of existing businesses, or the expansion of businesses in California since the proposed action will not impact costs or revenues to businesses. The Commission does not anticipate any benefits to worker safety since the proposed action will not affect working conditions.

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

Upland game bird hunters who choose to participate in the sage grouse hunt draw will pay a nonrefundable \$2.25 application fee, as currently set forth in subsection 702(c)(1)(X). The application fee was established per statute to recover all reasonable administrative costs of developing and implementing a draw with preference points for upland game bird hunts. The Commission is not aware of any cost impacts that a business would necessarily incur in reasonable compliance with the proposed action.

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

The proposed action will not induce changes in costs or savings to state agencies or in federal funding to the state. The anticipated sale of 500 to 1,000 items at \$2.25 each may result in an average increase in annual revenue of approximately \$1,688 for the first year and in the following two years. The projected fee revenue is set to recover all reasonable administrative costs to the Department to administer the sage grouse permit draw within the upland game bird system.

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

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

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

(h) Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code Sections 11342.580 and 113462(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 16. COURT REPORTERS BOARD OF CALIFORNIA

FEE INCREASE

NOTICE IS HEREBY GIVEN that the Court Reporters Board of California (Board) 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 2535 Capitol Oaks Drive, Third Floor Conference Room, Sacramento, California, at 1:00 p.m. on June 28, 2018. 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 at its office not later than 5:00 p.m. on June 28, 2018, or must be received by the Board 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 sections 8007 and 8008 of the Business and Professions Code (BPC), and to implement, interpret or make specific sections 163.5, 8008, and 8031 of said Code, the Board is considering amendments to section 2450 of Division 24 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST

A. Informative DigestAmend Section 2450 — Fee Schedule

In accordance with the provisions of the Administrative Procedure Act, BPC section 8007 authorizes the Board to adopt, amend, or repeal rules and regulations which are reasonably necessary to carry out the provisions of Chapter 13 of said code, known as the Short-hand Reporters Act.

BPC section 8008 authorizes the Board to charge and collect fees. BPC section 8031 establishes the statutory limits for the fees that the Board may charge and collect. BPC section 163.5 sets the renewal delinquency fee at 50% of the renewal fee.

The existing regulation sets forth the fees that may be charged and collected by the Board for an examination, application, a duplicate certificate, and as a penalty for failure to notify the Board of a name or address change. The fees for applications, duplicate certificates, and the penalty for failing to notify the Board of name or address changes are not changing.

This rulemaking action seeks to amend the regulations in order to:

- Amend subsection (a) to set the fee per section of examination or re-examination at \$50.
- Amend subsection (b) to set the fee for an initial certificate at \$225 and set the fee for an initial certificate that is issued less than 180 days before it will expire at 50 percent of the annual renewal fee.
- Amend subsection (c) to set the fee for an annual renewal of a certificate at \$225.
- Amend subsection (d) to set the delinquency fee for the renewal of a certificate at \$112.50.

The renewal fee was last increased November, 2011.

The necessity and need for this proposed regulatory action is to ensure future fiscal solvency for the Board. Analysis of the Board's fund balance, measured by Months in Reserve, projects that at the end of the current fiscal year, FY 2017–18, a 2.9–month reserve will exist. However, the reserve is projected to steadily decline in the following fiscal years to the point where there will be a negative .2–month deficit at the end of 2018–19. Currently the Board is unable to fund the operation of the Board and fund the Transcript Reimbursement Fund (TRF) as doing so would cause the Board to have less than six months' operating expenses in reserve. Existing statute precludes any transfer of funds to the TRF when the Board's reserve is below six months; however, BPC section 8030.2, subdivisions (a) and (b) require the Board to set fees in such a manner as to permit funding of the TRF at statutorily specified levels. The Board administers the TRF, established in 1981 to aid qualified indigent litigants in civil cases by providing transcript

reimbursement funds. To date, the TRF has disbursed over \$8.5 million to California's indigent population. In 2010, SB 1181 (Cedillo) authorized a two–year pilot project, expanding the TRF to qualified pro per litigants, and the pilot project became a permanent part of the fund in 2013. There is great demand for this portion of the fund, which expands access to justice to those most in need.

Correcting the Board's structural imbalance will be unattainable without a fee increase.

The fund balance provides specific information on the Board's current fund as well as projections for future years. There are several factors that have contributed to the fund's imbalance, which include employee wages and benefits and increasing pro rata charges. Since 2012–13, the Board has paid a total of \$140,734 for the BreZe system. In addition, renewal and delinquency fees have remained unchanged since 2011, while inflation has increased steadily over the years. According to the Consumer Price Index, the rate of inflation is calculated at 10.15 percent since 2012 and 30.46 percent since 2002. A review of the Board's fund condition demonstrates a steady increase in expenses as noted above. Additionally, it demonstrates a slow decline in revenue due to fewer people seeking licensure leading to a limited licensee population. The fastest growing segment of court reporting is Computer Aided Realtime Translation (CART), which provides instantaneous translation for the deaf and hard of hearing as well as closed caption for broadcasting. CART providers do not need a license to practice in California.

B. Policy Statement Overview/Anticipated Benefits of Proposal

The Board regulates approximately 6,900 certified shorthand reporters, also known as licensed court reporters. Through this rulemaking, the Board proposes to amend section 2450 of the CCR to increase renewal and delinquent fees as well as examination fees. This proposal is necessary to ensure sufficient resources are available to maintain current Board operations to meet its consumer protection mandate and to carry out its mandate with regard to the TRF set out in BPC section 8030.2, subdivision (b) which requires the Board to maintain funding of the TRF at the levels set out in subdivision (a).

BPC section 8005.1 specifies: "Protection of the public shall be the highest priority for the Court Reporters Board of California in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount."

BPC section 8030.2, subdivision (b) provides in pertinent part "refunds and unexpended funds that are an-

anticipated to remain in the Transcript Reimbursement Fund at the end of the fiscal year shall be considered by the board in establishing the fee assessment pursuant to Section 8031 so that the assessment shall maintain the level of funding for the Transcript Reimbursement Fund, as specified in subdivision (a), in the following fiscal year.”

Adoption and implementation of this proposed action would neutralize and correct the aforementioned fund balance decline and provide a modest reserve for economic uncertainties through 2022–23. Without sufficient funding levels, the Board will not be able to carry out its mandate to protect the health, safety, and welfare of the California consumers, nor would it be able to fund the TRF, which provides reimbursement of transcript costs to qualified indigent litigants.

The public will benefit from the board balancing the budget because the board will be able to carry out the oversight activities mandated by the legislature. Consumer protection is achieved when the board tests court reporting candidates for minimum skills and knowledge for entry into the workplace as well as issuing discipline against licensees who are not following the statutes that relate to court reporting. Additionally, a balanced budget will benefit those who qualify for the Transcript Reimbursement Fund.

C. 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 or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

It is estimated that the proposed fee increases will result in an increase in Board revenues beginning FY 2018–19 by approximately \$696,000.

The Board does not receive any federal funding.

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

business, including the ability of California businesses to compete with businesses in other states.

Cost Impact on Representative Private Person or Business:

The cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action and that are known to the Board are costs associated with the increased renewal fee for a certified shorthand certificate from \$125 to \$225 per year per licensee. Individuals with an active license as well as initial license applicants would pay an additional \$100 per year annually. Individuals with a license in delinquent status would incur an additional \$50 per delinquent period (up to three years).

Applicants for the license exam would incur a \$25 increase per portion (three portions). Unsuccessful applicants would incur an additional \$25 increase for each portion they need to re–take.

Effect on Housing Costs: None.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

The Board 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 has determined that this regulatory proposal will primarily benefit California consumers by ensuring sufficient revenue levels are maintained for the Board to administer and enforce the provisions of the Shorthand Reporters Act. Specifically, this proposal is designed to enable the Board to continue its licensing, disciplinary, and oversight operations in the interest of the health, safety, and welfare of California consumers by ensuring only actively licensed practitioners are providing court reporting services. Additionally, this regulatory proposal will provide statutorily required funding for the TRF, which provides reimbursement for transcript costs to qualified indigent litigants.

Business Report:

No reporting requirements are mandated by the proposed regulation.

Effect on Small Business:

The Board has determined that the proposed regulations would not affect small businesses in the state of California as the proposed amendments affect only individual practitioners renewing their Board–issued certificate, individual applicants for licensure, and individual exam candidates.

Worker Safety:

This rulemaking will have no impact on or benefit to worker safety.

Environment:

This rulemaking will have no impact on or benefit to the state's environment.

CONSIDERATION OF ALTERNATIVES

The Board 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 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 of the initial statement of reasons, including any document incorporated by reference, 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 at 2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833 or on the Board's website at www.courtreportersboard.ca.gov.

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: Paula Bruning
Address: 2535 Capitol Oaks Drive, Suite 230
Sacramento, CA 95833

Telephone No.: (916) 263-3660
Fax No.: (916) 263-3664

E-Mail Address: Paula.bruning@dca.ca.gov

The backup contact person is:

Name: Yvonne Fenner
Address: 2535 Capitol Oaks Drive, Suite 230
Sacramento, CA 95833

Telephone No.: (916) 263-3660
Fax No.: (916) 263-3664

E-Mail Address: Yvonne.fenner@dca.ca.gov

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

TITLE 18. FRANCHISE TAX BOARD

Pursuant to California Government Code sections 11346.4 and 11346.5(a), the California Franchise Tax Board ("Board") proposes to amend California Code of Regulations ("CCR"), Title 18, sections 23038(b)-1, 23038(b)-2 and 23038(b)-3; add a placeholder for a reserved regulation at CCR section 23038(b)-4; and adopt a proposed regulation at CCR section 23038(b)-5.

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 indicated below. The request should be submitted to the Board officer named below. In addition, Government Code section 15702(b) provides for consideration by the Board of any proposed regulatory action if any person makes such request in writing.

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. The written comment period closes at 5:00 p.m. on June 26, 2018, and the Board will consider only comments received at the Board offices by that time. The Board encourages submission of comments in electronic form, rather than in paper form. Comments may be submitted by email to Bradley.Kragel@ftb.ca.gov.

Submit comments in paper form to:

Mailing

Address: Bradley Kragel, Tax Counsel III
 Legal Division MS A260
 Franchise Tax Board
 P.O. Box 1720
 Rancho Cordova, CA 95741-1720

Fax: (916) 843-0279

AUTHORITY AND REFERENCE

Revenue and Taxation Code (“RTC”) Section 19503 authorizes the Board to prescribe regulations necessary for the enforcement of Part 11 (commencing with section 23001) of the RTC. RTC section 23038, subdivision (b)(2)(B)(i), requires that the classification of a business entity shall be determined under regulations of the Board that shall be consistent with federal regulations as in effect May 1, 2014.

