



California Regulatory Notice Register

REGISTER 2019, NO. 3-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

JANUARY 18, 2019

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

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**

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**TITLE 2. FAIR POLITICAL
PRACTICES COMMISSION**

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: Los Gatos-Saratoga Joint
Union High School District
Tahoe Forest Hospital District
Eastern Sierra Transit
Authority
Modesto Irrigation District
Anderson-Cottonwood
Irrigation District
Kaweah Delta Water
Conservation District

A written comment period has been established commencing on January 18, 2019, and closing on March 4, 2019. Written comments should be directed to the Fair Political Practices Commission, Attention Brianne Kilbane, 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 March 4, 2019. 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 Brianne Kilbane,

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 Brianne Kilbane, 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 amended section 3591.13 in Title 3 of the California Code of Regulations pertaining to the Guava Fruit Fly Eradication Area as an emergency action that was effective on September 12, 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 March 11, 2019.

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

PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.651.2900 or by email to Dean.Kelch@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on March 4, 2019. 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
916.406.6650
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 of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

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

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

Anticipated Benefits from This Regulatory Action

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

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

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

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

Existing law, CCR Section 3591.13, defines the state's eradication areas for guava fruit fly.

The existing law obligates the Secretary to investigate and determine the feasibility of controlling or erad-

icating pests of limited distribution, but establishes discretion with regard to the establishment and maintenance of regulations to achieve this goal. This amendment provides the necessary regulatory authority to prevent the artificial spread of a serious insect pest, which is a mandated statutory goal.

This regulation will benefit the public's general welfare by providing authority for the State to perform detection, control, and eradication activities against guava fruit fly in Ventura County.

The implementation of this regulation will prevent:

- direct damage to the agricultural industry growing host fruits
- indirect damage to the agricultural industry growing host fruits due to the implementation of quarantines by other countries and loss of export markets
- increased production costs to the affected agricultural industries
- increased pesticide use by the affected agricultural industries
- increased costs to the consumers of host fruits
- increased pesticide use by homeowners and others
- the need to implement a State interior quarantine
- the need to implement a federal domestic quarantine

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

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

AMENDED TEXT

This emergency rulemaking action added Ventura County to the Guava Fruit Fly Eradication Area. The effect of the amendment of this regulation is to provide authority for the State to perform eradication activities against guava fruit fly in the county of Ventura.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

Small Business Determination

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

Significant effect on housing costs: None.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Amendment of these regulations will not:

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

The Department has determined the amendment of this regulation would benefit:

- the general public
- homeowners and community gardens
- agricultural industry
- the State's general fund

There are no known specific benefits to worker safety or the health of California residents.

ALTERNATIVES CONSIDERED

The Department must determine that no reasonable alternative it considered to the regulation or that has

otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this Notice.

AUTHORITY

The Department proposes to amend section 3591.13 pursuant to the authority vested by Sections 407 and 5322 of the Food and Agricultural Code.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 407, 5322, 5761, 5762 and 5763 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/plant/Regulations.html).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed 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 loca-

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

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

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

The Department of Food and Agriculture amended section 3591.12 in Title 3 of the California Code of Regulations pertaining to the Peach Fruit Fly Eradication Area as an emergency action that was effective on October 8, 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 April 8, 2019.

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

PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.651.2900 or by email to Dean.Kelch@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on March 4, 2019. The Department will consider only comments received at the Department offices by that time. Submit comments to:

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Plant Health and Pest Prevention Services
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Sacramento, CA 95814
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Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

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

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

Anticipated Benefits from This Regulatory Action

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

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

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

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

Existing law, CCR Section 3591.12, defines the state's eradication areas for peach fruit fly.

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

This regulation will benefit the public's general welfare by providing authority for the State to perform detection, control, and eradication activities against peach fruit fly in Orange County.

The implementation of this regulation will prevent:

- direct damage to the agricultural industry growing host fruits
- indirect damage to the agricultural industry growing host fruits due to the implementation of quarantines by other countries and loss of export markets
- increased production costs to the affected agricultural industries
- increased pesticide use by the affected agricultural industries
- increased costs to the consumers of host fruits
- increased pesticide use by homeowners and others
- the need to implement a State interior quarantine
- the need to implement a federal domestic quarantine

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

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

AMENDED TEXT

This emergency rulemaking action added Orange County to the Peach Fruit Fly Eradication Area. The effect of the amendment of this regulation is to provide authority for the State to perform eradication activities against peach fruit fly in the county of Orange.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.
Cost or savings to any state agency: None.

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

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

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

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

Small Business Determination

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

Significant effect on housing costs: None.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Amendment of these regulations will not:

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

The Department has determined the amendment of this regulation would benefit:

- the general public
- homeowners and community gardens
- agricultural industry
- the State's general fund

There are no known specific benefits to worker safety or the health of California residents.

ALTERNATIVES CONSIDERED

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

AUTHORITY

The Department proposes to amend section 3591.12 pursuant to the authority vested by Sections 407 and 5322 of the Food and Agricultural Code.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 407, 5322, 5761, 5762 and 5763 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/plant/Regulations.html).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed 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 interested person may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

The Department of Food and Agriculture amended section 3591.12 in Title 3 of the California Code of Regulations pertaining to the Peach Fruit Fly Eradication Area as an emergency action that was effective on September 12, 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 March 11, 2019.

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

PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.651.2900 or by email to Dean.Kelch@cdfa.ca.gov. The written comment period closes at 5:00 p.m. on March 4, 2019. 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
916.406.6650
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 of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

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

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

Anticipated Benefits from This Regulatory Action

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

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

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

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

Existing law, CCR Section 3591.12, defines the state's eradication areas for peach fruit fly.

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

This regulation will benefit the public's general welfare by providing authority for the State to perform detection, control, and eradication activities against peach fruit fly in Ventura County.

The implementation of this regulation will prevent:

- direct damage to the agricultural industry growing host fruits
- indirect damage to the agricultural industry growing host fruits due to the implementation of

quarantines by other countries and loss of export markets

- increased production costs to the affected agricultural industries
- increased pesticide use by the affected agricultural industries
- increased costs to the consumers of host fruits
- increased pesticide use by homeowners and others
- the need to implement a State interior quarantine
- the need to implement a federal domestic quarantine

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

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

AMENDED TEXT

This emergency rulemaking action added Ventura County to the Peach Fruit Fly Eradication Area. The effect of the amendment of this regulation is to provide authority for the State to perform eradication activities against peach fruit fly in the county of Ventura.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

Small Business Determination

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

Significant effect on housing costs: None.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Amendment of these regulations will not:

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

The Department has determined the amendment of this regulation would benefit:

- the general public
- homeowners and community gardens
- agricultural industry
- the State's general fund

There are no known specific benefits to worker safety or the health of California residents.

ALTERNATIVES CONSIDERED

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

AUTHORITY

The Department proposes to amend section 3591.12 pursuant to the authority vested by Sections 407 and 5322 of the Food and Agricultural Code.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 407, 5322, 5761, 5762 and 5763 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 re-

quest for a public hearing may be directed to: 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/plant/Regulations.html).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed 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 interested person may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

TITLE 9. DEPARTMENT OF STATE HOSPITALS

NOTICE OF PUBLIC COMMENT PERIOD FOR PROPOSED ADOPTION OF THE ALIENIST GUIDELINES REGULATION

The Department of State Hospitals (Department or DSH) is proposing adoption of the regulations for the Alienist Guidelines after considering all relevant public comments, objections, and recommendations.

PUBLIC HEARING

A public hearing is not currently scheduled; however, you may request the Department to conduct a public hearing. A public hearing will be held if any interested person, or his or her duly authorized representative, requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than 5:00 p.m., fifteen (15) days prior to the close of the written comment period. If a request for public hearing is received by **February 18, 2019**, the time, date, and location of the public hearing will be provided by separate notice.

WRITTEN COMMENT PERIOD AND SUBMITTAL OF COMMENTS

Any interested person or his or her representative may provide comments relevant to the proposed regulatory action to the Department by personal delivery, postal mail service, fax, or email submittal as follows. The public comment period for this regulatory action will begin on **January 18, 2019**. For any written comment to be considered must be received by the Department **no later than 5:00 p.m., on March 4, 2019**.

Comments sent to persons and/or addresses other than that specified, or received after the date and time specified above, will be included in the record of this proposed regulatory action, but will not be summarized or responded to regardless of the manner of transmission. For consideration, any written comments shall be submitted as follows:

1. By email to DSH.Regulations@dsh.ca.gov. It is requested that all comments, particularly those emailed with attachments, contain the regulation package identifier "**Alienist Guidelines**" in the subject line to facilitate timely identification and review;
2. By fax transmission to (916) 651-3090;
3. By United States Postal Service to:
California Department of State Hospitals
Regulations Unit
RE: Alienist Guidelines
1600 9th Street, Room 410
Sacramento, CA 95814; or
4. Hand-delivered to the address above.

AUTHORITY AND REFERENCE

This regulatory action is proposed under the authority granted to the Department in Welfare and Institutions Code sections 4005.1, 4027, 4101, and 4312, and Penal Code section 1369. This action is proposed to imple-

ment, interpret and make specific Penal Code sections 1369, 1370, 1370.01, and 1370.1.

INFORMATIVE DIGEST AND
POLICY STATEMENT OVERVIEW
PURSUANT TO GOVERNMENT
CODE SECTION 11346.5(a)(3)

Sections Affected: The Department proposes to adopt new article 7.5 and sections 4750, 4751, and 4752, title 9, California Code of Regulations (CCR).

Existing Laws/Regulations:

Penal Code section 1369 mandates that the Department adopt guidelines for the education and training standards for a psychiatrist or psychologist to be considered for appointment by the court to evaluate a defendant whose mental competence is in question.

Effect of the Proposed Regulatory Action:

This proposed rulemaking adopts the Alienist Guidelines to assist the courts in their consideration of experts to evaluate individuals whose mental competency is at issue. This proposed rulemaking specifies the education and training the Department believes are adequate for an expert to evaluate a defendant and reliably advise the court on his or her mental competency to stand trial. Further, this proposed rulemaking aims to result in reliable competency evaluation, assisting the court in committing to the Department only the individuals who are incompetent to stand trial.

Policy Statement Overview/Anticipated Objectives and Benefits of the Proposed Regulatory Action:

Standardizing the training and experience required of psychiatrists or licensed psychologists who evaluate defendants for mental competency is crucial in ensuring that evaluations are as complete and accurate as possible; that courts can then rely on the evaluations; and that the resulting incompetency commitments to the Department are appropriate. Further, a standard guideline on the training and experience a competency evaluator should have helps ensure that individuals can expect to receive a fair, reliable assessment of their competence to stand trial. Obtaining such a diagnosis would result in those who are mentally competent to remain in the criminal justice system until timely adjudication of their cases and in those who are incompetent to timely receive appropriate competency restoration. Consequently, Department resources will be spent on those who need competency restoration, and the courts can reduce case delays by avoiding the erroneous commitment of a mentally competent individual.

Evaluation of Inconsistency or Incompatibility with Existing State Regulations:

During the development of this regulatory action, DSH reviewed the regulations on this topic and concluded that the proposed amendments are neither inconsistent nor incompatible with existing state regulations or statutes.

Comparable to Federal Regulations:

There are no existing federal regulations or statutes comparable to the proposed regulations within a California DSH facility.

LOCAL MANDATE
(Gov. Code, § 11346.5(a)(5))

Under Government Code section 11346.5, subdivision (a)(5), DSH has determined that the proposed regulatory action would not impose a mandate on any local agency or school district that requires reimbursement by the State under Government Code, title 2, division 4, part 7 (commencing with section 17500).

FISCAL IMPACTS
(Gov. Code, § 11346.5(a)(6))

The determination of the Department 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.

Cost to any local agency or school district requiring reimbursement under section 17500 et seq.:

DSH has determined that the proposed regulatory action would not create costs or savings to any local agency or school district.

Cost or savings to any State agency:

DSH has determined that the proposed regulatory action would not create costs or savings to any State agency.

Other non-discretionary costs or savings to local agencies:

DSH has determined that the proposed regulatory action would not create any other nondiscretionary cost or savings to State or local agencies.

Cost or savings in Federal funding to the State:

DSH has determined that the proposed regulatory action would not create costs or savings in federal funding to the State.

HOUSING COSTS
(Gov. Code, § 11346.5(a)(12))

In accordance with Government Code section 11346.5, subdivision (a)(12), the Department has made

the initial determination that the proposed regulatory action will not have a significant effect on housing costs. These proposed regulations do not impact housing since they only affect individuals committed to the Department and in Department custody.

SIGNIFICANT STATEWIDE
ADVERSE ECONOMIC IMPACT
DIRECTLY AFFECTING BUSINESS,
INCLUDING ABILITY TO COMPETE
(Gov. Code, §§ 11346.3(a),
11346.5(a)(7), 11346.5 (a)(8))

DSH 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.

STATEMENT OF RESULTS OF THE
ECONOMIC IMPACT ASSESSMENT
(Gov. Code, § 11346.5(a)(10))

The creation of jobs within the State of California.

It has been determined that the proposed action will not affect the creation of jobs.

The elimination of jobs within the State of California.

It has been determined that the proposed action will not affect the elimination of jobs.

The creation of new business within the State of California.

It has been determined that the proposed action will not affect the creation of new businesses.

The elimination of existing businesses within the State of California.

It has been determined that the proposed action will not affect the elimination of existing businesses.

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

It has been determined that the proposed action will not affect the expansion of businesses currently doing business in California.