**INFORMATIVE DIGEST/POLICY STATEMENT
 OVERVIEW**

(A) Existing Laws & Regulations.

In 1997, the Internal Revenue Service issued Treasury Regulations, 26 CFR sections 301.7701-1 through 301.7701-3, commonly referred to as the “check-the-box” regulations, which provided rules for the classification of business entities for federal tax purposes.

The federal regulations include 26 CFR section 301.7701-1 Classification of organizations for tax purposes; 26 CFR section 301.7701-2 Business entities; definitions; and 26 CFR section 301.7701-3 Classification of certain business entities.

In general, Section 301.7701-1 provides rules for determining whether there is a separate entity for federal tax purposes. Section 301.7701-2 specifies those business entities that automatically are classified as corporations for federal tax purposes. Section 301.7701-3 defines “eligible entity” and provides the rules whereby an eligible entity can elect to be classified as either an association (and therefore a corporation) or a partnership for federal tax purposes.

Under RTC section 23038(b)(2)(B), California tax law conforms to the federal entity classification election system. In 1997, RTC section 23038 stated in part

that the classification of a business entity as an association taxable as a corporation “shall be determined under regulations of the Franchise Tax Board, which shall be consistent with federal regulations as in effect January 1, 1997, that classify a business entity as a partnership or an association taxable as a corporation or disregard the separate existence of certain business entities for tax purposes.”

In 1997, California issued its own regulations, which are set forth at CCR sections 23038(b)-1 through 23038(b)-3, titled as follows: CCR section 23038(b)-1 Classification of Organizations for California Income and Franchise Tax Purposes; CCR section 23038(b)-2 Business Entities; Definitions; and CCR section 23038(b)-3 Classification of Certain Business Entities.

Since 1997, the Internal Revenue Service has amended 26 CFR sections 301.7701-1, 301.7701-2, and 301.7701-3, and added a new regulation designated 26 CFR section 301.7701-5.

On September 14, 2014, the California governor approved California Assembly Bill Number 1143. (Enacted as Stats. 2014, ch. 325 (“the bill”).) Among other things, the bill amended RTC section 23038 by requiring that the regulations issued by the Board, related to the classification of a business entity, be consistent with federal regulations as in effect May 1, 2014.

RTC section 20308(b)(2)(B)(i) currently states “For purposes of the preceding subparagraph, the classification of a business entity (including a business trust) as an association taxable as a corporation (under Chapter 3 (commencing with Section 23501)) shall be determined under regulations of the Franchise Tax Board, that shall be consistent with federal regulations as in effect May 1, 2014, that classify a business entity as a partnership or an association taxable as a corporation or disregard the separate existence of certain business entities for tax purposes.”

(B) Effect of Proposed Amendments.

The effect of the proposed amendments to CCR sections 23038(b)-1, 23038(b)-2 and 23038(b)-3, is that California’s regulations will conform to corresponding federal regulations at 26 CFR sections 301.7701-1, 301.7701-2 and 301.7701-3, as in effect on May 1, 2014, to the extent those regulations are applicable to California’s income and franchise tax law. The effect of adopting a placeholder regulation at CCR section 23038(b)-4 is that the proposed regulation at CCR section 23038(b)-5 will numerically match the equivalent federal regulation at 26 CFR section 301.7701-5. The effect of adopting a proposed regulation to CCR section 23038(b)-5 is that California’s regulations will conform to corresponding federal regulation at 26 CFR section 301.7701-5, as in effect on May 1, 2014, to the ex-

tent that regulation is applicable to California’s income and franchise tax law.

(C) Objectives of Proposed Amendments.

In general, the purpose of the federal check–the–box regulations, and the corresponding California regulations, is to provide guidance to taxpayers as to how various types of eligible entities are to be classified for tax purposes. The objective of the amendments to the existing regulations and the proposed adoption of regulations is to make California’s regulations consistent with the corresponding federal regulations, to the extent those regulations are applicable to California’s income and franchise tax law, and to comply with the provisions of the bill, which revised RTC section 23038.

(D) Anticipated Benefits.

The specific benefits of the amendments to the existing regulations and the proposed adoption of regulations include making the California regulations conform to changes in the federal regulations since 1998, to the extent those regulations are applicable to California’s income and franchise tax law; avoiding confusion and uncertainty that could result from different federal and state regulations; preventing the potential inconsistent treatment of entities under federal and state tax law; ensuring that taxpayers, their representatives, and the state of California have consistent guidance regarding the classification of business entities for tax purposes; providing greater clarity regarding entity classification thereby reducing the need for audits and disputes concerning entity classification and tax treatment; and simplifying entity classification for tax purposes and clarifying the tax consequences resulting from an election.

(E) Compatibility with Existing State Regulations.

During the process of developing this proposed regulatory action, the Board, pursuant to Government Code section 11346.5, subdivision (a)(3)(D), conducted a review for any similar state regulations. The Board has determined that the proposed regulatory action is not inconsistent or incompatible with existing regulations.

(F) Comparison to Federal Regulations.

The existing California regulations at CCR sections 28038(b)–1, 28038(b)–2, and 23038(b)–3, differ from the federal regulations in that the California regulations do not contain rules for making elections as set forth in 26 CFR section 301.7701–3, subdivision (c). Instead, the current California regulations provide that the federal tax classification is binding for California income and franchise tax purposes as stated in CCR section 23038(b)–3, subdivision (c).

The proposed regulatory action will not differ substantially from the amendments to the federal regulations, except that the proposed regulatory action is not

incorporating certain paragraphs in the federal regulations at 26 CFR section 301.7701–2, paragraph (c)(2)(iv) (special rule for employment tax purposes) and paragraph (c)(2)(v) (special rule for certain excise tax purposes) because those paragraphs do not relate to California’s franchise and income tax.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: *None.*

Cost or savings to any state agency: *The Board has concluded that the proposed rulemaking may result in a fiscal effect on state government but it will not be significant. The Board estimates a possible change in yearly income tax revenue to the state’s General fund that will be at most, \$500,000.*

Cost to any local agency or school district which must be reimbursed under Part 7, commencing with Government Code section 17500, of Division 4: *None.*

Other non–discretionary cost or savings imposed upon local agencies: *None.*

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.*

Potential cost impact to directly affected private persons 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.*

Effect on small business: *The Board concludes it is likely the proposed rulemaking will primarily not affect small businesses. The proposed rulemaking relates to entity classification for business types that are generally owned by foreign parent entities, and which are therefore exempted from the definition of small business found in Government Code section 11342.610 given the nature of their business activities.*

Significant effect on housing costs: *None.*

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

Pursuant to Government Code section 11346.3, subdivision (b), the Board has determined in the economic impact assessment that there would be negligible effects on (a) the creation or elimination of jobs within the state; (b) the creation of new businesses or the elimination of existing businesses within the state; or (c) the expansion of businesses currently doing business within the state. The proposed regulatory action will positively impact the health and welfare of California residents, worker safety, and the state’s environment as the pro-

posed regulatory action will benefit taxpayers, tax practitioners, and the state of California by providing guidance and clarification regarding entity classification for tax purposes.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (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 Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Board invites interested persons to present statements or arguments with respect to alternatives during the written comment period or at the hearing, if one is requested.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Bradley Kragel, Tax Counsel III
Legal Division MS A260
Franchise Tax Board
P.O. Box 1720
Rancho Cordova, CA 95741-1720
Telephone: (916) 845-2861
Email: Bradley.Kragel@ftb.ca.gov

The backup contact person for these inquiries is:

Christy Keith
Legal Division MS A260
Franchise Tax Board
P.O. Box 1720
Rancho Cordova, CA 95741-1720
Telephone: (916) 845-6080
Email: Christy.Keith@ftb.ca.gov

AVAILABILITY OF INITIAL 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 can be obtained on the Board's website at ftb.ca.gov or by contacting Christy Keith at the address, phone number or email address listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the close of the comment period and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Board adopts the regulations as revised. Copies of the modifications will be published on the Board's website at ftb.ca.gov and mailed to anyone that has expressed an interest in receiving the modification information. Please send requests for copies of any modified regulations to the attention of Christy Keith at the address or email 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 will be published on the Board's website at www.ftb.ca.gov and may also be obtained by contacting Christy Keith at the above address or email 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.ftb.ca.gov.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

**CALIFORNIA ENDANGERED SPECIES ACT
CONSISTENCY DETERMINATION NO.
2080-2018-004-05**

Project: Line 300 Pipeline Investigation and Replacement Project
Location: Santa Barbara County
Applicant: Phillips 66 Pipeline LLC
Notifier: Arcadis U.S., Inc.

BACKGROUND

Phillips 66 Pipeline LLC (Applicant) proposes to investigate and recondition or replace approximately 2,430 linear feet of 8-inch diameter buried steel, high-pressure, crude oil pipeline. The Line 300 Pipeline Investigation and Replacement (Project) will affect the CC-30 Section of the 300 Line, located immediately south of the Santa Maria Airport in northern Santa Barbara County. The Project will include excavation of the existing pipeline, removal of the corrosion resistance covering, cleaning, and reconditioning (i.e., making any necessary repairs, and applying a new corrosion resistance epoxy cover). Once the pipeline is exposed, and if the Applicant determines that reconditioning is infeasible, the pipeline will be replaced as needed.

The Project will require heavy equipment (e.g., water truck, excavator, backhoe, loader, flatbed trailer), and all necessary equipment needed to investigate and replace a pipeline. Total duration of the Project is 5 years.

The Project activities described above have the potential to incidentally take¹ California tiger salamander (*Ambystoma californiense*) where those activities take place within pipeline excavation areas. In particular, California tiger salamander could be incidentally taken as a result of crushing or entombment by equipment or personnel (from collapsing of burrows), or entrapment in trenches during pipeline excavation. California tiger salamander is designated as an endangered species pur-

suant to the federal Endangered Species Act (ESA) (16 U.S.C. § 1531 et seq.) and a threatened species pursuant to the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.). (See Cal. Code Regs., tit. 14, § 670.5, subd. (b)(3)(G).)