The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

It has been determined that the proposed action will protect the health, safety, and general welfare of California residents by ensuring that defendants whose competence is in question are timely evaluated by appropriate and qualified experts who have experience in diagnosing individuals for psycho-legal, forensic is-

sues. A timely, standardized, and appropriate evaluation would result in timely placement and treatment of an incompetent defendant and the timely adjudication of the pending cases of those who are competent and, later, those whose competence has been restored. This uniform process has the following benefits: (1) courts can timely administer justice in cases where the individual is actually competent and order the appropriate commitment of an incompetent individual to the Department; (2) mentally competent individuals do not have to spend time receiving unnecessary competency treatment, freeing up Department resources to admit, treat, and restore mentally incompetent individuals; (3) mentally incompetent individuals will receive appropriate treatment and mental competency restoration that they require to move along in the criminal justice system; and (4) the general public and community can rest assured that the criminal justice system, in place in large part to keep them safe, is able to timely administer justice. This proposed regulation may also benefit worker safety by ensuring that the state hospital system treats only appropriate and suitable patients, reducing the risk of erroneously treating patients inappropriate for competency restoration. Lastly, this proposed regulation may benefit the State's environment by streamlining the consideration and appointment process — resulting in properly trained evaluators providing accurate diagnoses upon which the court can rely; appropriate commitment and treatment of mentally incompetent defendants; decrease in the risk of delay in the administration of justice — thus overall reducing carbon footprint, waste, use of resources, and energy costs.

COST IMPACTS ON
REPRESENTATIVE PRIVATE
PERSONS OR BUSINESSES
(Gov. Code, § 11346.5(a)(9))

In developing this regulatory proposal, DSH staff evaluated the potential economic impacts on representative private persons or businesses. DSH 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
(Cal. Code Regs., tit. 1, § 4, subds. (a) and (b))

DSH has determined under California Code of Regulations, title 1, section 4, that the proposed regulatory action would not affect small businesses because the proposed regulation only provides guidance on the training and education standards of experts for the courts to consider in appointing an expert to evaluate defendants for mental competency.

ALTERNATIVES STATEMENT
(Gov. Code, § 11346.5(a)(13))

In accordance with Government Code section 11346.5, subdivision (a)(13), 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 provisions of law.

On March 29, 2017, DSH held a stakeholder meeting which was comprised of the Judicial Council and groups or individuals representing judges, defense counsel, district attorneys, counties, advocates for people with developmental and mental disabilities, state psychologists and psychiatrists, professional associations and accrediting bodies for psychologists and psychiatrists, and other interested stakeholders in order to develop these guidelines and determined 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 provisions of law.

AGENCY CONTACT PERSONS
(Gov. Code, § 11346.5(a)(14))

Inquiries concerning the substance of the proposed regulatory action may be directed to the agency representative Katherine Warburton, DO, Medical Director, (916) 654-3602 or (designated back-up contact) Susan Velasquez, Ph.D, Chief Psychologist, at (909) 280-3211.

AVAILABILITY OF DOCUMENTS

The Department staff has compiled a record for this rulemaking action which includes all the information upon which the proposal is based, including an Initial Statement of Reasons (ISOR) for the proposed regulatory action and the proposed text (the “express terms”) of the regulation.

Copies of the ISOR and the full text of the proposed regulatory language may be accessed on the Department’s website listed below or may be obtained from the agency representative to whom non-substantive in-

quiries concerning the proposed administrative action may be directed: Trini Balcazar, Regulations Coordinator, Regulations Unit, by telephone at (916) 562-2824.

HEARING PROCEDURES

If a public hearing is scheduled, it 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). After holding the public hearing if applicable, and considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this Notice. If the Department makes modifications which are sufficiently related to the originally proposed text, with the exception of grammatical changes, it will make the modified text, with the changes clearly indicated, available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of the contact person at the address indicated above. The Department 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, the Final Statement of Reasons (FSOR) shall be available, and copies may be requested from the agency contact persons in this Notice or may be accessed on the Department’s Internet website listed below.

INTERNET ACCESS

This Notice, the ISOR, the proposed regulation text, and all subsequent regulatory documents, including the FSOR when completed, are available on the Department’s website for this rulemaking at <http://www.dsh.ca.gov/Publications/Regulations.aspx>.

**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, 205, 265, 270, 315, 316.5, and 399 of the Fish and Game Code and to implement, interpret or make specific sections 200, 205, 265, 270 and 316.5 of said Code, proposes to amend subsections (b)(5), (b)(68), (b)(124), and (b)(156.5) of Section 7.50, Title 14, California Code of Regulations, relating to central valley salmon sport fishing.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations.

Current regulations in subsections (b)(5), (b)(68), (b)(124) and (b)(156.5) of Section 7.50 prescribe the 2018 seasons and daily bag and possession limits for Sacramento River fall-run Chinook Salmon (*Oncorhynchus tshawytscha*; SRFC) sport fishing in the American, Feather, Mokelumne, and Sacramento rivers, respectively. Collectively, these four rivers constitute the “Central Valley fishery” for SRFC. Each year, the Department of Fish and Wildlife (Department) recommends new Chinook Salmon bag and possession limits for consideration by the Commission to align fishing limits with up-to-date management goals, as set forth below.

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

The PFMC will develop the annual Pacific coast ocean salmon fisheries regulatory options for public review at its March 2019 meeting and will adopt its final regulatory recommendations at its April 2019 meeting based on the PFMC salmon abundance estimates and recommendations for ocean harvest (take) for the coming season. Based on the April 2019 recommendations by PFMC, the Department will recommend specific bag and possession limit regulations to the Commission at its April 17, 2019 meeting. The Commission will then consider adoption of the regulations at its May 16, 2019 teleconference.

For the purpose of PFMC mixed-stock fishery modeling and salmon stock assessment, adult salmon are generally those considered three to five years in age, and grilse salmon are those approximately two years of age. The age classes are distinguished by a cutoff of salmon total length measurement, depending on the in-river fishery. For purposes of the proposed regulation, this cutoff is presented as a range of 26 to 28 inches total length, as outlined under the options for the proposed regulations (below).

Proposed Regulations

The Department recognizes the uncertainty of Sacramento River fall-run Chinook Salmon (SRFC) inland (in-river) harvest projections. Therefore, the Department is presenting three regulatory options for the Commission’s consideration to tailor 2019 Central Valley fishery management to target 2019 in-river fisheries harvest projections.

- Option 1 is the most liberal of the three options and allows take of any size Chinook Salmon up to the daily bag and possession limits.
- Option 2 allows for take of a limited number of adult Chinook Salmon, with grilse Chinook Salmon making up the remainder of the daily bag and possession limits.
- Option 3 is the most conservative option and allows for a grilse-only Chinook Salmon fishery.

All three options increase fishing opportunities on the Feather and Mokelumne rivers by: (1) extending the salmon fishing season by two weeks on the Feather River between the Thermalito Afterbay Outfall and the Live Oak boat ramp; and (2) by extending the salmon and hatchery steelhead fishing season on approximately 10 miles of the Mokelumne River between the Highway 99 Bridge and Elliott Road.

All options would be applicable to the following river segments and time periods:

American River, subsection 7.50(b)(5):

- (B) From the USGS gauging station cable crossing near Nimbus Hatchery to the SMUD power line crossing the southwest boundary of Ancil Hoffman Park, July 16 through October 31
- (C) From the SMUD power line crossing at the southwest boundary of Ancil Hoffman Park to the Jibboom Street bridge, July 16 through December 31
- (D) From the Jibboom Street bridge to the mouth, July 16 through December 16

Feather River, subsection 7.50(b)(68):

- (D) From the unimproved boat ramp above the Thermalito Afterbay Outfall to 200 yards above the Live Oak boat ramp, July 16 through October 31
- (E) From 200 yards above the Live Oak boat ramp to the mouth, July 16 through December 16

Mokelumne River, subsection 7.50(b)(124):

- (A) From Comanche Dam to Elliott Road, July 16 through October 15

(B) From Elliott Road to the Woodbridge Irrigation District Dam and including Lodi Lake, July 16 through December 31

(D) From the Lower Sacramento Road bridge to the mouth, July 16 through December 16

Sacramento River below Keswick Dam, subsection 7.50(b)(156.5):

(C) From Deschutes Road bridge to the Red Bluff Diversion Dam, August 1 through December 16

(D) From the Red Bluff Diversion Dam to the Highway 113 bridge, July 16 through December 16.

(E) From the Highway 113 bridge to the Carquinez Bridge, July 16 through December 16.

The following options are provided for Commission consideration:

Option 1 — Any Size Chinook Salmon Fishery

This option is the Department's preferred option if the 2019 SRFC stock abundance forecast is sufficiently high to avoid the need to constrain inland SRFC harvest.

Bag limit of [0–4] Chinook Salmon.

Possession limit — [0–12] Chinook Salmon.

Option 2 — Limited Adult and Grilse Salmon Fishery

Bag limit of [0–4] Chinook Salmon of which no more than [0–4] fish over [26–28] inches total length may be retained.

Possession limit — [0–12] Chinook Salmon of which no more than [0–4] fish may be over [26–28] inches total length.

Option 3 — Grilse Salmon Fishery Only

Bag limit of [0–4] Chinook Salmon less than or equal to [26–28] inches total length.

Possession limit — [0–12] Chinook Salmon less than or equal to [26–28] inches total length.

Other Changes:

Under all options, changes are proposed to fix punctuation and to remove the extra word “in” in subsection 7.50(b)(124)(A).

BENEFITS OF THE PROPOSED REGULATIONS

The Commission anticipates benefits to the environment in the sustainable management of Central Valley Chinook Salmon resources. Other benefits of the proposed regulations are consistency with federal fishery management goals, health and welfare of California residents, and promotion of businesses that rely on Central Valley Chinook Salmon sport fishing.

CONSISTENCY AND COMPATIBILITY WITH EXISTING REGULATIONS

Article IV, Section 20 of the State Constitution specifies that the Legislature may delegate to the Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to regulate recreational fishing in waters of the state (Fish and Game Code sections 200, 205, 315 and 316.5). The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the California Code of Regulations and finds no other state agency regulations pertaining to Chinook Salmon recreational fishing seasons, bag and possession limits for Central Valley sport fishing.

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 Natural Resources Building Auditorium, 1416 Ninth Street, First Floor, Sacramento, California, on Wednesday, February 6, 2019, 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 City of Santa Monica Civic Auditorium, East Wing, 1855 Main Street, Santa Monica, California, on Wednesday, April 17, 2019, 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 teleconference hearing originating in the Commission's conference room, 1416 Ninth Street, Room 1320, Sacramento, California, on Thursday, May 16, 2019, 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 May 3, 2019, at the address given below, or by email to FGC@fgc.ca.gov. Written comments mailed, or emailed to the Commission office, must be received before 12:00 noon on May 10, 2019. All comments must be received no later than May 16, 2019, at the teleconference hearing. If you would like copies of any modifications to this proposal, please include your name and mailing address. Mailed comments should be addressed to Fish and Game Commission, PO Box 944209, Sacramento, CA 94244–2090.

AVAILABILITY OF DOCUMENTS

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation in

underline and strikeout format can be accessed through the Commission website at www.fgc.ca.gov. 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, Melissa Miller-Henson, Acting 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 Melissa Miller-Henson or Craig Castleton at the preceding address or phone number. **Senior Environmental Scientist, Karen Mitchell, Department of Fish and Wildlife, phone (916) 445-0826, or e-mail Karen.Mitchell@wildlife.ca.gov, has been designated to respond to questions on the substance of the proposed regulations.**

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 265 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, 11346.8 and 11347.1 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 Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

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

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

The Commission does not anticipate adverse impacts, but acknowledges the potential for short-term negative impacts on the creation or elimination of jobs within the state. The Commission anticipates no adverse impacts on the creation of new business, the elimination of existing businesses or the expansion of businesses in California. Minor variations in the bag and possession limits and/or the implementation of a size limit are unlikely to significantly impact the volume of business activity. The loss of up to 20 jobs with Option 3 is not expected to eliminate businesses because reduced fishing days will be partially offset by the extension of the salmon fishing season on portions of the Feather and Mokelumne rivers and by opportunities to fish for grilse Chinook Salmon and other species.

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

The Commission does not anticipate any benefits to worker safety.

Other benefits of the proposed regulations are concurrence with federal fishery management goals and promotion of businesses that rely on Central Valley Chinook Salmon sport fishing.

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

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

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

EFFECT ON SMALL BUSINESS

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

CONSIDERATION OF ALTERNATIVES

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

TITLE 14. FISH AND GAME COMMISSION

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 205, 265, 270, 315, 316.5, and 399 of the Fish and Game Code and to implement, interpret or make specific sections 200, 205, 265, 270, and 316.5 of said Code, proposes to amend subsection (b)(91.1) of Section 7.50, Title 14, California Code of Regulations, relating to Klamath River Basin sport fishing regulations.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Unless otherwise specified, all section references in this document are to Title 14 of the California Code of Regulations.

The Klamath River Basin, which consists of the Klamath River and Trinity River systems, is managed for fall-run Chinook Salmon (*Oncorynchus tshawytscha*) through a cooperative system of State, federal, and tribal management agencies. Salmonid regulations are designed to meet natural and hatchery escapement needs for salmonid stocks, while providing equitable harvest opportunities for ocean sport, ocean commercial, river sport, and tribal fisheries.

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

The Commission adopts regulations for the ocean salmon sport (inside three miles) and the Klamath River Basin (in-river) sport fisheries, which are consistent with federal fishery management goals.

Tribal entities within the Klamath River Basin maintain fishing rights for ceremonial, subsistence, and commercial fisheries that are managed consistent with federal fishery management goals. Tribal fishing regulations are promulgated by the Tribes.

Klamath River Fall-Run Chinook Salmon

Adult Klamath River fall-run Chinook Salmon (KRFC) harvest allocations and natural spawning escapement goals are established by the PFMC. The KRFC harvest allocation between tribal and non-tribal fisheries is based on court decisions and allocation agreements between the various fishery representatives.

For the purpose of PFMC mixed-stock fishery modeling and salmon stock assessment, salmon greater than 22 inches total length are defined as adult (ages 3–5) and salmon less than or equal to 22 inches total length are defined as grilse salmon (age 2).

PFMC Overfishing Review

KRFC stocks have been designated as “overfished” by the PFMC. This designation is the result of not meeting conservation objectives for this stock. Management objectives and criteria for KRFC are defined in the PFMC Salmon Fishery Management Plan (FMP).

The FMP outlines a process for preparing a “rebuilding plan” that includes assessment of the factors that lead to the decline of the stock, including fishing, envi-

ronmental factors, model errors, etc. The rebuilding plan includes recommendations to address conservation of KRFC, with the goal of achieving rebuilt status. The plan is currently under development by representatives of NMFS, PPMC, U.S. Fish and Wildlife Service, California Department of Fish and Wildlife (Department), and Tribal entities, with a timeline for completion in spring of 2019. Forthcoming recommendations from the rebuilding plan may alter how KRFC are managed in the future, including changing the in-river allocation number, and/or allocating less than the normal target number.

Klamath River Spring-Run Chinook Salmon

The Klamath River Basin also supports Klamath River spring-run Chinook Salmon (KRSC). Naturally produced KRSC are both temporally and spatially separated from KRFC in most cases.

Presently, KRSC stocks are not managed or allocated by the PPMC. This in-river sport fishery is managed by general basin seasons, daily bag limit, and possession limit regulations. KRSC harvest will be monitored on the Klamath River below the Highway 96 bridge at Weitchpec to the mouth of the Klamath River in 2019 and ensuing years by creel survey. The upper Trinity River, upstream of Junction City, will be monitored using tag returns from anglers in 2019 and future years.

KRFC Allocation Management

The PPMC 2018 allocation for Klamath River Basin sport harvest was 3,490 adult KRFC. Preseason stock projections of 2019 adult KRFC abundance will not be available from the PPMC until March 2019. The 2019 basin allocation will be recommended by the PPMC in April 2019 and presented to the Commission for adoption as a quota for the in-river sport harvest at its May 2019 teleconference meeting.

The Commission may modify the KRFC in-river sport harvest quota, which is normally a minimum of 15 percent of the non-tribal PPMC harvest allocation. Commission modifications need to meet biological and fishery allocation goals specified in law or established in the FMP, otherwise harvest opportunities may be reduced in the California ocean or in-river fisheries.

The annual KRFC in-river sport harvest quota is specified in subsection 7.50(b)(91.1)(D)1. The quota is split between four geographic areas with a subquota for each area, expressed as a percentage of the total in-river quota, specified in subsection 7.50(b)(91.1)(D)2. For angler convenience, the subquotas, expressed as the number of fish, are listed for the affected river segments in subsection 7.50(b)(91.1)(E). The in-river sport subquota percentages are as follows:

1. for the main stem Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway

96 bridge at Weitchpec — 17 percent of the in-river sport quota;

2. for the main stem Klamath River from downstream of the Highway 96 bridge at Weitchpec to the mouth — 50 percent of the in-river sport quota;
3. for the Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat — 16.5 percent of the in-river sport quota; and
4. for the Trinity River downstream from the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River — 16.5 percent of the in-river sport quota.

The spit area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth) closes to all fishing after 15 percent of the total Klamath River Basin quota has been taken downstream of the Highway 101 bridge.

These geographic areas are based upon the historical distribution of angler effort to ensure equitable harvest of adult KRFC in the Klamath River and Trinity River. The subquota system requires the Department to monitor or assess angler harvest of adult KRFC in each geographic area. All areas will be monitored on a real time basis, except for the following:

Klamath River upstream of Weitchpec and the Trinity River: The Department has developed Harvest Predictor Models which it will use to implement fishing closures to ensure that anglers do not exceed established subquota targets. Using this method, the upper Klamath River generally closes between 28–30 days after the lower Klamath River quota is reached. Similarly, the upper Trinity River subquota area generally closes 28–30 days after the lower Trinity River subquota has been met.

Sport Fishery Management

The KRFC in-river sport harvest quota is divided into geographic areas, and harvest is monitored under real time subquota management. On the other hand, KRSC in-river sport harvest is managed by general season, daily bag limit, and possession limit regulations.

The Department presently differentiates the two stocks by the following dates in each sub-area:

Klamath River

1. January 1 through August 14 — General Season KRSC.

For purposes of clarity, daily bag and possession limits apply to that section of the Klamath River downstream of the Highway 96 bridge at Weitchpec to the mouth.

2. August 15 to December 31 — KRFC quota management.

Trinity River

1. January 1 through August 31 — General Season KRSC.

For purposes of clarity, daily bag and possession limits apply to that section of the Trinity River downstream of the Old Lewiston Bridge to the confluence with the South Fork Trinity River.

2. September 1 through December 31 — KRFC quota management.

The daily bag and possession limits apply to both stocks within the same sub-area and time period.

Current regulations in subsections 7.50(b)(91.1)(E)2.a. and b. specify bag limits for KRFC stocks in the Klamath River. Current regulations in subsections 7.50(b)(91.1)(E)6.b., e., and f. specify bag limits for KRFC stocks in the Trinity River. Current regulations in subsection 7.50(b)(91.1)(C)2.b. specify KRFC possession limits.

PROPOSED CHANGES

Because PFMC recommendations are not known at this time, ranges (shown in brackets in the text below) of subquotas and bag and possession limits, which encompass historical quotas, are being proposed for the 2019 KRFC fishery in the Klamath and Trinity rivers. The final KRFC bag and possession limits will align with the final federal regulations to meet biological and fishery allocation goals specified in law, or established in the FMP, otherwise harvest opportunities may be reduced in the California ocean fisheries.

KRSC Sport Fishery (Quota Management)

Quota: For public notice requirements, the Department recommends the Commission consider a quota range of 0–67,600 adult KRFC in the Klamath River Basin for the river sport fishery. This recommended range encompasses the historical range of the Klamath River Basin allocations and allows the PFMC and Commission to make adjustments during the 2019 regulatory cycle.

Subquotas: The proposed subquotas for KRFC stocks are as follows:

- Main stem Klamath River from 3,500 feet downstream of the Iron Gate Dam to the Highway 96 bridge at Weitchpec — 17 percent of the total quota equates to [0–11,492];
- Main stem Klamath River from downstream of the Highway 96 bridge at Weitchpec to the mouth — 50 percent of the total quota equates to [0–33,800];
- Trinity River downstream of the Old Lewiston Bridge to the Highway 299 West bridge at Cedar Flat — 16.5 percent of the total quota equates to [0–11,154]; and

- Trinity River downstream from the Denny Road bridge at Hawkins Bar to the confluence with the Klamath River — 16.5 percent of the total quota equates to [0–11,154].

Seasons: No changes are proposed for the Klamath River and Trinity River KRFC seasons:

- Klamath River — August 15 to December 31
- Trinity River — September 1 to December 31

Bag and Possession Limits: As in previous years, no retention of adult KRFC is proposed for the following areas once the subquota has been met.

The range of proposed bag and possession limits for KRFC stocks are as follows:

- Bag Limit — [0–4] Chinook Salmon — of which no more than [0–4] fish over 22 inches total length may be retained until the subquota is met, then 0 fish over 22 inches total length.
- Possession limit — [0–12] Chinook Salmon of which no more than [0–4] fish over 22 inches total length may be retained when the take of salmon over 22 inches total length is allowed.

KRSC Sport Fishery

No regulatory changes are proposed for the general (KRSC) opening and closing season dates, and bag, possession and size limits.

Other Changes

No other changes are proposed, except those described above, and to change the year 2018 to 2019 for the upcoming season.

BENEFITS OF THE PROPOSED REGULATIONS

The Commission anticipates benefits to the environment in the sustainable management of Klamath River Basin salmonid resources.

Other benefits of the proposed regulations are conformance with federal fishery management goals, health and welfare of California residents and promotion of businesses that rely on salmon sport fishing in the Klamath River Basin.

CONSISTENCY AND COMPATIBILITY WITH EXISTING REGULATIONS

Article IV, Section 20 of the State Constitution specifies that the Legislature may delegate to the Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated authority to the Commission to promulgate sport fishing regulations (sections 200, 205, 315, and 316.5, Fish and Game Code). The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor in-

compatible with existing State regulations. Commission staff has searched the California Code of Regulations and has found no other State regulations related to sport fishing in the Klamath River Basin.

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 Natural Resources Building Auditorium, 1416 Ninth Street, First Floor, Sacramento, California, on Wednesday, February 6, 2019, 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 City of Santa Monica Civic Auditorium, East Wing, 1855 Main Street, Santa Monica, California, on Wednesday, April 17, 2019, 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 teleconference hearing originating in the Commission's conference room, 1416 Ninth Street, Room 1320, Sacramento, California, on Thursday, May 16, 2019, 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 May 3, 2019 at the address given below, or by email to FGC@fgc.ca.gov. Written comments mailed, or emailed to the Commission office, must be received before 12:00 noon on May 10, 2019. All comments must be received no later than May 16, 2019, at the teleconference hearing. If you would like copies of any modifications to this proposal, please include your name and mailing address. Mailed comments should be addressed to Fish and Game Commission, PO Box 944209, Sacramento, CA 94244-2090.

AVAILABILITY OF DOCUMENTS

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation in underline and strikeout format can be accessed through the Commission website at www.fgc.ca.gov. 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, Melissa Miller-Henson, Acting 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 Melissa Miller-Henson or Craig Castleton at the preceding address or phone number. **Senior Environmental Scientist, Wade Sinnen,**

Department of Fish and Wildlife, phone (707) 822-5119, or e-mail Wade.Sinnen@wildlife.ca.gov, has been designated to respond to questions on the substance of the proposed regulations.

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 265 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, 11346.8 and 11347.1 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 Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations are projected to range from minor to no impact on the net revenues to local businesses servicing sport fishermen. If the 2019 KRFC quota is reduced, visitor spending may correspondingly be reduced, and in the absence of the emergence of alternative visitor activities, the drop in spending could

induce business contraction. If the quotas remain similar to previous quotas, then local economic impacts are expected to be unchanged. Neither scenario is expected to directly affect the ability of California businesses to compete with businesses in other states.

- (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 proposed regulations range from no fishing of KRFC, to normal Klamath River Basin salmon season, size, bag and possession limits.

The Commission anticipates some impact on the creation or elimination of jobs in California. The potential adverse employment impacts range from no impact to the loss of 22 jobs which are not expected to create, eliminate or expand businesses in the State.

An estimated 30–50 businesses that serve sport fishing activities are expected to be directly and/or indirectly affected depending on the final quota. The impacts range from no impact to unknown impacts on the creation of new business or the elimination of existing businesses.

The Commission does not anticipate any impacts on the expansion of businesses in California.

For all projections, the possibility of growth of businesses to serve substitute activities exists. Adverse impacts to jobs and/or businesses would be less if fishing of other species and grilse KRFC is permitted, than under a complete closure to all fishing. The impacted businesses are generally small businesses employing few individuals and, like all small businesses, are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed action is to increase sustainability in fishable salmon stocks and, consequently, promoting the long-term viability of these same small businesses.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for a salmon sport fishery encourages a healthy outdoor activity and the consumption of a nutritious food.

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

The Commission does not anticipate any benefits to worker safety because the proposed action does not affect working conditions.

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

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

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

EFFECT ON SMALL BUSINESS

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

CONSIDERATION OF ALTERNATIVES

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

TITLE 14. FISH AND GAME COMMISSION

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 202 and 355 of the Fish and Game Code and to implement, interpret or make specific Sections 202, 355 and 356, of said Code, proposes to amend section 502 and 509, Title 14, California Code of

Regulations, relating to Waterfowl Regulations for the 2019–2020 season.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW (WATERFOWL — SECTION 502)

Current regulations in Section 502, Title 14, California Code of Regulations (CCR), provide definitions, hunting zone descriptions, season opening and closing dates, and daily bag and possession limits. The proposed Frameworks for the 2019–20 season were approved by the flyway councils and were considered for adoption at the Service’s Regulations Committee meeting October 16–17, 2018. The proposed Frameworks allow for a liberal duck season which includes a 107–day season, 7 daily duck limit including 7 mallards but only 2 hen mallards, 1 pintail, 2 canvasback, 2 red-heads, and 3 scaup (during an 86–day season), closing no later than January 31. Duck daily bag limit ranges and duck season length ranges are provided to allow the Commission flexibility.

A range of season length and bag limits (zero bag limit represents a closed season) is also provided for black brant. The range is necessary, as the black brant Framework cannot be determined until the Pacific Flyway Winter Brant Survey is conducted in January 2019. The regulatory package is determined by the most current Winter Brant Survey, rather than the prior year survey. The regulatory package will be prescribed per the Black Brant Harvest Strategy pending results of the survey, well before the Commission’s adoption meeting. See the table in the Informative Digest for the range of season and bag limits.

Lastly, Federal regulations require that California’s hunting regulations conform to those of Arizona in the

Colorado River Zone and those of Oregon in the North Coast Special Management Area.