The Project area is south of the runway and taxi areas of the airport and extends south to West Foster Road, within the existing pipeline right-of-way. The Project occurs within critical habitat of California tiger salamander. A portion of the work area provides suitable upland grassland habitat for California tiger salamander but does not support suitable breeding habitat. Approximately 1,200 feet of the pipeline occurs along and within a dirt roadway and cattle facility in bare or ruderal habitat, and the other 1,230 feet in a ruderal grassland area immediately adjacent to a row of eucalyptus trees. Several known and potential California tiger salamander breeding ponds exist within 0.5 to 2 miles of the Project area,

According to the U.S. Fish and Wildlife Service (Service), the Project will result in the temporary loss of approximately 0.6 acres of grassland habitat, which corresponds to the 10-foot wide excavation area used to conduct the pipeline repair work.

Because the Project is expected to result in take of a species designated as endangered under the federal ESA, the Applicant prepared a habitat conservation plan (HCP) in support of an application for an incidental take permit (ITP) pursuant to section 10(a)(1)(B) of the ESA. On December 16, 2017, the Service issued an ITP (Permit No. TE 52396C-0) to the Applicant. The HCP describes the Project and specific measures the Applicant will take to minimize and mitigate impacts to species resulting from the taking that will likely result from the Project. The ITP requires the Applicant to comply with terms of the HCP and its related ITP, and incorporates additional conditions.

On March 29, 2018, the Director of the California Department of Fish and Wildlife (CDFW) received a notice from the Arcadis U.S., Inc., on behalf of the Applicant requesting a determination pursuant to Fish and Game Code section 2080.1 that the ITP, and its associated HCP, are consistent with CESA for purposes of the Project and California tiger salamander. (Cal. Reg. Notice Register 2018, No. 15-Z, p. 599.)

DETERMINATION

CDFW has determined that the ITP, and its associated HCP, are consistent with CESA as to the Project and California tiger salamander because the mitigation measures contained in the ITP and its associated HCP meet the conditions set forth in Fish and Game Code section 2081, subdivisions (b) and (c), for authorizing incidental take of CESA-listed species. Specifically,

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

CDFW finds that: (1) take of California tiger salamander will be incidental to an otherwise lawful activity; (2) the mitigation measures identified in the HCP and ITP will minimize and fully mitigate the impacts of the authorized take, are roughly proportional in extent to the impact of the authorized taking, and are capable of successful implementation; (3) adequate funding is ensured to implement the required avoidance, minimization, and mitigation measures and to monitor compliance with, and effectiveness of, those measures; and (4) the Project will not jeopardize the continued existence of California tiger salamander. The mitigation measures in the ITP and its associated HCP include, but are not limited to, the following:

Avoidance, Minimization, and Mitigation Measures

- The Applicant has purchased 1.5 acres of California tiger salamander conservation credits at the CDFW-approved La Purisima Conservation Bank.
- The Applicant will restore and stabilize disturbed areas to reflect pre-existing contours and gradients to the extent practicable.
- The Applicant will ensure field crews participate in training prior to the initiation of activities. Trainings will emphasize Project-specific information on California tiger salamander, avoidance and minimization measures, roles and responsibilities, and communication protocols.
- Project workers shall limit their vehicle use to existing routes of travel. The Applicant will prohibit cross-country travel unless access is determined critical for a particular activity and the route has been flagged to avoid or minimize adverse effects.
- The Applicant will ensure Project-related vehicle speeds will not exceed 10 miles-per-hour within California tiger salamander upland habitat.
- A Service-approved biologist shall be present daily during the installation of construction fencing and initial grading and excavation activities. Upon completion of initial ground disturbance, the biologist will periodically (minimum twice per week) visit the Project site throughout the construction period. During periods of rain or heavy fog/dew, the biologist will conduct daily pre-activity surveys to ensure that no California tiger salamander individuals have migrated into the work area. No construction work will be initiated until the Service-approved biologist determines that the work area is clear of California tiger salamander individuals.
- Prior to moving vehicles or equipment, employees shall look under the vehicles or equipment for California tiger salamander individuals. If an individual is observed, the vehicle shall not be moved until the animal has vacated the area on its own accord or has been relocated out of harm's way by the Service-approved biologist.
- The Applicant shall implement *The Declining Amphibian Task Force Fieldwork Code of Practice* for all amphibian relocation activities. The Service-approved biologist shall relocate any California tiger salamanders found within the Project footprint to an active rodent burrow system located no more than 300 feet outside of the Project area unless otherwise approved by CDFW and the Service. The Service-approved biologist shall identify relocation areas based upon the best suitable habitat available. Only a Service-approved biologist shall relocate California tiger salamanders. The Service-approved biologist shall document both initial location and relocation area by photographs and GPS positions. The Service-approved biologist shall photograph and measure (snout-vent) the California tiger salamander for identification purposes prior to relocation. The Applicant will provide all documentation to the Service and CDFW within 24 hours of relocation.
- The Applicant will avoid rodent burrows to the extent possible. If burrows cannot be avoided, burrow excavation may be performed using hand tools or via gentle excavation using construction equipment, under the direct supervision of the Service-approved biologist. In lieu of burrow excavation, the Applicant may use steel plates or plywood to protect small mammal burrows from ground disturbance. The Applicant will remove plates and plywood nightly when a significant rain event is forecasted within 48 hours and if work is scheduled to cease for consecutive days.
- The Applicant will install exclusionary barriers at the discretion of the Service-approved biologist to minimize the potential for California tiger salamanders to enter the worksite.
- The Service-approved biologist will inspect steep-walled excavations (e.g., trenches) that may act as pitfall traps for wildlife at least once per day and immediately before backfilling. In lieu of daily inspections (weekends, etc.), the Applicant will install exclusionary fencing, covers, ramps, or similar mechanisms to prevent wildlife entrapment.

- The Applicant will cap or seal with tape (or equivalent material) open pipe segments each night, or otherwise will store open pipe segments at least three feet above ground.
- Construction is scheduled to occur primarily during the dry season (generally April 15 through October), but work may occur during dry periods (less than a 50% chance of a 0.25–inch of rain in a 24–hour period) outside of the dry season over the life of the permit.

Monitoring and Reporting Measures

- If a dead or injured California tiger salamander is found, the Applicant shall notify the Service Ventura Field Office at (805) 644–1766 within 72 hours. In addition, the Applicant shall notify CDFW immediately.
- The Applicant will conduct onsite construction monitoring, maintain daily monitoring logs, and prepare a post–construction compliance report.
- By January 31 following each year of permit issuance and Project implementation, the Applicant shall submit a report to the Ventura Fish and Wildlife Office to document the status of the Project. Although not a condition of the HCP, CDFW requests a copy of the report as well.

Compensatory Mitigation

The Applicant has provided compensatory mitigation consistent with the requirements of CESA, in the form of a completed purchase of 1.5 acres of conservation credits from the CDFW–approved La Purisima Conservation Bank, as documented in a March 5, 2018 Bill of Sale provided to CDFW.

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

REFERENCES

Searcy, C. A. and H. B. Shaffer. 2008 Calculating biologically accurate mitigation credits: insights from the

California tiger salamander. *Conservation Biology* 22: 997–1005.

DEPARTMENT OF FISH AND WILDLIFE

HABITAT RESTORATION AND ENHANCEMENT ACT
CONSISTENCY DETERMINATION NO.
1653–2018–013–001–R5

Project: Eradication of Invasive Sea Lavender (*Limonium duriusculum*) from Carpinteria Salt Marsh
Location: Santa Barbara County
Applicant: Andrew Brooks
Notifier: Upper Salinas–Las Tablas Resources Conservation Board

BACKGROUND

Project Location: The Eradication of Invasive Sea Lavender (*Limonium duriusculum*) from Carpinteria Salt Marsh (Project) is located in the City of Carpinteria at the Carpinteria Salt Marsh, which is bordered by Ash Avenue to the East, Union Pacific Railway to the North, Sand Point Road to the West, and the Pacific Ocean to the South and West. The Project is located in the County of Santa Barbara, State of California, at a property owned by The Regents of the University of California, Office of Research, Assessor Parcel Number (APN) 004–031–002, and affects the Carpinteria Salt Marsh tributary to the Pacific Ocean. The Carpinteria Salt Marsh supports populations of Coulter’s goldfield (*Lasthenia glabrata ssp. coulteri*), salt marsh bird’s beak (*Chloropyron maritimum ssp., maritimum*), Ventura marsh milk vetch (*Astragalus pycnostachys var. lanosissimus*), and Belding’s savannah sparrow (*Passerculus sandwichensis ssp. beldingi*), all of which are listed as endangered pursuant to the California Endangered Species Act (CESA) (Fish & G. Code, and § 2050 et seq.).

Project Description: Andrew Brooks (Applicant), representing the Natural Reserve System–University of California Santa Barbara (UCSB), proposes to enhance or restore habitat within the Carpinteria Salt Marsh to provide a net conservation benefit for native California halophytes such as various pickleweed species (*Salicornia sp.*), marsh jaumea (*Jaumea carnosa*), various salt grass species (*Distichlus sp.*), alkali heath (*Franke- nia salina*), and the endangered species previously mentioned above. The Project includes eradication of invasive sea lavender (*Limonium duriusculum*) from the Carpinteria Salt Marsh. The invasive sea lavender

will be removed manually using hand tools such as trowels, hoes, and shovels for smaller groups of individuals, or black plastic solarization for larger dense monoculture patches. As a last resort where sea lavender continues to persist after hand removal or solarization methods, pre-approved herbicide such as Telar and Imazopyr will be applied via backpack hand sprayers.

Project activities will be limited to areas located above the mean high tide line and no in-water work will occur. All stripped and exposed areas will be re-vegetated with locally native salt marsh plant species. Project activities will also include surveys of the entire marsh to assess whether new populations of invasive sea lavender are spreading beyond documented populations.

The California Wildlife Conservation Board funded this Project through a five-year grant awarded to the Upper Salinas–Las Tablas Resource Conservation District. Detailed Project plans, discussion of proposed work, species protection measures, and maps are on file with California Department of Fish and Wildlife Habitat Conservation Planning Branch.

Project Size: Total area of ground disturbance associated with the Project is approximately 0.76 acre of invasive sea lavender eradication over a 2.50-acre area of emergent salt marsh. The proposed Project complies with the General 401 Certification for Small Habitat Restoration Projects and associated categorical exemption from the California Environmental Quality Act (Cal. Code Regs., tit. 14, § 15333).

Project Associated Discharge: Discharge of materials into Waters of the State, as defined by Water Code section 13050 subdivision (e), resulting from the Project include those associated with the following: (1) Loosened sediment resulting from vegetation removal and revegetation activities, (2) Run-off of chemicals resulting from overspray or over-application of herbicide, and (3) Plastic debris resulting from solarization activities.

Project

Timeframes: Start date: October 2018
 Completion date: March 2020
 Work window: August 15–March 31

Water Quality Certification Background: Because the Project’s primary purpose is habitat restoration intended to improve the quality of waters in California and improve native salt marsh habitat, the Central Coast Regional Water Quality Control Board (Regional Water Board) issued a Notice of Applicability (NOA) for Coverage under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects SB12006GN (Order) (Waste Discharge Identification (WDID) No. 34217WQ43), for the Project. The NOA describes the

Project and requires the Applicant to comply with terms of the Order. Additionally, the Applicant has provided a supplemental document that sets forth measures to avoid and minimize impacts to Coulter’s goldfield, salt marsh bird’s beak, Ventura marsh milk vetch, and Belding’s savannah sparrow.

Regional Water Board staff determined that the Project may proceed under the Order. Additionally, Regional Water Board staff determined that the Project, as described in the Notice of Intent (NOI) complies with the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.).

On April 2, 2018, the Director of CDFW received a notice from the Applicant requesting a determination pursuant to Fish and Game Code Section 1653 that the NOA, NOI, and related species protection measures are consistent with the Habitat Restoration and Enhancement Act (HREA) with respect to the Project.

Pursuant to Fish and Game Code section 1653 subdivision (c), CDFW filed an initial notice with the Office of Administrative Law on April 13, 2018, for publishing in the General Public Interest section of the California Regulatory Notice Register (Cal. Reg. Notice File Number Z–2018–0402–05) on April 13, 2018. Upon approval, CDFW will file a final notice pursuant to Fish and Game Code section 1653 subdivision (f).

DETERMINATION

CDFW has determined that the NOA, NOI, and related species protection measures are consistent with HREA as to the Project and meet the conditions set forth in Fish and Game Code section 1653 for authorizing the Project.

Specifically, CDFW finds that: (1) The Project purpose is voluntary habitat restoration and the Project is not required as mitigation; (2) the Project is not part of a regulatory permit for a non-habitat restoration or enhancement construction activity, a regulatory settlement, a regulatory enforcement action, or a court order; and (3) the Project meets the eligibility requirements of the State Water Resources Control Board’s Order for Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects.

AVOIDANCE AND MINIMIZATION MEASURES

The avoidance and minimization measures for the Project, as required by Fish and Game Code section 1653, subdivision (b)(4) include, but are not limited to, the following:

Work Restriction. All work shall take place between the months of September through March to avoid the breeding season of Belding’s savannah sparrow and seasonal occurrence of salt marsh bird’s beak.

Prevention of Sediment Discharge into Waters and Minimization of Disturbance to Nearby Plants. There shall be no heavy machinery used to conduct Project activities. The Applicant shall remove all invasive sea lavender plants, either dead or alive, by hand, using shovels, hoes, trowels, etc., during periods of low tides. If a small amount of soil remains on a plant, the Applicant shall gently shake off the plant, place the soil back into the location from which the plant was removed, and lightly compress the soil using the sole of a boot.

Revegetation of Exposed Areas. In areas where large amounts of invasive sea lavender have been removed resulting in bare and exposed soil, the Applicant shall revegetate the area with cuttings of locally native salt marsh plants such as *Salicornia virginica*, *Jaumea carnosa*, or *Frankenia salina*.

Salt Marsh Bird's Beak Protection. The Applicant shall hand-pull all invasive sea lavender around populations of salt marsh bird's beak. The Applicant shall not use solarization or herbicide application in areas where salt marsh bird's beak has been known to occur. The Applicant shall not apply any herbicide, if used, closer than 50 feet from any occurrence of salt marsh bird's beak. The Applicant shall only apply herbicide before the emergence of salt marsh bird's beak or after seed dispersal. If herbicide application before seed dispersal is necessary, the Applicant shall shield or tarp the salt marsh bird's beak in order to protect it from indirect herbicide overspray.

Herbicide Restrictions. The Applicant shall only apply herbicide in non-sensitive areas (areas with no occurrence of endangered plants or wildlife). All herbicide applicators shall possess a current Qualified Applicator's License. The Applicant shall apply all herbicide using hand-held equipment; there shall be no broadcast applications. The Applicant shall only apply herbicide when wind speeds are less than three miles per hour and shall not apply herbicide when rainfall is forecasted within the next 24 hours.

Site Access. The Applicant shall access all sites within the intertidal and emergent marsh by foot from Sand Point Road, the Estero Way Extension, Sandyland Cove Road, or Ash Avenue, using established trails. The applicant shall hand carry all required materials to each site. The Applicant may access any non-native sea lavender growing along the sides of roads by vehicle.

Disposal. The Applicant shall double-bag, haul away, and dispose of all removed invasive Sea Lavender at Tajiguas Landfill. The Applicant shall make an effort to request that the bags remain unopened at the Tajiguas Landfill to avoid wind dispersal of any seeds.

MONITORING AND REPORTING

Monitoring Plan: Following the initial Project to remove all occurrences of invasive sea lavender, the Applicant will annually monitor the salt marsh for five years. Monitoring will include determining abundance and percent cover of any recurring invasive sea lavender using 50-meter transects at regularly placed intervals throughout the salt marsh. The Applicant will record all observed individuals using a hand-held Global Positioning System and enter the locations into a GIS database. Additionally, the Applicant will eradicate and dispose of all observed occurrences and replace with locally native salt marsh vegetation. Monitoring surveys and eradication efforts will take place between the months of September and March to avoid the breeding season of Belding's savannah sparrow and the growing season for salt marsh bird's beak.

Reporting Plan: The Applicant will submit annual reports in June of each year. Each report will include a summary of findings and specific details of observed and eradicated plants. In addition, the annual reports will include discussions of any problems and any corrective measures taken.

Coverage under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects requires that a Notice of Completion (NOC) is submitted by the applicant no later than 30 days after the Project has been completed. A complete NOC includes as a minimum:

- photographs with a descriptive title;
- date the photograph was taken;
- name of the photographic site;
- WDID number indicated above;
- success criteria for the Project.

The NOC shall demonstrate that the Project has been carried out in accordance with the Project description as provided in the applicant's NOI. Applicant shall include the Project name, WDID number, and ECM PIN number with all future inquiries and document submittals. Pursuant to Fish and Game Code section 1653, subdivision (g), the Applicant shall submit the monitoring plan, monitoring report, and notice of completion to CDFW as required by the General Order. Document submittals shall be made electronically to: sarah.rains@wildlife.ca.gov.

PROJECT AUTHORIZATION

Pursuant to Fish and Game Code section 1654, CDFW's approval of a habitat restoration or enhance-

ment project pursuant to section 1652 or 1653 shall be in lieu of any other permit, agreement, license, or other approval issued by the Department, including, but not limited to, those issued pursuant to Chapter 6 (commencing with section 1600) and Chapter 10 (commencing with section 1900) of this Division and Chapter 1.5 (commencing with section 2050) of Division 3. Additionally, Applicant must adhere to all measures contained in the approved NOA, and comply with other conditions described in the NOI.

If there are any substantive changes to the Project or if the Water Board amends or replaces the NOA, the Applicant shall be required to obtain a new consistency determination from CDFW. (See generally Fish & G. Code, § 1654, subd. (c).)

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

SECOND AMENDED PUBLIC NOTICE ON BENICIA INTERNATIONAL ASSOCIATES L.P., PROPOSED CONSENT DECREE 711 and 750 Jackson Street, Benicia, Solano County, California (identified by Assessor’s Parcel number 0080–14–0440)

30–Day Public Comment Period: May 11, 2018, through June 11, 2018

WHAT IS BEING PROPOSED: The California Department of Toxic Substances Control (DTSC) invites the public to review and comment on a [Proposed] Consent Decree (proposed Consent Decree) regarding a site at the Former Benicia Arsenal site located at 711 and 750 Jackson Street, Benicia, Solano County, California (identified by Assessor’s Parcel number 0080–14–0440) (together referred to as Site). On March 14, 2018, DTSC lodged the proposed Consent Decree in *California Department of Toxic Substances Control v. Benicia International Associates L.P.* (“BIA”), Case No. 2:18–CV–00551 JAM–AC, with the United States District Court for the Eastern District of California. The proposed Consent Decree resolves DTSC’s claims against BIA under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601(a) et seq. and other statutes for its liability for the contamination at the Site. BIA also pays to settle DTSC’s claims against Dynamic Wheels, Inc. and International Manufacturing Co., Inc.

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 GET MORE INFORMATION:

Copies of the proposed Consent Decree and other Site–related documents are available by contacting the DTSC Project Manager listed below; online at the DTSC EnviroStor websites and https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=60001960 on the Community Involvement tab; or at the DTSC Regional Records Office, File Room, 8800 Cal Center Drive, Sacramento, California 95826.

WHERE TO SEND COMMENTS: Comments concerning the proposed Consent Decree should include “BIA CD Comment” in the subject line of your e–mail or letter. All comments must be postmarked or e–mailed by June 11, 2018, and submitted to:

Shahid Mahmood
Project Manager
(916) 255–3592
Shahid.Mahmood@dtsc.ca.gov

Tammy Pickens
Public Participation Specialist
(916) 255–3594;
(866) 495–5651:
Tammy.Pickens@dtsc.ca.gov

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

ANNOUNCEMENT OF PUBLICATION OF PUBLIC HEALTH GOALS AND AVAILABILITY OF TECHNICAL SUPPORT DOCUMENT FOR NITRATE AND NITRITE IN DRINKING WATER

The Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency is announcing the publication of updated Public Health Goals (PHGs) for nitrate and nitrite in drinking water. A PHG is the level of a drinking water contaminant at which adverse health effects are not expected to occur from a lifetime of exposure. The California Safe Drinking Water Act of 1996¹ requires OEHHA to develop PHGs based exclusively on public health considerations.² PHGs published by OEHHA are considered by the State Water Resources Control

Board in setting drinking water standards (Maximum Contaminant Levels, or MCLs) for California.³

The technical support document, posted on the OEHHA website (<http://www.oehha.ca.gov>), presents an update of the nitrate and nitrite PHGs. A review of the scientific literature published since the development of the original nitrate and nitrite PHGs in 1997 has identified no new information to support changing the current PHGs of 45 parts per million (ppm) for nitrate and 3 ppm for nitrite. Nitrate and nitrite can also be expressed in terms of their concentrations as nitrogen. When expressed as nitrogen, 45 ppm nitrate is equivalent to 10 ppm nitrogen. The PHG of 3 ppm for nitrite is 1 ppm when expressed as nitrogen. The PHGs for nitrate and nitrite expressed as nitrogen have not changed. The combined nitrate/nitrite PHG of 10 ppm (as nitrogen), which accounts for the additive toxicity of nitrate and nitrite, also remains unchanged. It does not replace the individual values, and the maximum contribution from nitrite should not exceed 1 ppm nitrite–nitrogen. These PHGs protect against the occurrence of infant methemoglobinemia, a blood disorder that results in decreased oxygen distribution to tissues, as well as other effects, such as liver toxicity, that have been shown to occur at higher levels of exposure than in the general population.