The Department’s recommendations are as follows:

- 1) Add Small Canada geese to the Regular Season in subsection 502(d)(1)(B) for the Northeastern California Zone.
- 2) Add Small Canada geese to Season in subsection 502(d)(6)(A)3 for the Klamath Basin Special Management Area.
- 3) Open the Late Season for white geese two weeks after the close of the Regular Season in subsection 502(d)(6)(A)9 for the Imperial County Special Management Area.
- 4) Allow 5 additional days of falconry–only season for the Balance of State Zone in subsection 502(f)(1)(B)2 and allow 2 additional days of falconry–only season for the Southern San Joaquin Valley Zone in subsection 502(f)(1)(B)3.

An alternative requested by Commissioners at the notice hearing:

- 1) Maintain 100–day season length and use additional five days for falconry–only hunting (as discussed between Department of Fish and Wildlife and California Hawking Club June 18, 2018).

Or, add up to five days a year to the general duck and goose seasons and close these seasons by closing on January 31 instead of the last Sunday in January, as proposed by California Waterfowl at the December notice hearing. This alternative eliminates the existing and proposed falconry–only seasons.

Minor editorial changes are also proposed to clarify and simplify the regulations and to comply with existing federal Frameworks.

Summary of Proposed Waterfowl Hunting Regulations for 2019-20			
AREA	SPECIES	SEASONS	DAILY BAG & POSSESSION LIMITS
Statewide	Coots & Moorhens	Concurrent w/duck season	25/day. 75 in possession
Northeastern Zone <i>Season may be split for Ducks, Pintail, Canvasback, Scaup, Dark Geese and White Geese, White geese and dark geese may be split 3-ways.</i>	Ducks	Between 38 & 105 days	[4-7]/day, which may include: [3-7] mallards no more than [1-2] females. 1 pintail, 2 canvasback, 2 redheads, 3 scaup. Possession limit triple the daily bag.
	Scaup	86 days	
	Geese	No longer than 105 days	30/day, which may include: 20 white geese, 10 dark geese, no more than 2 Large Canada geese. Possession limit triple the daily bag.
Southern San Joaquin Valley Zone <i>Season may be split for Ducks, Pintail, Canvasback and scaup</i>	Ducks	Between 38 & 105 days	[4-7]/day, which may include: [3-7] mallards no more than [1-2] females. 1 pintail, 2 canvasback, 2 redheads, 3 scaup. Possession limit triple the daily bag.
	Scaup	86 days	
	Geese	No longer than 105 days	30/day, which may include: 20 white geese, 10 dark geese. Possession limit triple the daily bag.
Southern California Zone <i>Season may be split for Ducks, Pintail, Canvasback and Scaup</i>	Ducks	Between 38 & 105 days	[4-7]/day, which may include: [3-7] mallards no more than [1-2] females. 1 pintail, 2 canvasback, 2 redheads, 3 scaup. Possession limit triple the daily bag.
	Scaup	86 days	
	Geese	No longer than 105 days	23/day, which may include: 20 white geese, 3 dark geese. Possession limit triple the daily bag.
Colorado River Zone <i>Season may be split for Ducks, Pintail, Canvasback and Scaup</i>	Ducks	101 days	7/day, which may include: 7 mallards no more than 2 females or Mexican-like ducks. 1 pintail, 2 canvasback, 2 redheads, 3 scaup. Possession limit triple the daily bag.
	Scaup	86 days	
	Geese	101 days	24/day, up to 20 white geese, up to 4 dark geese. Possession limit triple the daily bag.
Balance of State Zone <i>Season may be split for Ducks, Pintail, Canvasback, Scaup and Dark and White Geese.</i>	Ducks	Between 38 & 105 days	[4-7]/day, which may include: [3-7] mallards no more than [1-2] females. 1 pintail, 2 canvasback, 2 redheads, 3 scaup. Possession limit triple the daily bag.
	Scaup	86 days	

	Geese	Early Season: 5 days (Canada goose only) Regular Season: no longer than 100 days Late Season: 5 days (whitefronts and white geese)	30/day, which may include: 20 white geese, 10 dark geese. Possession limit triple the daily bag.
SPECIAL MANAGEMENT AREAS	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
North Coast <i>Season may be split</i>	All Canada Geese	105 days except for Large Canada geese which cannot exceed 100 days or extend beyond the last Sunday in January.	10/day, only 1 may be a Large Canada goose. Possession limit triple the daily bag. Large Canada geese are closed during the Late Season.
Humboldt Bay South Spit (West Side)	Alt species	Closed during brant season	
Klamath Basin	Dark and white geese	105 days except for Canada geese which cannot exceed 100 days or extend beyond January 31.	30/day, which may include: 20 white geese, 10 dark geese only 2 may be a Large Canada goose. Possession limit triple the daily bag.
Sacramento Valley	White- fronted geese	Open concurrently with general goose season through Dec 21	3/day. Possession limit triple the daily bag.
Morro Bay	All species	Open in designated areas only	Waterfowl season opens concurrently with brant season.
Martis Creek Lake	All species	Closed until Nov 16	
Northern Brant	Black Brant	No longer than 37 days and closing no later than Dec 14.	[0-2]/day. Possession limit triple the daily bag.
Balance of State Brant	Black Brant	No longer than 37 days and closing no later than Dec 15.	[0-2]/day. Possession limit triple the daily bag.
Imperial County <i>Season may be split</i>	White Geese	Up to 102 days	20/day. Possession limit triple the daily bag.

YOUTH WATERFOWL HUNTING DAYS	(NOTE: To participate in these Youth Waterfowl Hunts, federal regulations require that hunters must be 17 years of age or younger and must be accompanied by a non-hunting adult 18 years of age or older.)		
	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Same as regular season	The Saturday fourteen days before the opening of waterfowl season extending for 2 days.	Same as regular season
Southern San Joaquin Valley Zone	Same as regular season	The first or second Saturday in February following the closing of waterfowl season extending for 2 days.	Same as regular season
Southern California Zone	Same as regular season	The first or second Saturday in February following the closing of waterfowl season extending for 2 days.	Same as regular season
Colorado River Zone	Same as regular season	The Saturday following the closing for waterfowl season extending for 2 days.	Same as regular season
Balance of State Zone	Same as regular season	The first or second Saturday in February following the closing of waterfowl season extending for 2 days.	Same as regular season
FALCONRY OF DUCKS	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
Northeastern Zone	Same as regular season	Between 38 and 105 days	3/day. Possession limit 9
Balance of State Zone	Same as regular season	Between 38 and 107 days	3/day. Possession limit 9
Southern San Joaquin Valley Zone	Same as regular season	Between 38 and 107 days	3/day. Possession limit 9
Southern California Zone	Same as regular season	Between 38 and 107 days	3/day. Possession limit 9
Colorado River Zone	Same as regular season	105 days	3/day. Possession limit 9

INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW (CONCURRENCE WITH FEDERAL
REGULATIONS — SECTION 509)

Current regulations in Section 509, Title 14, California Code of Regulations (CCR), incorporate requirements found in Federal regulations, including a requirement that hunters must possess a Federal migratory–bird hunting and conservation stamp for the taking of migratory birds. The U.S. Fish and Wildlife Service (Service) has begun issuing an electronic stamp, or E–stamp. To be consistent with Federal regulations and allow the Department to issue electronic Federal migratory–bird hunting and conservation stamps in the future, amendments to the text of Section 509 are necessary.

The Proposed Change Is:

Amend the language in Section 509(c) to include “. . . or an unexpired Federal migratory–bird hunting and conservation electronic stamp issued in his or her name. . . .”

Benefits of the Regulations

The benefits of the proposed regulations are consistency with federal law and the sustainable management of the State’s waterfowl resources. Positive impacts to jobs and/or businesses that provide services to waterfowl hunters will be realized with the continued adoption of waterfowl hunting seasons in 2019–20.

Non–Monetary Benefits to the Public

The Commission does not anticipate non–monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity, and the increase in openness and transparency in business and government.

EVALUATION OF INCOMPATIBILITY
WITH EXISTING REGULATIONS

The Commission has reviewed its regulations in Title 14, CCR, and conducted a search of other regulations on this topic and has concluded that the proposed amendments to Section 502 are neither inconsistent nor incompatible with existing State regulations. No other State agency has the authority to promulgate waterfowl hunting 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 Resource Building first floor auditorium, 1416 9th Street, Sacramento, California, on February 6, 2019 at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant

to this action at a hearing to be held in The City of Santa Monica Civic East Wing Auditorium, 1855 Main Street, Santa Monica, California, on April 17, 2019, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before **5:00 p.m.** April 4, 2019 at the address given below, or by email to FGC@fgc.ca.gov. Written comments mailed, or emailed to the Commission office, must be received before 12:00 noon on April 12, 2019. All comments must be received no later than April 17, 2019, at the hearing in Santa Monica, California. If you would like copies of any modifications to this proposal, please include your name and mailing address.

Availability of Documents

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation in underline and strikeout format can be accessed through the Commission website at www.fgc.ca.gov. 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, Melissa Miller–Henson, Acting 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. Melanie Weaver, Senior Environmental Scientist, Department of Fish and Wildlife, (916) 445–3717, has been designated to respond to questions on the substance of the proposed regulations. Mailed comments should be addressed to Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244–2090.

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 265 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, 11346.8 and 11347.1 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 business, including the ability of California businesses to compete with businesses in other states.

The proposed regulations would provide additional recreational opportunity to the public and could result in minor increases in hunting days and hunter spending on equipment, fuel, food and accommodations.

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

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses, or the expansion of businesses in California. The proposed waterfowl regulations will set the 2019–20 waterfowl hunting season dates and bag limits within the federal Frameworks. Little to minor positive impacts to jobs and/or businesses that provide services to waterfowl hunters may result from the proposed regulations for the 2019–20 waterfowl hunting season.

The most recent U.S. Fish and Wildlife national survey of fishing, hunting, and wildlife associated recreation for California, estimated that migratory bird hunters contributed about \$169,115,000 to businesses in California during the 2011 migratory bird hunting season. The impacted businesses are generally small businesses employing a few individuals and, like all small businesses, are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed regulations is to sustainably manage waterfowl populations, and consequently, the long-term viability of these same small businesses.

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

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

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

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

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

- (g) Costs Imposed on Any Local Agency or School District that 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 11346.2(a)(1).

CONSIDERATION OF ALTERNATIVES

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

**TITLE 14 AND 27. DEPARTMENT OF
RESOURCES RECYCLING
AND RECOVERY**

Title 14:

Natural Resources

Division 7:

**Department of Resources Recycling and Recovery
(the department or CalRecycle)**

(New Chapter)

Chapter 12

Short-lived Climate Pollutants

(Amended Chapters)

Chapter 3

**Minimum Standards for Solid Waste Handling and
Disposal**

Chapter 3.1

Composting Operation Regulatory Requirements

Chapter 3.2

**In-Vessel Digestion Operations and Facilities
Regulatory Requirements**

Chapter 5

**Enforcement of Solid Waste Standards and
Administration of Solid Waste Facilities Permit;
Loan Guarantees**

Chapter 9

**Planning Guidelines and Procedures for Preparing,
Revising, and Amending Countywide or Regional
Integrated Waste Management Plans**

Title 27:

Environmental Protection

Division 2:

Solid Waste

(Amended Chapters)

Chapter 2

Definitions

Chapter 3

**Criteria for All Waste Management Units,
Facilities, and Disposal Sites**

Chapter 4

**Documents and Reporting for Regulatory Tiers,
Permits, WDRs, and Plans**

The proposed regulations implement the department's responsibilities established by SB 1383 (Lara, Chapter 395, Statutes of 2016) Public Resources Code (PRC) Sections 42652–42654, and 41780.01, and Health and Safety Code (HSC) Sections 39730.5–39730.6. This rulemaking implements regula-

tory requirements to reduce landfill disposal of organic waste in order to achieve the greenhouse gas emissions reductions required by SB 1383.

PUBLIC HEARING

A public hearing to receive public comments has been scheduled for 9:00 a.m. on March 12, 2019. The hearing will be held at the:

Joe Serna Jr., Cal EPA Building
Coastal Hearing Room
1001 I Street, 2nd Floor
Sacramento, CA 95814

The hearing will begin at 9:00 a.m. on March 12, 2019, and will conclude after all testimony is given. CalRecycle requests that persons making oral comments also submit a written copy of their testimony at the hearing. The hearing room is wheel chair accessible. If you have questions, please contact SLCP.Organics@calrecycle.ca.gov.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulation to the department. **The written comment period for this rulemaking closes at 5:00 p.m. on March 4, 2019.** The department will also accept written comments during the public hearing described above. Please submit your written comments to:

Gwen Huff
Materials Management and Local
Assistance Division
California Department of Resources
Recycling and Recovery
P.O. Box 4025
Sacramento, CA 95812
PHONE: (916) 341–6622
FAX: (916) 319–7146
E-MAIL: SLCP.Organics@calrecycle.ca.gov

AUTHORITY AND REFERENCES

The authority for this regulation is PRC Sections 40502, 43020, 43021 and 42652.5.

The references for this regulation include PRC Sections 40001, 40002, 40053, 40055, 41780.01, 41781.3, 41821.5–41821.8, 42652, 42652.5, 42653, 42654, 43020, 43021, 43103, 44001–44017, 44100–44101, 44500–44503 and 44813–44816; and HSC Sections 39730.5–39730.8.

INFORMATIVE DIGEST

The California Integrated Waste Management Act (Act), PRC Section 40000 et seq., gives the department

authority to provide for the protection of public health, safety, and the environment through waste prevention, waste diversion, and safe waste processing and disposal. PRC Section 40502 authorizes the department to adopt rules and regulations to implement the Act.

The proposed regulations implement the department's responsibilities under PRC Sections 42652–42654 and HSC Sections 39730.5–39730.6. This rulemaking implements regulatory requirements to reduce landfill disposal of organic waste in order to achieve the greenhouse gas emissions reductions required by SB 1383.

Specifically, SB 1383 required CalRecycle, in consultation with the California Air Resources Board (ARB), to adopt regulations designed to reduce statewide landfill disposal of organic waste. SB 1383 established two organic waste disposal reduction targets. These targets are tied to the 2014 baseline of 23 million tons of organic waste disposal and must be achieved by 2020 and 2025. The targets are as follows:

- **2020** — 50 percent organic waste reduction from 2014 baseline (11.5 million tons allowed landfill disposal of organic waste)
- **2025** — 75 percent organic waste reduction from 2014 baseline (5.75 million tons allowed landfill disposal of organic waste)

Included within the statutory requirements to reduce organic waste disposal by 75 percent by 2025, is a mandate that CalRecycle's regulations include "requirements intended to meet the goal that not less than 20 percent of edible food that is currently disposed of is recovered for human consumption by 2025." The regulations are designed to achieve these organic waste reduction targets within the authority and direction provided in enabling statute.

Statutory Guidance and Restrictions

The Legislature specifically directed CalRecycle to comply with the following conditions in developing the regulatory requirements.

- Consult with ARB.
- Include requirements designed to recover at least 20 percent of edible food that is currently disposed.
- Develop requirements consistent with the Short-lived Climate Pollutant Reduction Strategy (SLCP Strategy) and the 2017 Integrated Energy Policy Report.
- Support cost-effective, and environmentally beneficial uses of biomethane derived from solid waste facilities.

The Legislature further included language that specifies that CalRecycle's regulations may include policies and requirements that:

- Enable the department to impose penalties on regulated entities beginning in 2022 (and allow jurisdictions (e.g. cities and counties) to impose such penalties beginning in 2024).
- Require jurisdictions to impose requirements on relevant entities.
- Establish different levels of requirements for jurisdictions.

The Legislature prohibited CalRecycle from including provisions in the regulations that:

- Impose an organic waste ban on individual landfills.
- Require jurisdictions to impose penalties on regulated entities prior to 2024.
- Impose 50 percent and 75 percent recycling targets on individual jurisdictions.

Finally, SB 1383 departs from previous recycling mandates in that it does not simply require diversion of material from landfills. The statute requires that material must also be diverted to activities that reduce greenhouse gas emissions.

Elements of the Regulations

CalRecycle, in consultation with ARB, developed a regulatory framework that is consistent with the SB 1383 statutory requirements noted above. The core aspects of the regulatory framework define or require the following actions:

(A) Activities Constituting a Reduction in Landfill Disposal

1. Disposal activities are defined as actions that result in organic waste being deposited into a landfill.
2. Recovery activities are defined as actions that keep organic waste out of landfills and reduce greenhouse gas emissions.

(B) Organic Waste Collection Services

1. Jurisdictions must provide residential and commercial organic waste collection services.
2. Jurisdictions must conduct minimum levels of education, outreach, and contamination monitoring for their collection services.
3. Residents and businesses must subscribe to collection services for organic waste that is not source-reduced, managed on-site, or self-hauled.

(C) Edible Food Recovery Programs and Services

1. Jurisdictions must implement and oversee edible food recovery programs.
2. Commercial edible food generators must establish documented arrangements with food recovery services or organizations.

(D) Procurement of Recovered Organic Waste Products

1. Jurisdictions must procure minimum levels of compost or renewable natural gas.
2. Jurisdictions must meet minimum recycled content and recyclability standards for paper products.

(E) Recordkeeping and Reporting by Regulated Entities

1. Regulated entities are required to keep records demonstrating compliance with the regulations.
2. Jurisdictions, haulers, and facilities must report on compliance with specific aspects of the regulations.

(F) Enforcement and Oversight

1. CalRecycle will primarily oversee jurisdictions and entities outside of local government regulatory authority.
2. Jurisdictions will primarily oversee entities subject to their authority (e.g. generators, haulers, and other entities).

(G) Organic Waste Recovery and Processing Standards for Facilities

1. Facilities must achieve recovery rates for organic waste that is collected with non-organic waste.
2. Facilities must reduce the level of incompatible materials (e.g., non-organic waste) present in organic waste prior to sending that waste to additional processing or recovery activities.

are measured against a 2014 baseline of approximately 23 million tons of organic waste disposal.

These targets will be more difficult to maintain as population and waste generation inevitably increase. CalRecycle projects population growth will result in the generation of approximately 26 million tons of organic waste annually by 2025. This results in the 2025 target requiring the state to source—reduce, reuse, or recover approximately 20 million out of 26 million tons of organic waste in 2025, with the amount necessary to recover continuing to increase in subsequent years.

Removing organic waste from landfills prevents the creation of methane from the anaerobic breakdown of the material. This methane can work its way out of the landfill as fugitive emissions, and these emissions currently represent 21 percent of the state’s methane emissions annually. Achieving these targets will reduce an increasing amount of greenhouse gas emissions, ultimately achieving annual reductions of at least 4 Million Metric Tons of CO₂ equivalents (MMTCO₂e) annually by 2030. In addition, one year of waste diversion avoids 14 MMTCO₂e over the lifetime of waste decomposition.

Further, SB 1383 requires actions that will reduce poverty-induced hunger by recovering 20 percent of the edible food that is currently disposed. In addition to avoiding landfill methane emissions, the recovery of edible food provides an opportunity to feed millions of food-insecure Californians. The overall food insecurity rate in California is 12.5 percent, meaning that approximately 1 out of every 8 Californians does not know where their next meal will come from. The rate for children is much higher, resulting in approximately 1 in 5 children going to bed hungry each night. Edible food rescue programs resulting from these regulations will increase the recovery of edible food for human consumption resulting in decreased food insecurity and healthier communities.

Implementation of SB 1383 and the SLCP Strategy will help protect California’s economy, environment, and residents from the impacts of climate change. California is already experiencing the impacts of climate change today. Extreme temperatures, prolonged droughts, and reduced snowpack stemming from global warming are producing significant and measurable economic impacts. These climate events are also increasing the frequency of natural disasters such as wildfires, which have a catastrophic effect on public health and the environment.¹ Safeguarding California from climate change impacts today requires immediate action. ARB, the agency charged with monitoring and regulat-

POLICY STATEMENT OVERVIEW

Implementation of SB 1383 and the SLCP Strategy is an integral part of the state’s climate change program outlined in the 2017 Climate Change Scoping Plan (Scoping Plan). The SLCP Strategy requires immediate reductions of the most potent greenhouse gases, and is expected to provide 35 percent of the greenhouse gas emissions reductions needed to meet the state’s 2030 greenhouse gas emissions reduction targets. The success of the SLCP Strategy relies on a portfolio of policies and measures across various sectors. The measures required for the waste sector will foster the development of a more sustainable economy, reduce global emissions, reduce hunger, and safeguard public health.

SB 1383 and the SLCP Strategy require California to reduce organic waste disposal 50 percent below 2014 levels by 2020 and 75 percent by 2025. The organic waste disposal reduction targets required by SB 1383

¹ California Air Resources Board, California’s 2017 *Climate Change Scoping Plan*, ES-1. November 2017. https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf.

ing sources of greenhouse gas emissions has found, “The only practical way to rapidly reduce the impacts of climate change is to employ strategies built on the tremendous body of science. The science unequivocally underscores the need to immediately reduce emissions of short-lived climate pollutants. . .”²

SB 1383 and the SLCP Strategy requires the state to rapidly employ strategies that will yield immediate reductions of short-lived climate pollutants that exert a warming influence that is exponentially more potent than carbon dioxide (CO₂). The warming influence of these gases, such as methane released from landfills, occur over a much shorter period than CO₂ (which lasts for approximately 100 years in the atmosphere). Therefore, actions to reduce or eliminate these greenhouse gasses today will yield immediate climate change benefits as the presence of these gases in the atmosphere declines and their significant warming potential is avoided.

The provisions of this regulation implement the waste sector aspects of SB 1383, the SLCP Strategy, and the Scoping Plan. This regulation is designed to achieve the organic waste reduction targets codified in SB 1383 by requiring programs and policies that divert organic waste from landfill disposal to recovery activities that prevent, reduce, or eliminate the methane generation potential of organic waste.

Achieving the waste sector reductions required by SB 1383 and these regulations will result in significant public health, economic, and environmental benefits for the people of California. Initiating the SB 1383 rule-making is both a necessary and an effective measure the state must take to meet its climate change goals, and safeguard California from the impacts of global warming.

PLAIN ENGLISH REQUIREMENTS

The department prepared the proposed regulation pursuant to the standard of clarity provided in Government Code Section 11349 and the plain English requirements of Government Code Sections 11342.580 and 11346.2(a)(1). The proposed regulation is considered non-technical and is written to be easily understood by those parties that will use them.

FEDERAL LAW OR REGULATIONS MANDATE

After conducting an evaluation of any regulations relating to this area, the department has found that the pro-

posed regulations are neither inconsistent nor incompatible with existing federal regulations or statute.

Under Executive Order (EO) 13693, federal agencies are required to divert at least 50 percent of non-hazardous solid waste (including food and compostable material, but not construction and demolition materials and debris), annually, and pursue opportunities for net-zero waste or additional diversion opportunities. Additionally, this EO has greenhouse gas reduction requirements and the head of each principal agency is required to ensure regional agency actions consider, and are consistent with, sustainability and climate preparedness priorities of states, local governments, and tribal communities where agency facilities are located.

CONSISTENCY WITH STATE REGULATIONS

After conducting an evaluation of any regulations relating to this area, the department has found that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

LOCAL MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The department has determined that the regulations do impose a mandate on local agencies or school districts but that mandate does not require state reimbursement pursuant to Part 7, commencing with Section 17500 of Division 4 of the Government Code; other non-discretionary costs or savings on local agencies; or, costs or savings in federal funding to the state.

Pursuant to SB 1383:

- PRC 42652.5 (b) A local jurisdiction may charge and collect fees to recover the local jurisdiction’s costs incurred in complying with the regulations adopted pursuant to this section.
- SEC. 7. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

FISCAL IMPACT

COSTS TO ANY LOCAL AGENCY OR SCHOOL DISTRICT REQUIRING REIMBURSEMENT

The department has determined that the proposed regulations do not result in costs to any local agency or school district that is required to be reimbursed pursuant to Government Code Section 17500 et seq.

² California Air Resources Board: *Short-Lived Climate Pollutant Reduction Strategy*, Page 1. March 14, 2017. https://www.arb.ca.gov/cc/shortlived/meetings/03142017/final_slcp_report.pdf.

COSTS OR SAVINGS TO ANY STATE AGENCY

State agencies will not incur any costs within the scope of the analysis required in Economic and Fiscal Impact Statement required by STD 399 (the current fiscal year or in the two subsequent fiscal years).

Existing law already requires state agencies to implement the collection and recycling programs that the SB 1383 regulations require of generators beginning in 2022. Therefore, the organic waste collection and recycling requirements included in the SB 1383 regulations will not create new costs for state agencies as those costs are already incurred.

Beginning in 2024, the SB 1383 regulations will require state agencies with on-site restaurants that seat 250 people or more to recover edible food. CalRecycle consulted with state agencies regarding the edible food recovery requirements. Total statewide costs for state agencies are estimated at \$4.2 million annually beginning in 2024. Based on survey results, these costs may be absorbable for many state agencies that already integrate food recovery services into their operations. State agency costs related to edible food recovery are noted in the Standardized Regulatory Impact Assessment (SRIA) (Pages 28–29 & 55–56).

NON-DISCRETIONARY COST OR SAVINGS IMPOSED UPON LOCAL AGENCIES

The regulations impose non-discretionary costs on local agencies. The department estimates that local agencies will incur costs for education, enforcement, contamination monitoring, reporting, capacity planning, and procurement. These costs are estimated to total \$1.3 billion. These costs are related to direct actions required of local agencies in the regulations.

Additionally, local agencies will pass-through new costs associated with providing organic waste collection services to their generators. CalRecycle estimates the costs of establishing new organic waste, collection, processing and recycling infrastructure will total \$17.4 billion statewide. These costs are broken down in the following way: capital costs (\$2 billion), operation and management costs (\$5 billion), collection costs (\$7.7 billion), and processing costs (\$2.7 billion).

Per the regulations, local agencies are required to provide organic waste collection and recycling services. In order to comply with this requirement, local agencies that do not already provide these services will incur costs to establish new collection programs and secure capacity at new or expanded organic waste recycling facilities.

The costs incurred by local agencies will vary depending on the collection and recycling services that are already provided to generators subject to their jurisdiction. Prior to the adoption of SB 1383, a series of successive state mandates and policies required or encour-

aged local agencies to implement actions to reduce landfill disposal of organic waste. Additionally, independent local government initiatives (such as local climate action plans) require actions to reduce landfill disposal of organic waste. Consequently, local agencies that prioritized organic waste recycling will incur more modest cost increases as result of this regulation as they already implement and provide collection and recycling services that mirror or exceed the requirements of the regulations. Local agencies that did not take action to secure new organic waste recycling capacity will incur greater costs than jurisdictions that actively sought and procured new recycling capacity over the last decade.

Costs incurred by local agencies will vary depending on the actions local agencies took in response to state mandates and policies, and local initiatives. These costs will primarily be borne by ratepayers in the form of increased waste collection rates adopted as a part of the local agencies waste collection service.

COST OR SAVINGS IN FEDERAL FUNDING TO THE STATE

The department has determined that there are no costs or savings in federal funding to the state.

EFFECT ON HOUSING COSTS

The department has determined that the proposed regulation will not have an effect on housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESSES, INCLUDING ABILITY TO COMPETE

The department has determined that the proposed regulations will not have a significant adverse economic impact on businesses and would not affect the ability of California businesses to compete with businesses in other states.