A companion document, also available at <http://www.oehha.ca.gov>, contains responses to public comments received during the first of two public comment periods that ended in February 2017 and March 2018, and comments received in June 2017 from an external scientific peer review. OEHHA has evaluated all of the comments and revised the technical support document as appropriate.

If you would like to receive further information on this announcement or have questions, please contact Hermelinda Jimenez at PHG.Program@oehha.ca.gov or at (916) 324–7572. Written inquiries can also be addressed to:

Pesticide and Environmental Toxicology Branch
Office of Environmental Health Hazard Assessment
California Environmental Protection Agency
P.O. Box 4010, MS–12B
Sacramento, California 95812
Attention: PHG Program

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

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

File# 2018–0416–02
CALIFORNIA HIGHWAY PATROL
Explosive Routes and Stopping Places

This action amends safe stopping places, safe parking places, inspection stops, and required inspection stops for commercial vehicles transporting explosives on highways in the state.

Title 13
AMEND: 1153
Filed 04/26/2018
Effective 04/26/2018
Agency Contact: Tian–Ting Shih (916) 843–3400

File# 2018–0420–01
CALIFORNIA SCHOOL FINANCE AUTHORITY
Charter School Facility Grant Program

This emergency rulemaking by the California School Financing Authority readopts amendments made in prior matter No. 2017–1023–02E to regulations pertaining to the Charter School Facility Grant Program.

Title 4
AMEND: 10170.2, 10170.3, 10170.4, 10170.5,
10170.6, 10170.7, 10170.9, 10170.10
Filed 04/30/2018
Effective 04/30/2018
Agency Contact: Katrina Johantgen (213) 620–2305

File# 2018–0424–02
CALIFORNIA STATE UNIVERSITY
Nonresident Tuition Exemption

This action by the Board of Trustees of the California State University System amends two sections dealing with nonresident tuition exemptions. This action was submitted to the Office of Administrative Law (OAL) for courtesy filing with the Secretary of State and for printing in the California Code of Regulations. It is exempt from the Administrative Procedure Act and OAL review pursuant to Education Code section 89030(b). The regulations are effective upon filing with the Secretary of State. (Ed. Code, sec. 89030.1.)

¹ Codified at Health and Safety Code, section 116270 et. seq.

² Health and Safety Code section 116365(c).

³ Health and Safety Code section 116365(a) and (b).

Title 5
 AMEND: 41906.5, 41906.6
 Filed 04/30/2018
 Effective 04/30/2018
 Agency Contact: Kyle Rowen (562) 951-4500

File# 2018-0424-03
CALIFORNIA STATE UNIVERSITY
 Accumulation and Carry-Over

This action by the Board of Trustees of the California State University System amends one section regarding accumulation and carry-over vacation credits. This action was submitted to the Office of Administrative Law (OAL) for courtesy filing with the Secretary of State and for printing in the California Code of Regulations. It is exempt from the Administrative Procedure Act and OAL review pursuant to Education Code section 89030(b). The regulations are effective upon filing with the Secretary of State. (Ed. Code, sec. 89030.1.)

Title 5
 AMEND: 42909
 Filed 04/30/2018
 Effective 04/30/2018
 Agency Contact: Kyle Rowen (562) 951-4500

File# 2018-0320-01
DEPARTMENT OF CORRECTIONS AND REHABILITATION
 Credit Earning and Parole Consideration

Proposition 57, The Public Safety and Rehabilitation Act of 2016 (the "Act"), was approved by California voters on November 8, 2016. The Act gives the Department of Corrections and Rehabilitation "authority to award credits earned for good behavior and approved rehabilitative or educational achievements." (Cal. Const., art. I, sec. 32, subd. (a), par. (2).) This timely Certificate of Compliance implements the Act by adopting new and revising existing rules for inmate credit earning and parole consideration.

Title 15
 ADOPT: 2449.1, 2449.2, 2449.3, 2449.4, 2449.5, 2449.6, 2449.7, 3043.1, 3043.2, 3043.3, 3043.4, 3043.5, 3043.6, 3490, 3491, 3492, 3493 AMEND: 3043, 3043.5 (renumbered to 3043.7), 3043.6 (renumbered to 3043.8), and 3044 REPEAL: 2449.2, 2449.3, 2449.5, 3042, 3043.1, 3043.2, 3043.3, 3043.4, 3043.7
 Filed 05/01/2018
 Effective 05/01/2018
 Agency Contact: Laura Lomonaco (916) 445-2217

File# 2018-0320-05
DEPARTMENT OF FISH AND WILDLIFE
 Scientific Collecting Permit

This action by the Department of Fish and Wildlife revises the permitting process and fee schedule for Scientific Collection Permits issued pursuant to Fish and Game Code sections 1002 and 1002.5, as amended by Statutes 2012, chapter 559 (AB 2402).

Title 14
 ADOPT: 650 AMEND: 703
 REPEAL: 650
 Filed 05/01/2018
 Effective 10/01/2018
 Agency Contact: Michelle Selmon (916) 653-4674

File# 2018-0426-01
DEPARTMENT OF FOOD AND AGRICULTURE
 Huanglongbing Disease Interior Quarantine

This emergency rulemaking by the Department of Food and Agriculture expands the quarantine area for Huanglongbing (HLB) disease in the Pico Rivera area of Los Angeles County, the Rosemead area of Los Angeles County, and the Garden Grove area of Orange County. This emergency action further provides authority for the state to perform quarantine activities against HLB within these additional areas. The total area which is now under regulation is approximately 681 square miles.

Title 3
 AMEND: 3439(b)
 Filed 04/30/2018
 Effective 04/30/2018
 Agency Contact: Kyle Beucke (916) 403-6741

File# 2018-0321-01
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Listing Spray Polyurethane Foam Systems with Unreacted Methylene Diphenyl Diisocyanates as a Priority Product

This action amends the Safer Consumer Products (SCP) regulations by adding spray polyurethane foam (SPF) systems containing unreacted methylene diphenyl diisocyanates (MDI) to the Priority Products List.

Title 22
 ADOPT: 69511.2 AMEND: 69511
 Filed 04/26/2018
 Effective 07/01/2018
 Agency Contact: Dr. Julia Gress (916) 322-4062

File# 2018-0412-02
 DIVISION OF WORKERS' COMPENSATION
 Workers' Compensation — Official Medical Fee
 Schedule-Inpatient Hospital

In these changes without regulatory effect, the Division of Workers' Compensation corrects website address errors in regulation text.

Title 8
 AMEND: 9789.25
 Filed 04/27/2018
 Agency Contact: Jarvia Shu (510) 286-0646

04/23/18 ADOPT: 1859.90.4 AMEND: 1859.2, 1859.90, 1859.90.2, 1859.90.5
 04/16/18 AMEND: 1859.2, 1859.51, 1859.70, 1859.82, 1859.93.1
 04/12/18 AMEND: 1859.2, 1859.81
 04/04/18 AMEND: 41000
 04/02/18 ADOPT: 243, 243.1, 243.2, 243.3, 243.4, 243.5, 243.6, 548.120, 548.120.1, AMEND: 249, 266, 266.1, 266.2, 266.3, 548.121, 548.122, 548.123, 548.124
 04/02/18 AMEND: 38000, 38000.5, 38000.10
 03/20/18 AMEND: 18746.1, 18746.4
 03/20/18 AMEND: 18746.3

File# 2018-0327-02
 FAIR POLITICAL PRACTICES COMMISSION
 Required Recordkeeping

This action amends record keeping requirements for campaign and campaign finance disclosures, particularly with respect to earmarked funds.

Title 2
 AMEND: 18401
 Filed 04/25/2018
 Effective 05/25/2018
 Agency Contact: Sasha Linker (916) 327-8269

03/20/18 REPEAL: 18901
 03/14/18 ADOPT: 61200, 61201, 61210, 61211, 61212, 61213, 61214, 61215, 61216, 61217
 03/12/18 AMEND: 586.1(a)
 03/12/18 ADOPT: 599.855
 03/08/18 ADOPT: 20020, 20021, 20022, 20023, 20024, 20025, 20026, 20027
 02/27/18 AMEND: 1181.2, 1181.3, 1182.2, 1182.7, 1182.9, 1182.10, 1182.15, 1183.1, 1183.2, 1183.3, 1183.4, 1183.6, 1183.8, 1183.9, 1183.10, 1183.11, 1183.12, 1183.13, 1183.15, 1183.16, 1183.17, 1184.1, 1185.1, 1185.2, 1185.3, 1185.7, 1185.8, 1186.2, 1186.4, 1187.5, 1187.7, 1187.8, 1187.9, 1187.12, 1187.14, 1187.15, 1190.1, 1190.2, 1190.3, 1190.5

File# 2018-0327-03
 FAIR POLITICAL PRACTICES COMMISSION
 Advertisement Disclosure

This action amends regulations pertaining to campaign advertisement disclosures.

Title 2
 AMEND: 18450.1
 Filed 04/25/2018
 Effective 05/25/2018
 Agency Contact: Sasha Linker (916) 327-8269

02/22/18 AMEND: 58100
 02/22/18 AMEND: 59800
 02/13/18 AMEND: 18420.1, 18432.5, 18440, 18531.10, 18533, 18901.1 REPEAL: 18450.4
 02/13/18 AMEND: 18535
 02/13/18 AMEND: 18247.5, 18402, 18420, 18423, 18435, 18450.5, 18521.5 REPEAL: 18225, 18450.3
 02/13/18 AMEND: 11034
 02/07/18 AMEND: 56800
 01/23/18 AMEND: 59530
 01/18/18 AMEND: 18351
 01/11/18 ADOPT: 20202, 20203, 20204, 20205, 20206, 20207, 20208, 20209, 20210, 20211, 20212, 20213, 20214, 20222, 20223, 20224, 20228, 20235, 20260, 20261, 20262, 20263, 20264, 20265, 20266, 20267, 20268, 20270, 20271, 20272, 20273, 20274, 20275, 20276, 20277, 20278, 20279, 20280 AMEND: 20200, 20201, 20213 (Renumbered 20215), 20214 (Renumbered 20216), 20216 (Renumbered 20217), 20217

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN November 29, 2017 TO
 May 2, 2018**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 2
 04/25/18 AMEND: 18401
 04/25/18 AMEND: 18450.1

(Renumbered 20218), 20220, 20220.5	12/26/17	AMEND: 3435
(Renumbered 20260), 20221, 20222	12/21/17	AMEND: 3439(b)
(Renumbered 20225), 20223	12/20/17	AMEND: 6000, 6619, 6724, 6764, 6768, 6769, 6776
(Renumbered 20226), 20224		
(Renumbered 20232), 20227, 20225	12/15/17	AMEND: 3439(b)
(Renumbered 20230), 20226	12/13/17	AMEND: 3435(b)
(Renumbered 20229), 20230	12/13/17	AMEND: 3435(d)
(Renumbered 20231), 20235	12/12/17	ADOPT: 1391.7 AMEND: 1391, 1391.1, 1391.3
(Renumbered 20233), 20236		
(Renumbered 20234), 20247	12/11/17	AMEND: 3439(b)
(Renumbered 20236), 20249.5	12/07/17	ADOPT: 8000, 8100, 8101, 8102, 8103, 8104, 8105, 8106, 8107, 8108, 8109, 8110, 8111, 8112, 8113, 8114, 8115, 8200, 8201, 8202, 8203, 8204, 8205, 8206, 8207, 8208, 8209, 8210, 8211, 8212, 8213, 8214, 8215, 8216, 8300, 8301, 8302, 8303, 8304, 8305, 8306, 8307, 8308, 8400, 8401, 8402, 8403, 8404, 8405, 8406, 8407, 8408, 8409, 8500, 8501, 8600, 8601, 8602, 8603, 8604, 8605, 8606, 8607, 8608
(Renumbered 20237), 20250		
(Renumbered 20238), 20255	12/07/17	AMEND: 3439(b)
(Renumbered 20250), 20258	12/05/17	AMEND: 3591.5
(Renumbered 20240), 20260		
(Renumbered 20241), 20261		
(Renumbered 20242), 20265		
(Renumbered 20251), 20266		
(Renumbered 20252), 20267		
(Renumbered 20253) REPEAL: 20202, 20203, 20204, 20205, 20206, 20207, 20208, 20209, 20210, 20211, 20212, 20215, 20245, 20249, 20251, 20252, 20253, 20254, 20256, 20257, 20259, 20262		
01/11/18	ADOPT: 20130, 20131, 20132, 20133, 20134, 20135, 20136, 20137, 20138	
01/08/18	ADOPT: 20140, 20141, 20142, 20143, 20144	
12/20/17	AMEND: 1859.76	
11/30/17	AMEND: 10, 51.2, 52.1, 52.10, 52.11, 53.2, 53.3, 57.1, 58.6, 58.10, 58.13, 60.1, 64.1, 64.2, 64.3, 64.5, 67.2, 67.3, 67.6	
Title 3		
04/30/18	AMEND: 3439(b)	
04/04/18	AMEND: 3591.15	
03/27/18	AMEND: 3439(b)	
03/26/18	AMEND: 3439(b)	
03/13/18	AMEND: 3591.15	
03/01/18	AMEND: 6628	
02/27/18	AMEND: 3439(b)	
02/16/18	AMEND: 3439(b)	
02/12/18	AMEND: 6000, 6739	
01/29/18	AMEND: 3439(b)	
01/29/18	AMEND: 3439(b)	
01/25/18	ADOPT: 2852.5 AMEND: 2850, 2851, 2852, 2853, 2854, 2855, 2856	
01/24/18	AMEND: 2	
01/22/18	AMEND: 3439(b)	
01/18/18	AMEND: 3439(b)	
01/16/18	AMEND: 3439(b)	
01/16/18	AMEND: 3424(c), 3591.12	
01/16/18	AMEND: 3439(b)	
01/03/18	AMEND: 3435(b)	
Title 4		
04/30/18	AMEND: 10170.2, 10170.3, 10170.4, 10170.5, 10170.6, 10170.7, 10170.9, 10170.10	
04/10/18	AMEND: 10179	
04/09/18	ADOPT: 5700, 5710, 5711, 5720, 5721, 5722, 5730, 5731 AMEND: 5000, 5020, 5100	
03/29/18	AMEND: 7051, 7054, 7055, 7056, 7063, 7071	
03/22/18	AMEND: 1699	
03/15/18	ADOPT: 8078.22, 8078.23, 8078.24, 8078.25, 8078.26, 8078.27, 8078.28, 8078.29, 8078.30, 8078.31, 8078.32, 8078.33, 8078.34, 8078.35 AMEND: 8070, 8071, 8072, 8073, 8074, 8076, 8078.3 REPEAL: 8078.1, 8078.2	
03/13/18	AMEND: 5032, 5033, 5170, 5180, 5190, 5193, 5194, 5230, 5240, 5255, 5260, 5342, 5350, 5400, 5700	
03/05/18	AMEND: 10091.1, 10091.2, 10091.3, 10091.4, 10091.5, 10091.6, 10091.7, 10091.8, 10091.9, 10091.10, 10091.12, 10091.13, 10091.14, 10091.15	
02/23/18	ADOPT: 7213, 7214, 7215, 7216, 7217, 7218, 7219, 7220, 7221, 7222, 7223, 7224, 7225, 7227, 7228, 7229	
02/22/18	AMEND: 10302, 10305, 10315, 10317, 10320, 10322, 10325, 10326, 10327, 10328, 10330, 10335, 10337 REPEAL: 10325.5	

CALIFORNIA REGULATORY NOTICE REGISTER 2018, VOLUME NO. 19-Z

02/21/18 AMEND: 1865
 02/21/18 AMEND: 1689, 1689.1
 02/15/18 AMEND: 10302, 10305, 10315, 10317, 10320, 10322, 10325, 10326, 10327, 10328, 10330, 10335, 10337
 01/25/18 AMEND: 1685, 1688
 01/24/18 ADOPT: 4002.10, 4206, 4207 AMEND: 4001, 4200, 4201
 01/17/18 AMEND: 12386, 12391, 12566
 01/09/18 ADOPT: 1597.5, 1597.6 AMEND: 1554, 1581.1, 1588, 1597, 1853
 01/08/18 AMEND: 12120, 12303, 12362
 01/02/18 AMEND: 12261, 12264
 12/28/17 AMEND: 4300, 4302, 4304, 4306, 4307, 4308
 12/21/17 AMEND: 8078.8, 8078.10
 12/19/17 AMEND: 232
 12/13/17 AMEND: 10032, 10036
 12/07/17 AMEND: 12200.3, 12200.5, 12200.14, 12202, 12205.1, 12220.3, 12220.5, 12220.14, 12222, 12225.1, 12301.1, 12342, 12350, 12352, 12357, 12358
 12/01/17 ADOPT: 5259 AMEND: 5000, 5033, 5035, 5037, 5054, 5060, 5101, 5102, 5120, 5144, 5170, 5191, 5212, 5230, 5240, 5250, 5540
 11/30/17 AMEND: 12218.11, 12236
 11/29/17 AMEND: 10176, 10177, 10178, 10179, 10180, 10181, 10182, 10183, 10184, 10185, 10186, 10187, 10188, 10189, 10190

Title 5

04/30/18 AMEND: 41906.5, 41906.6
 04/30/18 AMEND: 42909
 02/26/18 ADOPT: 71396
 02/20/18 ADOPT: 11526 AMEND: 11520, 11524, 11525
 02/20/18 ADOPT: 11534.1 AMEND: 11530, 11533, 11534
 01/29/18 AMEND: 19810
 01/29/18 AMEND: 40601, 40803, 40804, 40804.1, 40806, 40900, 40901
 01/25/18 ADOPT: 854.1, 854.2, 854.3, 854.4, 854.5, 854.9 AMEND: 850, 851, 851.5, 853, 855, 856, 859 REPEAL: 853.5, 853.6, 853.7, 853.8
 01/22/18 AMEND: 27000
 01/11/18 AMEND: 9517.3

Title 8

04/27/18 AMEND: 9789.25
 03/19/18 AMEND: 344.18
 03/09/18 ADOPT: 3345
 02/27/18 ADOPT: 2320.11, 2940.11, 2940.12, 2940.13, 2940.14, 2940.15, 2940.16,

2940.17, 2940.18, 2940.19, 2943.1, 2944.1, 3428 AMEND: 2300, 2320.2, 2320.7, 2320.8, 2340.17, 2700, 2887, 2940, 2940.1, 2940.2, 2940.5, 2940.6, 2940.7, 2940.8, 2940.10, 2941, 2941.1, 2943, 2944, 2945, 2946, 2951, 3314, 3389, 3422, 3425, 5156, 8617 REPEAL: 2893
 02/07/18 ADOPT: 9788.1, 9788.2, 9788.3, 9788.4, 9788.5, 9788.6
 01/24/18 REPEAL: 16410, 16411, 16412, 16413, 16414
 01/11/18 ADOPT: 9792.23.10, 9792.23.11, 9792.23.12 AMEND: 9792.20, 9792.22, 9792.23, 9792.23.1, 9792.23.2, 9792.23.3, 9792.23.4, 9792.23.5, 9792.23.6, 9792.23.7, 9792.23.8, 9792.23.9, 9792.24.1, 9792.24.2, 9792.24.3, 9792.24.4
 01/08/18 AMEND: 336
 01/02/18 AMEND: 10205.13, 10205.14
 12/28/17 AMEND: 9789.17.3, 9789.19
 12/21/17 AMEND: 344.18
 12/07/17 ADOPT: 9792.27.1, 9792.27.2, 9792.27.3, 9792.27.4, 9792.27.5, 9792.27.6, 9792.27.7, 9792.27.8, 9792.27.9, 9792.27.10, 9792.27.11, 9792.27.12, 9792.27.13, 9792.27.14, 9792.27.15, 9792.27.16, 9792.27.17, 9792.27.18, 9792.27.19, 9792.27.20, 9792.27.21, 9792.27.22, 9792.27.23
 12/05/17 AMEND: 5155

Title 9

03/20/18 AMEND: 7140.5
 02/12/18 ADOPT: 4020, 4020.1
 01/16/18 AMEND: 7140.5
 01/12/18 AMEND: 4350
 12/05/17 AMEND: 400

Title 10

04/20/18 ADOPT: 6520, 6522, 6524, 6526, 6528, 6530, 6532, 6534, 6538
 03/27/18 AMEND: 30.60 REPEAL: 30.105
 03/26/18 AMEND: 2318.6, 2353.1, 2354
 03/26/18 AMEND: 2318.6, 2353.1
 03/22/18 AMEND: 3525, 3527, 3561, 3569, 3570, 3575, 3602, 3603, 3681
 03/20/18 AMEND: 3541
 03/07/18 AMEND: 6656, 6657, 6660, 6664
 02/23/18 AMEND: 2644.18, 2644.20
 01/29/18 AMEND: 6704, 6708, 6710
 01/23/18 AMEND: 2498.4.9
 01/22/18 AMEND: 2498.6
 01/17/18 AMEND: 2498.6
 01/17/18 AMEND: 2498.5