RESULTS OF THE STANDARDIZED REGULATORY IMPACT ASSESSMENT

The results of the SRIA demonstrate total statewide implementation costs and benefits. The economic costs total \$20.9 billion, the economic benefits total \$17 billion, resulting in a net statewide economic cost of \$3.9 billion. The statewide health and social benefits calculated in the SRIA total \$4.8 billion over the same time.

More than 80 percent of the total cost of compliance is associated with the statewide infrastructure requirements necessary to achieve the SB 1383 targets (\$17.4 billion). The infrastructure and management costs are

unavoidable costs of the statute, and would exist regardless of the structure of the regulations. Roughly, 16 percent (\$3.5 billion) of the required investments are associated with compliance with the specific requirements for various regulated entities, including jurisdictions, haulers and facilities (this \$3.5 billion is inclusive of the \$1.3 billion in direct local agency costs noted above).

The true costs of current disposal practices are not reflected in existing waste collection rates. Californians currently bear these costs in various forms, such as negative public health and environmental impacts. These regulations will address these externalities by transferring these hidden costs to more direct and visible ratepayer costs. The cost of recovering edible food and collecting organic waste for recycling and composting will increase waste collection rates, but it also eliminates hidden costs associated with disposal. In order to achieve the state's greenhouse gas reduction targets, and receive the public health, economic and environmental benefits noted above, the average consumer will see their waste collection rate increase.

EFFECT ON CREATION OR ELIMINATION OF JOBS, EXISTING, OR NEW BUSINESSES IN THE STATE OF CALIFORNIA

Implementation of SB 1383 will create 11,700 green jobs in the recycling and remanufacturing sector, as well as 4,500 temporary construction jobs to construct new organic waste recycling facilities. Approximately 86 new organic waste recycling facilities will be built to capture the value of materials currently lost to landfill disposal. This will result in the creation of approximately 100 new businesses in the waste collection and recycling sector in California.

BENEFITS TO THE HEALTH AND WELFARE OF CALIFORNIA RESIDENTS, WORKER SAFETY, AND THE ENVIRONMENT

Achieving the waste sector reductions required by SB 1383 and these regulations will result in significant public health and environmental benefits for the people of California.

Public Health Benefits include improved air quality, decreased hospitalization, and decreased mortality rates; collectively these benefits will avoid \$4.8 billion in costs.

Environmental Benefits are far-reaching and include improved soil water retention and carbon sequestration resulting from increased application of compost, reduced demand for landfill capacity and expansion, and reduced reliance on fossil fuels.

Finally, reduced methane emissions (projected 4 MMTCO₂e annually) will result in \$40–\$100 million annually in benefits from avoided climate change mitigation costs.

COMPETITIVE ADVANTAGES AND DISADVANTAGES FOR CALIFORNIA BUSINESSES

The proposed regulations would not affect the ability of California businesses to compete with businesses in other states to produce goods or services within California.

INCREASE OR DECREASE OF INVESTMENT IN CALIFORNIA

The department projects the regulations will result in an increase in investments in California. The annual capital expenditures and investments during construction will peak at \$245 million, amortized. The average of amortized capital expenditures and investments is \$167 million per year.

INCENTIVES FOR INNOVATION IN PRODUCTS, MATERIALS, OR PROCESSES

The department expects the regulations will drive innovation in collection, processing technology, edible food-mapping technology, etc. CalRecycle also anticipates innovations in sorting and processing systems. During the workshops that CalRecycle has conducted to date for this regulatory process, stakeholders have provided information indicating that new and innovative technologies are already coming into commercial use. These include alternatives to non-compostable paper, technology that removes putrescible organic waste from the disposal stream, and improved systems for matching edible food donors with recovery organizations. New companies that measure and collect data on food waste and provide this information back to the generators are already operating, other companies provide imaging and monitoring for contamination and container capacity, and others de-package the food waste for recovery. The regulations are designed to encourage innovation and development of new technologies where possible through the employment of various performance standards.

DEPARTMENT OF FINANCE (DOF) COMMENTS

DOF Comment

DOF's comments from the letter dated December 21, 2018, as well as conversations between CalRecycle and DOF staff, note that additional transparency could be provided by demonstrating the projected annual costs for facilities in a manner that mirrors Tables 3, 4, and 5 in the SRIA. Specifically, DOF noted that, "additional detail on the construction costs and the number of facilities estimated to be phased in annually are not provided; these details are needed to provide transparency and for proper planning by governments and waste haulers and facilities."

CalRecycle Response

As noted in the SRIA, "CalRecycle expects these regulations to be fully implemented in calendar year 2025

in response to the statutorily mandated goals of 75 percent reduction in organic waste disposal and 20 percent edible food recovery by January 1, 2025.” Therefore, the SRIA notes annual costs and benefits from 2019–2025.

In order to show projected annual costs for facilities in a manner consistent with other tables in the SRIA, CalRecycle added annual costs and revenues as an addendum to Table 1 from the SRIA (shown below):

Table 1

Addendum to Table 1

Year	Existing Compost Facilities	New Build - Compost Facilities	Existing AD Facilities	New Build - AD Facilities	Capital Cost (\$ Mil)	O&M (\$ Mil)	Revenue (\$ Mil)
2019	41	6	25	0	\$14	\$340	\$730
2020	47	11	25	4	\$71	\$354	\$757
2021	58	10	29	6	\$141	\$419	\$894
2022	68	11	35	5	\$205	\$501	\$1,070
2023	79	11	40	6	\$277	\$576	\$1,229
2024	90	11	46	5	\$341	\$660	\$1,409
2025	101	0	51	0	\$341	\$735	\$1,568
Total New Facilities		60		26			

The SRIA relies on projections of potential infrastructure scenarios that are consistent with the projections made in the SLCP Strategy adopted by ARB in 2017.

Cap and Trade grants and loans. Continued or increased state funding for capital infrastructure could further decrease costs. Finally, many jurisdictions charge for waste services by volume; therefore smaller households and businesses may face lower cost increases, and generators may be able to reduce their costs by reducing their waste generation.

COST IMPACT ON REPRESENTATIVE PERSON OR BUSINESS

CalRecycle estimates the direct costs to individuals to be about \$17 per household per year after full implementation.

CalRecycle estimates that approximately 380,000 regulated businesses will be subject to potential costs as a result of the proposed regulations. CalRecycle estimates that the average direct cost to a typical business will be about \$662 annually.

As noted above, the numbers represent statewide averages; actual costs will vary across the state based on a variety of factors. For example, a notable portion of the state’s population resides in or conducts business in a jurisdiction that already provides commercial and residential organic waste recycling services. Rate increases in these jurisdictions will likely be lower as many investments in infrastructure were already made. Further, to date the state has funded \$74 million in capital costs for new organic waste recycling infrastructure through

BUSINESS REPORTING

The department has found that the reporting requirements of the proposed regulatory action, which apply to businesses, are necessary for the health, safety, and welfare of the people of the State of California.

EFFECT ON SMALL BUSINESSES

Of the approximately 380,000 businesses that would be subject to the proposed regulations, the majority of these are considered small businesses. CalRecycle estimates the cost on small businesses to be about \$662 annually. The costs for individual businesses will vary significantly, as the cost will depend on the amount of organic waste the business currently disposes, the ability of the business to reduce the amount of organic waste generated, and the level of organic waste collection services the business is already required to subscribe to.

CONSIDERATION OF ALTERNATIVES

The department has determined that no reasonable alternative considered or identified and brought to the attention of the department would be:

1. More effective in carrying out the purpose for which the action is proposed,
2. As effective and less burdensome to affected private persons than the proposed action; or,
3. More cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

CONTACT PERSON

Inquiries concerning the substance of the proposed action may be directed to:

Hank Brady
Executive Office
California Department of Resources Recycling and Recovery
P.O. Box 4025
Sacramento, CA 95812
PHONE: (916) 341-6250
FAX: (916) 319-7457
E-MAIL: SLCP.Organics@calrecycle.ca.gov

Back-up contact person to whom inquiries concerning the proposed administrative action may be directed:

Gwen Huff
Materials Management and Local Assistance Division
California Department of Resources Recycling and Recovery
P.O. Box 4025
Sacramento, CA 95812
PHONE: (916) 341-6622
FAX: (916) 319-7146
E-MAIL: SLCP.Organics@calrecycle.ca.gov

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The department will have the entire rulemaking file, and all information that provides the basis for the proposed regulation, available for inspection and copying throughout the rulemaking process 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 regulation, the initial statement

of reasons, and the economic analysis discussed above. Copies may be obtained by contacting the persons listed above. For more timely access to the proposed text of the regulation, and in the interest of waste prevention, interested parties are encouraged to access the department's Internet webpage at <https://www.calrecycle.ca.gov/Laws/Rulemaking/SLCP/>. Additionally, the Final Statement of Reasons will be available at the above-listed Internet address or you may contact the persons named above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

The department may adopt the proposed regulation substantially as described in this notice. If the department makes modifications, which are sufficiently related to the originally proposed text, it will make the modified text, with changes clearly indicated, available to the public for at least 15 days before the department adopts the regulation as revised. Requests for the modified text should be made to the contact person named above. The department will transmit any modified text to all persons who testify at the public hearing; all persons who submit written comments at the public hearing; all persons whose comments are received during the comment period; and all persons who request notification of the availability of such changes. The department will accept written comments on the modified regulation for 15 days after the date on which they are made available.

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR) proposes to amend Sections 3084.7, 3288, 3314, and 3315, and adopt new Section 3270.2 of the California Code of Regulations, Title 15, regarding audio-video surveillance in CDCR facilities.

PUBLIC HEARING:

Date and

Time: **March 8, 2019 — 10:00 a.m. to 11:00 a.m.**

Place: California Department of Corrections and Rehabilitation
Conference Room 100N
1515 S Street, North Building
Sacramento, CA 95811

Purpose: To receive comments about this action.

PUBLIC COMMENT PERIOD

The public comment period will close **March 8, 2019, at 5:00 p.m.** Any person may submit written comments by mail addressed to the primary contact person listed below, or by email to rpmb@cdcr.ca.gov, before the close of the comment period. For questions regarding the subject matter of the regulations, call the program contact person listed below.

CONTACT PERSONS

Primary Contact

Josh Jugum
Telephone: (916) 445-2228
Regulation and Policy
Management Branch
P.O. Box 942883
Sacramento, CA 94283-0001

Back-Up

Y. Sun
Telephone: (916) 445-2269
Regulation and Policy
Management Branch
P.O. Box 942883
Sacramento, CA 94283-0001

Program Contact

B. Donahoo
Division of Adult Institutions
(916) 324-1653

AUTHORITY AND REFERENCE

Government Code Section 12838.5 provides that commencing July 1, 2005, CDCR succeeds to, and is vested with, all the powers, functions, duties, responsibilities, obligations, liabilities, and jurisdiction of abolished predecessor entities, such as: Department of Corrections, Department of the Youth Authority, and Board of Corrections.

Penal Code (PC) Section 5000 provides that commencing July 1, 2005, any reference to Department of Corrections in this or any code, refers to the CDCR, Division of Adult Operations.

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

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

PC Section 5055 provides that commencing July 1, 2005, all powers and duties previously granted to and imposed upon the Department of Corrections shall be exercised by the Secretary of the CDCR.

PC Section 5058 authorizes the Director to prescribe and amend rules and regulations for the administration of prisons and for the administration of the parole of persons.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

In 2015, the California Office of the Inspector General (OIG) conducted a review at the request of the State Senate. The OIG recommended that CDCR consider the use of audio-video recording in all inmates' areas.

There were over 4000 documented incidents recorded in 2015 related to inmate violence within Department institutions. The proposed regulations will promote safety and security and establish consistency and procedures as it pertains to the audio-video surveillance systems (AVSS) in institutions. The Department already uses audio-video recording technology in various capacities, such as in visiting areas, at all institutions. These regulations will establish regulatory authority for the use, as well as potential future expansions, of such technology. This technology may help reduce staff and inmate assaults, and inmate complaints regarding staff and use of force incidents. The use of audio and/or video recording systems will provide institutional staff the ability to monitor in real time criminal activity as it occurs. Additionally, such surveillance is an invaluable investigative tool in assisting to identify involved suspects after an incident has been contained.

This action will:

- Establish regulatory authority for the Department's use of audio-video recording technology in Department facilities.
- Establish that AVSS shall not be used to record inmate living spaces, except in specified situations that require the authorization of the institution warden.
- Establish the circumstances in which specified staff may request recordings made by the AVSS to be used in investigations or disciplinary actions.
- Require posting of notices that specified locations in Department facilities may be subject to audio and/or video surveillance.

- Incorporate by reference a new form which will be used by specified Department staff to request recordings made by the AVSS to be used in investigations or disciplinary actions.

FORMS INCORPORATED BY REFERENCE

CDCR Form 1027 (08/18), Audio/Video Surveillance System Evidence Report

SPECIFIC BENEFITS ANTICIPATED BY THE PROPOSED REGULATIONS

These regulations may benefit the welfare of California residents by helping to make CDCR institutions safer for inmates, staff, and visitors. Additionally, safer institutions may provide an environment more conducive to rehabilitation, thereby reducing recidivism.

EVALUATION OF CONSISTENCY/COMPATIBILITY WITH EXISTING LAWS AND REGULATIONS

Pursuant to Government Code 11346.5(a)(3)(D), the Department has determined the proposed regulations are not inconsistent or incompatible with existing regulations. After conducting a review, the Department has concluded that these are the only regulations that concern audio–video surveillance systems in Department facilities.

LOCAL MANDATES

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement of costs or savings pursuant to Government Code Sections 17500–17630.