Title 11

04/11/18 ADOPT: 118.1
 04/03/18 AMEND: 51.26
 04/03/18 ADOPT: 51.30
 03/29/18 AMEND: 2021
 03/13/18 AMEND: 1045
 03/07/18 AMEND: 115.1
 03/07/18 AMEND: 115.2
 03/07/18 AMEND: 115.3
 03/07/18 AMEND: 115.4
 03/07/18 AMEND: 115.5
 02/27/18 AMEND: 1951, 1953, 1954, 1955, 1956,
 1959, 1960
 02/22/18 AMEND: 1009
 02/22/18 AMEND: 1001, 1005, 1008
 02/22/18 ADOPT: 80.4
 01/30/18 AMEND: 20
 01/29/18 ADOPT: 26.20
 01/16/18 AMEND: 2084, 2086, 2088, 2089, 2090,
 2091, 2092, 2095, 2096, 2107, 2109
 01/02/18 ADOPT: 4260, 4261, 4262, 4263, 4264
 11/29/17 AMEND: 2030, 2038, 2060

Title 13

04/26/18 AMEND: 1153
 04/18/18 AMEND: 1151.9.1
 03/12/18 AMEND: Appendix (Article 2.0)
 02/27/18 ADOPT: 1267.1 AMEND: 1201, 1217,
 1232, 1242, 1268, 1269
 02/26/18 ADOPT: 227.38, 227.40, 227.42, 228.00,
 228.02, 228.04, 228.06, 228.08, 228.10,
 228.12, 228.14, 228.16, 228.18, 228.20,
 228.22, 228.24, 228.26, 228.28
 AMEND: 227.02, 227.04, 227.12,
 227.14, 227.16, 227.18, 227.20, 227.22,
 227.24, 227.26, 227.28, 227.30, 227.32,
 227.34, 227.36, 227.38, 227.40, 227.42,
 227.44, 227.46, 227.48, 227.50, 227.52,
 227.54
 02/15/18 AMEND: 170.00 renumbered as 206.00,
 170.02 renumbered as 206.02, 170.04
 renumbered as 206.04, 170.06
 renumbered as 206.06, 170.08
 renumbered as 206.08, 170.10
 renumbered as 206.10, 170.12
 renumbered as 206.12, 171.00
 renumbered as 206.20, 171.02
 renumbered as 206.22, 172.00
 renumbered as 206.30, 172.05
 renumbered as 206.35, 172.10
 renumbered as 206.40, 173.00
 renumbered as 206.50, 173.02
 renumbered as 206.52, 173.04
 renumbered as 206.54, 173.06
 renumbered as 206.56, 173.08

renumbered as 206.58, 174.00
 renumbered as 206.60, 180.00
 renumbered as 206.62, 180.02
 renumbered as 206.64, and 181.00
 renumbered as 206.66
 02/13/18 AMEND: 553.70
 02/01/18 AMEND: 1212.5, 1218, 1239, 1264
 01/25/18 AMEND: 1152.3
 12/28/17 ADOPT: 1294
 12/22/17 ADOPT: 17.00, 17.02, 17.04, 17.06
 AMEND: 15.00, 15.01
 12/07/17 AMEND: 1152.6.1

Title 14

05/01/18 ADOPT: 650 AMEND: 703 REPEAL:
 650
 04/24/18 AMEND: 131
 04/19/18 AMEND: 4800
 04/02/18 AMEND: 265
 04/02/18 ADOPT: 749.9
 03/29/18 AMEND: 29.15
 03/27/18 AMEND: 1038, 1299.03, 1666.0
 03/02/18 AMEND: 120.7, 705
 03/02/18 ADOPT: 197
 02/27/18 ADOPT: 1.18, 2.05 AMEND: 1.05, 1.11,
 1.61, 2.10, 2.25, 5.35, 5.41, 5.88, 7.00,
 7.50, 8.00 REPEAL: 1.60
 02/27/18 AMEND: 150, 150.02, 150.03, 705
 02/22/18 ADOPT: 131
 02/20/18 AMEND: 13800
 02/07/18 AMEND: 3697, 3698, 3699
 02/06/18 AMEND: 1038
 01/25/18 AMEND: 1038
 01/03/18 AMEND: 18943, 18944, 18945.1
 01/02/18 ADOPT: 722
 12/27/17 AMEND: 699.5
 12/21/17 ADOPT: 128
 12/20/17 AMEND: 933, 933.1, 933.2, 933.3,
 933.4, 933.5, 933.6, 933.7, 933.10,
 933.11, 934, 934.1, 934.2, 934.3, 934.5,
 934.6, 934.7, 934.8, 934.9, 935, 935.1,
 935.2, 935.3, 935.4, 936, 936.1, 936.2,
 936.3, 936.4, 936.5, 936.6, 936.7, 936.8,
 936.9, 936.10, 936.11, 936.11.1, 936.12,
 937, 937.2, 937.5, 937.6, 937.7, 937.9,
 937.10, 938, 938.1, 938.4, 938.5, 938.6,
 938.7, 938.8, 938.10, 939, 939.1, 939.2,
 939.3, 939.4, 939.5, 939.9, 939.10,
 939.12, 939.16, 940, 943, 943.1, 943.2,
 943.3, 943.4, 943.5, 943.6, 943.7, 943.8,
 943.9, 943.9.1, 949, 949.1, 949.2, 949.3,
 949.4, 949.5, 949.6, 949.7, 953, 953.1,
 953.2, 953.3, 953.4, 953.5, 953.6,
 953.10, 953.11, 954, 954.1, 954.2, 954.3,
 954.5, 954.6, 954.7, 954.8, 954.9, 955,

	955.1, 955.2, 955.3, 955.4, 956, 956.1, 956.2, 956.3, 956.4, 956.5, 956.6, 956.7, 956.8, 956.9, 956.10, 956.11, 956.12, 957, 957.2, 957.5, 957.7, 957.9, 957.10, 958, 958.1, 958.4, 958.5, 958.6, 958.7, 958.8, 958.10, 959, 959.1, 959.2, 959.3, 959.4, 959.5, 959.12, 959.16, 960, 961, 961.4, 963, 963.1, 963.2, 963.3, 963.4, 963.5, 963.6, 963.7, 963.8, 963.9, 963.9.1, 969, 969.1, 969.2, 969.3, 969.4, 969.5, 969.6, 969.7, 1032.10	03/01/18	ADOPT: 3349.1, 3349.2, 3349.3, 3349.4, 3349.5, 3349.6, 3349.7, 3349.8, 3349.9 AMEND: 3349
		02/07/18	ADOPT: 3999.24
		02/05/18	AMEND: 1006, 1062
		02/01/18	ADOPT: 3087, 3087.1, 3087.2, 3087.3, 3087.4, 3087.5, 3087.6, 3087.7, 3087.8, 3087.9, 3087.10, 3087.11, 3087.12
		01/02/18	AMEND: 3000, 3030, 3190, 3269
		12/29/17	ADOPT: 3371.1 AMEND: 3043.7, 3044 REPEAL: 3371.1
12/13/17	ADOPT: 3504.6	12/21/17	AMEND: 8004, 8004.1
12/12/17	AMEND: 3950 REPEAL: 3951, 3952, 3953, 3954, 3955, 3956, 3957, 3958, 3959, 3960, 3961, 3962, 3963, 3964, 3965	12/18/17	ADOPT: 2449.1, 2449.2, 2449.3, 2449.4, 2449.5, 3043.1, 3043.2, 3043.3, 3043.4, 3043.5, 3043.6, 3490, 3491, 3492, 3493 AMEND: 3043, 3043.5 (renumbered to 3043.7), 3043.6 (renumbered to 3043.8), 3044 REPEAL: 3042, 3043.1, 3043.2, 3043.3, 3043.4, 3043.7
12/06/17	AMEND: 4970.00, 4970.03, 4970.05, 4970.10		
12/05/17	AMEND: 265	12/12/17	AMEND: 8199
12/05/17	AMEND: 18660.40	11/30/17	AMEND: 1
Title 14, 27			
12/11/17	AMEND: Title 14, Sections: 18474, 18475, 18476, 18478, 18489, 18491, 18492, 18493, 18494, 18499.3, 18499.4, 18499.5, 18499.6, 18499.7, 18499.8, 18499.9, Appendix A, Forms 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, Title 27, Sections: 22240, 22241, 22242, 22243, 22244, 22246, 22247, 22249, 22249.5, 22250, 22251, 22252, 22253, 22254, Appendix 3, Forms 100, 101, 102(a), 102(b), 102(c), 103(a), 103(b), 103(c), 104, 105, 107, 109, 110, 111, 112, 113	Title 16	
		04/20/18	AMEND: 1749
		03/19/18	AMEND: 4422
		03/14/18	AMEND: 1805.1, 1811
		03/05/18	AMEND: 2070, 2071
		03/01/18	AMEND: 9.1, 12, 12.1, 12.5, 15.1, 16, 19, 20, 43, 45, 87.9
		01/25/18	ADOPT: 1715.65
		01/17/18	AMEND: 1760
		01/17/18	AMEND: 420.1 REPEAL: 424.5
		01/11/18	AMEND: 427.10, 427.30
		01/03/18	AMEND: 1937.11
		12/20/17	ADOPT: 2039.5
		12/19/17	AMEND: 1735.2
		12/07/17	ADOPT: 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024, 5025, 5026, 5027, 5028, 5029, 5030, 5031, 5032, 5033, 5034, 5035, 5036, 5037, 5038, 5039, 5040, 5041, 5042, 5043, 5044, 5045, 5046, 5047, 5048, 5049, 5050, 5051, 5052, 5053, 5054, 5055, 5300, 5301, 5302, 5303, 5304, 5305, 5306, 5307, 5308, 5309, 5310, 5311, 5312, 5313, 5314, 5315, 5400, 5401, 5402, 5403, 5404, 5405, 5406, 5407, 5408, 5409, 5410, 5411, 5412, 5413, 5414, 5415, 5416, 5417, 5418, 5419, 5420, 5421, 5422, 5423, 5424, 5425, 5426, 5500, 5501,
Title 15			
05/01/18	ADOPT: 2449.1, 2449.2, 2449.3, 2449.4, 2449.5, 2449.6, 2449.7, 3043.1, 3043.2, 3043.3, 3043.4, 3043.5, 3043.6, 3490, 3491, 3492, 3493 AMEND: 3043, 3043.5 (renumbered to 3043.7), 3043.6 (renumbered to 3043.8), and 3044 REPEAL: 2449.2, 2449.3, 2449.5, 3042, 3043.1, 3043.2, 3043.3, 3043.4, 3043.7		
04/17/18	ADOPT: 2240 REPEAL: 2240		
04/09/18	AMEND: 3016, 3315		
03/05/18	ADOPT: 3378.9, 3378.10 AMEND: 3000, 3023, 3043.8, 3044, 3084.9, 3269, 3335, 3337, 3341, 3341.2, 3341.3, 3341.5, 3341.6, 3341.8, 3341.9, 3375, 3375.1, 3375.2, 3376, 3376.1, 3378, 3378.1, 3378.2, 3378.3, 3378.4, 3378.5, 3378.6, 3378.7, 3378.8 REPEAL: 3334		