FISCAL IMPACT STATEMENT:

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

EFFECT ON HOUSING COSTS

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

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

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

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS

The Department has made an initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, because the proposed regulations place no obligations or requirements on any business.

EFFECT ON SMALL BUSINESSES

The Department has determined that the proposed regulations will not affect small businesses. This action has no significant adverse economic impact on small business because they place no obligations or requirements on any business.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The Department has determined that the proposed regulation will have no effect on the creation of new, or the elimination of existing, jobs or businesses within California, or effect the expansion of businesses currently doing business in California.

The Department has determined that the proposed regulation will have no effect on worker safety or the state’s environment.

These regulations may benefit the welfare of California residents by helping to make CDCR institutions safer for inmates, staff, and visitors. Additionally, safer institutions may provide an environment more conducive to rehabilitation, thereby reducing recidivism.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative considered by the Department or that has

otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed regulatory action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. Interested persons are invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

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

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

AVAILABILITY OF CHANGES TO PROPOSED TEXT

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

TITLE 22. DEPARTMENT OF CHILD SUPPORT SERVICES

NOTICE OF PROPOSED RULEMAKING TO AMEND THE CONFLICT-OF-INTEREST CODE OF THE DEPARTMENT OF CHILD SUPPORT SERVICES

NOTICE IS HEREBY GIVEN that the Department of Child Support Services (DCSS) proposes to amend its Conflict-of-Interest Code. The amendments update the Conflict-of-Interest Code due to position reclassifications and changes to duties that have occurred since the last amendment in 2016. The provisions of the DCSS Conflict-of-Interest Code that will be amended include Appendix A, which lists the positions with reporting requirements and the reporting requirement categories, and Appendix B, which provides a description of each reporting category.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

The DCSS Conflict-of-Interest Code, including proposed amended text of the appendices for this rulemaking, is posted to the DCSS public website at: <http://www.childsup.ca.gov/Resources/ChildSupportRegulations.aspx>

Any further revised version of the text and the Final Statement of Reasons will be posted to this webpage when they become available. The department has available all of the information upon which this rulemaking is based. That information is too voluminous to include here. If you do not have internet access, copies of the amended DCSS Conflict-of-Interest Code and Initial Statement of Reasons may be secured from the contact person listed below.

CONTACT PERSON

Any inquiries regarding this action to amend the DCSS Conflict-of-Interest Code may be directed to:

Name: Andrew Enriquez
 Telephone: 916-464-6689
 Fax: 916-464-5772
 Email Address: andrew.enriques@dcss.ca.gov
 Postal Address: Dept. of Child Support Services
 Policy and Program Branch
 MS-210
 Attn: Andrew Enriquez
 P.O. Box 419064
 Rancho Cordova, CA 95741-9064

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the DCSS. All comments should be submitted to the contact person named above at the addresses or phone number provided. The written comment period shall begin on January 18, 2019 and end on March 4, 2019 at 5:00 p.m. The DCSS shall consider only comments received by the contact person at the DCSS Policy and Program Branch by the deadline.

PUBLIC HEARING

The DCSS has not scheduled a public hearing for this proposed action. Any interested person or his or her representative may request a public hearing. If DCSS 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, the DCSS will conduct a public hearing on this proposed action.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The DCSS adopted its original Conflict-of-Interest Code in 2001 and amended it in 2016. DCSS has subsequently increased its workforce, restructured organizationally, and reclassified positions and duties. The DCSS Conflict-of-Interest Code must be amended to properly reflect departmental positions requiring disclosure of personal financial interest with potential for conflict with duties and the type of personal financial interests must be disclosed. Government Code section 87306 authorizes this amendment of the DCSS Conflict-of-Interest Code.

The DCSS Conflict-of-Interest Code is a regulation under Title 22 of the California Code of Regulations, section 123000, the Designated Positions Appendix and the Disclosure Categories Appendix.

The text of section 123000 essentially functions to incorporate by reference the comprehensive Conflict-of-Interest Code adopted by the Fair Political Practices Commission (FPPC). The complex requirements of the FPPC's Conflict-of-Interest Code have been carefully developed and departments are encouraged to incorporate them by reference rather than draft their own language for this complex area of law. Section 123000 does not require any amendment at this time.

The Designated Positions Appendix A requires amendment due to position reclassifications and changes to duties that have occurred since the amendment in 2016.

The Disclosure Categories Appendix B requires the addition of Category 8 to address position reclassifications.

AUTHORITY AND REFERENCE

Authority: Family Code sections 17306, 17310 and 17312; Government Code section 87306.

Reference: Government Code sections 87300–87302 and 87306

DISCLOSURES REGARDING THE PROPOSED ACTION

The DCSS has determined that the adoption of the proposed amendments to the DCSS Conflict-of-Interest Code will not impose a cost or savings on any state agency, local agency or school district that is required to be reimbursed under Part 7 (commencing with section 17500) of Division 4 of the Government Code; will not result in any nondiscretionary cost or savings to local agencies; will not result in any cost or savings in federal funding to the state; will not impose a mandate on local agencies or school districts; and will not have any potential cost impact on small businesses. DCSS is not aware of any cost impacts that a representative private person or business will incur in reasonable compliance with the proposed action.

CONSIDERATION OF ALTERNATIVES

The DCSS has determined that no reasonable alternative considered by the DCSS, or that has otherwise been identified or brought to the attention of the DCSS, would be more effective in carrying out the purpose for which these regulations are being implemented, or would be as effective and less burdensome to affected private persons than these regulations.

TITLE MPP. DEPARTMENT OF SOCIAL SERVICES

ITEM #1	California Work Opportunity and Responsibility to Kids (CalWORKs) Statewide Fingerprint Imaging System (SFIS) Repeal and New Identification Process
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The California Department of Social Services (hereafter known as the Department) hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held on March 6, 2019, at the following address:

Office Building # 8
744 P St. Room 103
Sacramento, California

CHAPTERS

Manual of Policies and Procedures (MPP) sections 40-026, 40-105, 40-171, and 80-301.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

These proposed regulations repeal the CalWORKs SFIS procedures for applicants and implement a new identity verification process. These changes are a result of Senate Bill (SB) 89 (Chapter 24, Statutes of 2017), which became effective July 1, 2018.

Under previous CalWORKs rules, as a condition of eligibility, adults applying for themselves or children were required to supply two fingerprint images and a photo image at the time of application. Failure to provide the required images resulted in ineligibility for the entire assistance unit. Specified persons were exempted from SFIS requirements.

SB 89 requires CDSS to repeal SFIS and implement a non-biometric identity verification method as a condition of eligibility for recipients of aid, other than dependent children. Proposed regulations implement the following:

Require County Welfare Departments to verify the identity of all adult applicants in person. Issue Immediate Need (IN) prior to identification (identity must be verified within 15 working days from the receipt date of the IN payment). Accept any applicant's sworn statement under penalty of perjury regarding identity when acceptable photo identification does not exist. Continue aid if the applicant presents evidence of good-faith efforts to obtain photo identification.

This regulatory action will benefit the health and welfare of California residents. The new identity verification process prevents duplicate aid, and makes application and eligibility practices more efficient, simple, and client-friendly. This regulatory action does not make changes to regulations involving worker safety or the state's environment and will increase the likelihood of stable families moving towards self-sufficiency, resulting in a positive economic impact to the state. In addition, the proposed regulations will make other technical, conforming changes, such as renumbering of sections and amending cross-references as necessary.

CDSS conducted a review of existing regulations and evaluated the proposed regulations for any inconsistency or incompatibility. CDSS has found that these are the only regulations concerning the SFIS process in CalWORKs. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations but do fulfill the intent of the legislature in enacting SB 89.

The public hearing will convene at 10:00 a.m. and will remain open only if attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately following the receipt of all testimony. The above-referenced facility is accessible to persons with disabilities. If you need a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on March 6, 2019.

Following the public hearing, the Department may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. Except for nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at CDSS Public Hearings for Proposed Regulations (<http://www.cdss.ca.gov/inforesources/Letters-Regulations/Legislation-and-Regulations/CDSS-Regulation-Changes-In-Process-and-Completed-Regulations/Public-Hearing-Information>). Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading at the address listed below. Following the public hearing, copies of the Final Statement of Reasons will also be available at the following address:

CONTACT

California Department of Social Services
Office of Regulations Development
744 P. Street, MS 8-4-192
Sacramento, CA 95814
Tel: (916) 657-2856, Fax: (916) 654-3286
Email: ord@dss.ca.gov

COST ESTIMATE

1. Costs or Savings to State Agencies: None.
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance with Government Code Sections 17500–17630: None.
3. Nondiscretionary Costs or Savings to Local Agencies: None.
4. Federal Funding to State Agencies: None.

LOCAL MANDATE STATEMENT

These regulations do impose a mandate upon local agencies, but not on school districts. There are no “state-mandated local costs” in these regulations which require state reimbursement under Section 17500 et seq. of the Government Code (GC) because any costs associated with the implementation of these regulations are costs mandated by the federal government within the meaning of Section 17513 of the GC.

**STATEMENT OF SIGNIFICANT ADVERSE
ECONOMIC IMPACT ON BUSINESS**

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This determination was made based on the proposed regulatory action, which was designed to impact only the CalWORKs population to aid and strengthen needy families towards achieving economic self-sufficiency.

**STATEMENT OF POTENTIAL
COST IMPACT ON PRIVATE
PERSONS OR BUSINESSES**

CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. This regulatory action is designed to impact only the CalWORKs population in order to aid and strengthen needy families, and there are no known expected costs associated to the individuals.

SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there is no impact on small businesses because these regulations are only applicable to state and county agencies. These regulations are mandated by SB 89 and are only applicable to CalWORKs applicants; therefore, they do not have a cost impact on the private sector, including small businesses.

**STATEMENT OF RESULTS OF
ECONOMIC IMPACT ASSESSMENT**

The adoption of the proposed amendments 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 implementation of this regulatory action will benefit CalWORKs applicants. There are no additional benefits for worker safety or the state’s environment, as the regulations only affect individuals applying for the CalWORKs program.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

In developing the regulatory action, CDSS did not consider alternatives because regulations for Welfare and Institutions Code (WIC) sections 10830 and 10831 are required by SB 89 (Chapter 24, Statutes of 2017), Sections 15 and 16. CDSS is legally bound to develop regulations for these WIC sections.

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as 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 AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Sections 10553, 10554 and 10604 of the Welfare and Institutions Code (WIC). Sections 10830 and

10831 of the WIC are referenced to make these regulations more specific.

DEPARTMENT REPRESENTATIVE
REGARDING THE RULEMAKING
PROCESS OF THE PROPOSED REGULATION

Contact Person:

Oliver Chu
(916) 657-2586

Backup:

Sylvester Okeke
(916) 657-2586

EMERGENCY STATEMENT

These regulations are to be adopted on an emergency basis. To allow interested persons an opportunity to submit statements or arguments concerning these regulations, they will be considered at public hearing in accordance with GC section 11346.4.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND
WILDLIFE

FISH AND GAME CODE SECTION 1653
CONSISTENCY DETERMINATION
REQUEST FOR

Novy-Rice-Zenkus Fish Passage
Improvement Project
(Tracking Number: 1653-2019-031-001-R1)
Siskiyou County

California Department of Fish and Wildlife (CDFW) received a Request to Approve on January 4, 2019, that the Shasta Valley Resource Conservation District proposes to carry out a habitat restoration or enhancement project pursuant to Fish and Game Code section 1653. The proposed project involves irrigation dam improvements, fish screen relocation and improvements, and irrigation pipeline installation. The proposed project will be carried out on the Shasta River, located at 2426 County Highway A-12, near Grenada, Siskiyou County, California.

On November 19, 2018, the North Coast Regional Water Quality Control Board (Regional Water Board)

received a Notice of Intent (NOI) to comply with the terms of, and obtain coverage under, the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Novy-Rice-Zenkus Fish Passage Improvement Project. The Regional Water Board determined that the Project, as described in the NOI, was categorically exempt from California Environmental Quality Act (CEQA) review (section 15333 — Small Habitat Restoration Projects) and met the eligibility requirements for coverage under the General 401 Order. The Regional Water Board issued a Notice of Applicability (WDID No. 1A180167WNSI; ECM PIN No. CW-853996) for coverage under the General 401 Order on December 21, 2018.

The Shasta Valley Resource Conservation District is requesting a determination that the project and associated documents are complete pursuant to Fish and Game Code section 1653 subdivision (d). If CDFW determines the project is complete, the District will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) or a Lake or Streambed Alteration Agreement under Fish and Game Code section 1605 for the proposed project.

In accordance with Fish and Game Code section 1653 subdivision (e), if CDFW determines during the review, based on substantial evidence, that the request is not complete, the Shasta Valley Resource Conservation District will have the opportunity to submit under Fish and Game Code section 1652.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF CORRECTION

**Concerning the Public Notice re:
Source Material Distribution and General License
Revisions**

**(OAL File No. Z2018-1211-03)
Originally published December 21, 2018.**

The above-referenced notice was originally published in the California Regulatory Notice Register on December 21, 2018. The Notice did not provide the correct Fiscal Impact Estimate. This Notice of Correction includes the correct Fiscal Impact Estimate. The public comment period for this proposed regulation remains unchanged. Any written comments pertaining to the proposed action, regardless of the method of transmittal, must be received by the Office of Regulations by 5 p.m. on February 4, 2019 which is hereby designated as the close of the written comment period.