5502, 5503, 5504, 5505, 5506, 5600,
5601, 5602, 5603, 5700, 5701, 5702,
5703, 5704, 5705, 5706, 5707, 5708,
5709, 5710, 5711, 5712, 5713, 5714,
5715, 5716, 5717, 5718, 5719, 5720,
5721, 5722, 5723, 5724, 5725, 5726,
5727, 5728, 5729, 5730, 5731, 5732,
5733, 5734, 5735, 5736, 5737, 5738,
5739, 5800, 5801, 5802, 5803, 5804,
5805, 5806, 5807, 5808, 5809, 5810,
5811, 5812, 5813, 5814

Title 17

04/20/18 AMEND: 6000, 6025, 6035, 6040, 6045,
6050, 6051, 6055, 6060, 6065, 6070,
6075 REPEAL: 6015, 6020
04/13/18 ADOPT: 40127, 40132, 40190, 40191,
40192, 40194, 40196
03/15/18 AMEND: 30145, 30145.1, 30205,
30231, 30275, 30278.1, 30309, 30310,
30311, 30314, 30336.8, 30408, 30409,
30456.8, 30535
12/07/17 ADOPT: 40100, 40101, 40102, 40115,
40116, 40118, 40126, 40128, 40129,
40130, 40131, 40133, 40135, 40137,
40150, 40155, 40156, 40159, 40162,
40165, 40167, 40169, 40175, 40177,
40178, 40180, 40182, 40200, 40205,
40220, 40222, 40223, 40225, 40232,
40234, 40236, 40238, 40240, 40242,
40250, 40252, 40254, 40256, 40258,
40260, 40262, 40264, 40266, 40268,
40270, 40272, 40275, 40277, 40280,
40282, 40290, 40292, 40299, 40300,
40305, 40306, 40310, 40400, 40401,
40403, 40405, 40406, 40408, 40410,
40411, 40412, 40415, 40500, 40510,
40512, 40513, 40515, 40517, 40525,
40550, 40600, 40601

Title 18

03/19/18 ADOPT: 35001, 35002, 35003, 35004,
35005, 35006, 35007, 35008, 35009,
35010, 35011, 35012, 35013, 35014,
35015, 35016, 35017, 35018, 35019,
35020, 35021, 35022, 35023, 35024,
35025, 35026, 35027, 35028, 35029,
35030, 35031, 35032, 35033, 35034,
35035, 35036, 35037, 35038, 35039,
35040, 35041, 35042, 35043, 35044,
35045, 35046, 35047, 35048, 35049,
35050, 35051, 35052, 35053, 35054,
35055, 35056, 35057, 35058, 35059,
35060, 35061, 35062, 35063, 35064,
35065, 35066, 35067, 35101 AMEND:
1032, 1124.1, 1249, 1336, 1422.1,

1705.1, 2251, 2303.1, 2433, 3022,
3302.1, 3502.1, 4106, 4703, 4903, 5200,
5202, 5210, 5211, 5212, 5212.5, 5213,
5214, 5216, 5217, 5218, 5219, 5220,
5220.4, 5220.6, 5221, 5222, 5222.4,
5222.6, 5223, 5224, 5225, 5226, 5227,
5228, 5229, 5230, 5231, 5231.5, 5232,
5233, 5234, 5234.5, 5235, 5236, 5237,
5238, 5240, 5241, 5242, 5244, 5245,
5246, 5247, 5248, 5249, 5249.4, 5249.6,
5260, 5261, 5262, 5263, 5264, 5265,
5266, 5267, 5268, 5310, 5311, 5312,
5331, 5335, 5335.4, 5335.6, 5336,
5336.5, 5337, 5337.4, 5337.6, 5338,
5338.4, 5338.6, 5700 REPEAL: 1807,
1828, 4508, 4609, 4700, 4701, 4702,
5201, 5210.5, 5215, 5215.4, 5215.6,
5232.4, 5232.8, 5239, 5243, 5250, 5255,
5256, 5333, 5333.4, 5333.6

01/05/18 ADOPT: 30100, 30101, 30102, 30201,
30202, 30203, 30204, 30205, 30301,
30302, 30303, 30304, 30305, 30401,
30402, 30403, 30501, 30502, 30601,
30602, 30603, 30604, 30605, 30606,
30701, 30702, 30703, 30704, 30705,
30707, 30708, 30709, 30710, 30711,
30800, 30801, 30802, 30803, 30804,
30805, 30806, 30807, 30808, 30809,
30810, 30811, 30812, 30813, 30814,
30815, 30816, 30817, 30818, 30819,
30820, 30821, 30822, 30823, 30824,
30825, 30826, 30827, 30828, 30829,
30830, 30831, 30832

Title 20

03/01/18 ADOPT: 1685 AMEND: 1680, 1681,
1682, 1683, 1684
01/30/18 ADOPT: 4.5, 8.3, 9.5 AMEND: 1.3, 1.4,
1.7, 1.9, 1.13, 1.14, 1.17, 3.1, 3.3, 4.6
(renumbered from 4.5), 6.3, 7.2, 7.3, 7.6,
8.1, 8.2 (renumbered from 8.3), 8.4,
Article 9 (title), 9.4, 9.6 (renumbered
from 9.5), 12.1, 13.7, 13.8, 13.11, 13.12,
13.13, 13.14, 14.1, 14.2, 14.5, 14.6, 15.1,
15.3, 16.1, 16.2, 17.1 REPEAL: 8.2, 8.6,
9.6, 9.7
01/25/18 AMEND: 1602, 1605.3, 1606

Title 21

01/04/18 ADOPT: 1478.1, 1478.2 AMEND: 1476

Title 22

04/26/18 ADOPT: 69511.2 AMEND: 69511
04/12/18 AMEND: 7000
04/10/18 AMEND: 20000
03/01/18 AMEND: 2706-5, 2706-7
02/08/18 AMEND: 97232

01/24/18 AMEND: 97177.10, 97177.67, 97177.70
 01/11/18 ADOPT: 97268 AMEND: 97215, 97218, 97219, 97253, 97254, 97255
 12/18/17 ADOPT: 2925
 12/08/17 AMEND: 2608-1, 2627(b)-1
 12/05/17 AMEND: 2706-2, 3301(d)-1, 3201-1, 3303-1, 3303.1(c)-1 REPEAL: 3303(b)-1

Title 22, MPP

04/11/18 AMEND: 101215.1, 101216.1, 101416.2
 03/13/18 ADOPT: 85100, 85101, 85118, 85120, 85122, 85140, 85142, 85164, 85165, 85168.1, 85168.2, 85168.4, 85170, 85187, 85190
 12/21/17 ADOPT: 130000, 130001, 130003, 130004, 130006, 130007, 130008, 130009, 130020, 130021, 130022, 130023, 130024, 130025, 130026, 130027, 130028, 130030, 130040, 130041, 130042, 130043, 130044, 130045, 130048, 130050, 130051, 130052, 130053, 130054, 130055, 130056, 130057, 130058, 130062, 130063, 130064, 130065, 130066, 130067, 130068, 130070, 130071, 130080, 130081, 130082, 130083, 130084, 130090, 130091, 130092, 130093, 130094, 130095, 130100, 130110, 130200, 130201, 130202, 130203, 130210, 130211

Title 23

04/19/18 ADOPT: 3949.14
 04/16/18 ADOPT: 335, 335.2, 335.4, 335.6, 335.8, 335.10, 335.12, 335.14, 335.16, 335.18, 335.20
 03/29/18 AMEND: 595
 03/26/18 AMEND: 315, 316
 03/08/18 ADOPT: 3909.6
 02/22/18 AMEND: 700.1 (renumbered to 638.1), 700.2 (renumbered to 638.2), 700.3 (renumbered to 638.3), 700.4 (renumbered to 638.4), 700.5 (renumbered to 638.5), 700.6 (renumbered to 638.6)
 01/24/18 ADOPT: 700.1, 700.2, 700.3, 700.4, 700.5, 700.6
 12/26/17 ADOPT: 3949.13
 12/15/17 AMEND: 64300, 64305, 64310, 64315

12/14/17 AMEND: 64444, 64445, 64445.1, 64447.4, 64465, 64481

Title 25

01/18/18 AMEND: 10001

Title 27

04/06/18 AMEND: 25705
 02/05/18 AMEND: 25705
 02/01/18 AMEND: 27000
 01/29/18 AMEND: 27001
 01/02/18 ADOPT: 25603.3
 12/28/17 AMEND: Appendix B; Div. 3; Subd. 1; Ch. 2
 12/20/17 AMEND: 27001

Title MPP

01/17/18 AMEND: 47-260
 01/17/18 AMEND: 46-430
 12/28/17 AMEND: 41-440, 42-711, 42-716, 42-717, 44-207

2018 RULEMAKING CALENDAR

Special Note

In an effort to conserve resources, the 2018 Rulemaking Calendar is being incorporated by reference into this edition of the California Regulatory Notice Register (CRNR).

The 2018 Rulemaking Calendar is accessible through the following means:

1. The Office of Administrative Law’s website at www.oal.ca.gov. You can download a free copy of the Calendar and print out those portions you are interested in from the website.
2. Your nearest depository library. Go to <http://www.library.ca.gov/government-publications/state-document-depository-program/depositories/> for a list of California depository libraries.
3. Hard copies are available. Please contact Thomson Reuters at 1-800-328-4880. The cost of the printed calendar is \$30.00. Subscribers of the Notice Register may obtain at no extra charge a hard copy of the Rulemaking Calendar upon request.