FISCAL IMPACT ESTIMATE

- A. FISCAL IMPACT ON LOCAL GOVERNMENT: None.
- B. FISCAL IMPACT ON STATE GOVERNMENT: None.
- C. FISCAL IMPACTS ON FEDERAL FUNDING OF STATE PROGRAMS: None.
- D. FISCAL IMPACT ON PRIVATE PERSONS OR BUSINESSES DIRECTLY AFFECTED: None.
- E. MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS: None.
- F. OTHER NONDISCRETIONARY COSTS: None.

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# 2019-0103-02

AIR RESOURCES BOARD

Low Carbon Fuel Standard and Alternative Diesel Fuels Regulations

In this regular rulemaking, CARB is amending low carbon fuel standard regulations and alternative diesel fuels regulations to further reduce the statewide gas emissions to at least 40 percent below the statewide greenhouse gas emissions limit by December 31, 2030, pursuant to Senate Bill 32 (Stats. 2016, Ch. 249).

Title 13, 17

ADOPT: title 17: 95483.2, 95483.3, 95486.1, 95486.2, 95488, 95488.1, 95488.2, 95488.3, 95488.4, 95488.5, 95488.6, 95488.7, 95488.8, 95488.9, 95488.10, 95490, 95491.1, 95500, 95501, 95502, 95503

AMEND: title 13: 2293.6; title 17: 95481, 95482, 95483, 95483.1, 95484, 95485, 95486, 95487, 95489, 95491, 95492, 95493, 95494, 95495

REPEAL: title 17: 95483.2, 95488, 95496

Filed 01/04/2019

Effective 01/04/2019

Agency Contact: Bradley Bechtold (916) 322-6533

File# 2018-1120-02

CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION

Diesel Fuel Used in Farming Activities or Food Processing

This submission of changes without regulatory effect by the California Department of Tax and Fee Administration (the "Department") amends both the partial exemption applied to the cumulative sales and use tax rate on or after November 1, 2017, and the rate of the additional sales and use taxes imposed on diesel fuel on or after November 1, 2017. Both rates are amended in response to the passage of Senate Bill 1 (Stats. 2017, ch. 5), which amended Revenue and Taxation Code sections 6051.8 and 6201.8 effective November 1, 2017. Additionally, this submission changes references in regulations from the State Board of Equalization to the Department.

Title 18

AMEND: 1533.2, 1598

Filed 01/03/2019

Agency Contact: Richard Bennion (916) 455-2130

File# 2018-1116-03

CALIFORNIA GAMBLING CONTROL COMMISSION

Section 19852 Reference Correction

This action without regulatory effect by the California Gambling Control Commission amends four sections to update cross-references and revise grammar.

Title 4

AMEND: 12200, 12201, 12220, 12221

Filed 01/02/2019

Agency Contact: Josh Rosenstein (916) 274-5823

File# 2018-1120-04

CALIFORNIA PRISON INDUSTRY AUTHORITY Definitions

This action by the California Prison Industry Authority amends the definition of "General Manager" by cap-

italizing the words “chief executive officer” (i.e., Chief Executive Officer) as a change without regulatory effect.

Title 15
AMEND: 8000
Filed 01/07/2019
Agency Contact: Moira Doherty (916) 358-1612

File# 2018-1120-03
CALIFORNIA STATE AUDITOR’S OFFICE
Redistricting, and High Risk Local Government
Agency Audit Program

This action without regulatory effect by the California State Auditor’s Office revises references to the former name of the agency and aligns provisions dealing with redistricting and the high risk local government agency audit program with changed statutes.

Title 2
AMEND: 60802, 60803, 60807, 60808, 60824, 60825, 60827, 60831, 60832, 60833, 60835, 60840, 60842, 60843, 60844, 60845, 60846, 60847, 60848, 60849, 60850, 60851, 60852, 60853, 60854, 60855, 60856, 60858, 60860, 60861, 60863, 61120
Filed 01/07/2019
Agency Contact:
Brianna Carlson-Behnoud (916) 445-0255

File# 2018-1220-03
DEPARTMENT OF CORRECTIONS AND
REHABILITATION
Supplemental Reforms to Credit Earning

The Department of Corrections and Rehabilitation submitted this emergency action, pursuant to Penal Code section 5058.3, to amend four regulations that allow inmates to earn credits that may advance release dates and parole dates. The amendments increase the amount of credits inmates may earn in several categories, as specified.

Title 15
AMEND: 3043, 3043.3, 3043.4, 3043.5
Filed 01/09/2019
Effective 01/09/2019
Agency Contact: Laura Lomonaco (916) 445-2217

File# 2018-1218-04
DEPARTMENT OF CORRECTIONS AND
REHABILITATION
Provisions of Care and Treatment Exclusions

In this emergency readopt action, submitted as operationally necessary pursuant to Penal Code section 5058.3, the Department of Corrections and Rehabilitation amends two sections regarding the basis for provid-

ing health care services. The amendments are to definitions and conditions that may be excluded from care.

Title 15
AMEND: 3999.98, 3999.200
Filed 01/07/2019
Effective 01/09/2019
Agency Contact: Doug Dinnell (916) 691-3836

File# 2018-1120-01
DEPARTMENT OF FOOD AND AGRICULTURE
Huanglongbing (HLB) Disease Interior Quarantine

The Department of Food and Agriculture submitted this timely certificate of compliance to make permanent the amendments made in OAL File No. 2018-0518-02E regarding Huanglongbing disease interior quarantine.

Title 3
AMEND: 3439
Filed 01/07/2019
Effective 01/07/2019
Agency Contact: Rachel Avila (916) 403-6813

File# 2018-1121-01
DEPARTMENT OF INDUSTRIAL RELATIONS
Order Regulating Wages and Hours in Agricultural
Occupations

This change without regulatory effect by the Department of Industrial Relations amends Wage Order 14-2001 regarding wages, hours, and working conditions in agricultural occupations to update minimum wage, overtime, and meal and lodging requirements pursuant to Labor Code Sections 857 through 864 (Assembly Bill 1066, Stats. 2016, ch. 313), 11832.12 and 1182.13 (Senate Bill 3, Stats. 2016, ch. 4).

Title 8
AMEND: 11140
Filed 01/07/2019
Agency Contact: Laura Moskowitz (415) 703-5252

File# 2018-1218-02
DEPARTMENT OF INDUSTRIAL RELATIONS
Civil Penalties for Cal/OSHA Citations

This file and print action by the Department of Industrial Relations amends maximum and minimum civil penalties in accordance with statutory adjustments based upon the annual percentage increase in the October Consumer Price Index for All Urban Consumers. The adjustments apply to civil penalties arising out of (1) non-serious violations of occupational safety or health standards, orders, or special orders; (2) violations of posting or recordkeeping requirements; and (3) willful or repeat violations. These regulations are exempt from the Administrative Procedure Act pursuant to Labor Code sections 6427(b), 6429(a)(2), and 6431(b).

Title 8
AMEND: 336
Filed 01/03/2019
Effective 01/01/2019
Agency Contact: Cynthia Perez (510) 286-7348

File# 2018-1121-02
DEPARTMENT OF JUSTICE
Assault Weapon Definitions

This action by the California Department of Justice makes the definitions currently set forth in section 5471, title 11 of the California Code of Regulations, applicable to the identification of assault weapons pursuant to Penal Code section 30515 for all purposes.

Title 11
ADOPT: 5460
Filed 01/08/2019
Effective 01/08/2019
Agency Contact: Kelan Lowney (916) 227-7615

File# 2018-1128-02
DEPARTMENT OF MOTOR VEHICLES
Disabled Person Parking Placards

Vehicle Code section 22511.55 was amended by Senate Bill 611 (Chapter 48, Stats. 2017) to require the Department of Motor Vehicles to, six years after the issuance of a distinguishing placard to a disabled person or disabled veteran and every six years thereafter, send the placard holder a renewal form by mail at least 90 days prior to the June 30th expiration date. Vehicle Code section 22511.55 was further amended by S.B. 611 to limit the issuance of a substitute placard to a person to no more than four times in a two-year renewal period. In this regular rulemaking, the Department is incorporating changes made to Vehicle Code section 22511.55 into the Application for Disabled Person Placard or Plates form (REG 195) (the "Application"). Additionally, the Department is repealing Application requirements listed in section 182.01 and moving those requirements into the Application itself. Lastly, the Department is adopting regulations for the renewal of a permanent disabled person placard and obtaining a substitute permanent disabled person placard.

Title 13
ADOPT: 182.02, 182.03
AMEND: 182.01, 182.02 (renumbered to 182.04)
Filed 01/08/2019
Effective 01/08/2019
Agency Contact: Randi Calkins (916) 657-8898

File# 2018-1116-02
DEPARTMENT OF SOCIAL SERVICES
Emergency Intervention and Community Crisis Homes
Section Renumbering

This filing of changes without regulatory effect by the California Department of Social Services renumbers and reorganizes sections. The changes also include minor punctuation corrections and updates to cross-references.

Title 22, MPP
ADOPT: 85175, 85318, 85320, 85340, 85342, 85364, 85368.1, 85368.4, 85370, 85387, 85390, 85102, 85161, 85168, 85168.3, 85169
AMEND: 85000, 85068.2, 85375, 85100, 85101, 85118, 85120, 85122, 85140, 85142, 85164, 85165, 85168.1, 85168.2, 85168.4, 85170, 85187, 85190, 85300, 85301, 85302, 85322, 85361, 85365, 85368, 85368.2, 85368.3, 85369
Filed 01/02/2019
Agency Contact: Oliver Chu (916) 657-3588

File# 2018-1126-01
DEPARTMENT OF SOCIAL SERVICES
Treatment of Motor Vehicles for CalWORKs Program

This action amends the Manual of Policies and Procedures (MPP) with respect to the treatment of motor vehicles in the CalWORKs program in light of amended statutes.

Title MPP
AMEND: 42-207, 42-213, 42-215, 42-221, 80-310
Filed 01/09/2019
Effective 04/01/2019
Agency Contact: Oliver Chu (916) 657-3588

File# 2018-1127-01
DEPARTMENT OF SOCIAL SERVICES
Residential Care Facilities for the Elderly Eviction
Notice and Miscellaneous Cross-References

These changes without regulatory effect conform section 87224 of Title 22 of the California Code of Regulations (Title 22) and of the Department of Social Services' Manual of Policies and Procedures (MPP) to Health and Safety Code section 1569.682 as amended. The changes also correct erroneous cross-references within section 87412 of Title 22 and the MPP.

Title MPP, 22
AMEND: 87224, 87412
Filed 01/08/2019
Agency Contact: Sylvester Okeke (916) 657-1908

File# 2018-1224-01
FISH AND GAME COMMISSION
Groundfish

This regulatory action by the Fish and Game Commission amends the annual catch limits and recreational fishing regulations for federally managed groundfish species. Aligning with federal regulations, the changes modify recreational season lengths, depth restrictions, and bag limits for federally managed groundfish and state-managed species that associate with federal groundfish. There are also modifications to Total Allowable Catch levels as well as increases to commercial trip limits for cabezon and greenling.

Title 14
AMEND: 27.30, 27.35, 27.40, 27.45, 27.50, 28.27, 28.55, 52.10, 150.16
Filed 01/02/2019
Effective 01/02/2019
Agency Contact: Sheri Tiemann (916) 654-9872

File# 2018-1120-05
NEW MOTOR VEHICLE BOARD
2018-2019 ACP Fees

The New Motor Vehicle Board submitted this action without regulatory effect for the annual update of the Arbitration Certification Program (ACP) fee based on the formula established in section 553.70 of title 13 of the California Code of Regulations. The updated ACP fee will be increased from \$.586 to \$.653, which will be paid by each manufacturer or distributor based upon the number of new motor vehicles sold, leased, or otherwise distributed during the calendar year 2017.

Title 13
AMEND: 553.70
Filed 01/03/2019
Agency Contact:
Danielle R. Phomsopha (916) 327-3129

File# 2018-1207-06
OFFICE OF TAX APPEALS
Appeals from Action Taken By Franchise Tax Board and California Department of Tax and Fee Administration

The Office of Administrative Law grants the Office of Tax Appeals' request, on the basis of Government Code section 15679(b), for filing with the Secretary of State and printing in the California Code of Regulations its procedural rules for hearing disputed tax and fee matters pursuant to Government Code section 11343.8.

Title 18
ADOPT: 30000, 30101, 30102, 30103, 30104, 30105, 30106, 30201, 30202, 30203, 30204, 30205, 30206, 30207, 30208, 30209, 30210, 30211, 30200.5, 30212, 30213, 30213.5, 30214, 30214.5, 30215, 30216, 30217, 30218, 30219, 30220, 30221, 30222, 30223, 30224, 30301, 30302, 30303, 30304, 30310, 30311, 30312, 30313, 30314, 30315, 30316, 30401, 30402, 30403, 30404, 30405, 30410, 30411, 30412, 30420, 30421, 30430, 30431, 30432, 30433, 30501, 30502, 30503, 30504, 30505, 30601, 30602, 30603, 30604, 30605, 30606, 30607, 30701, 30702, 30703, 30704, 30705, 30706, 30707
Filed 01/02/2019
Effective 01/03/2019
Agency Contact: Myriam Bouaziz (916) 926-3918

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN August 8, 2018 TO
January 9, 2019**

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
01/07/19 AMEND: 60802, 60803, 60807, 60808, 60824, 60825, 60827, 60831, 60832, 60833, 60835, 60840, 60842, 60843, 60844, 60845, 60846, 60847, 60848, 60849, 60850, 60851, 60852, 60853, 60854, 60855, 60856, 60858, 60860, 60861, 60863, 61120
12/18/18 AMEND: 1859.76
12/14/18 ADOPT: 1860, 1860.1, 1860.2, 1860.3, 1860.4, 1860.5, 1860.6, 1860.7, 1860.8, 1860.9, 1860.10, 1860.10.1, 1860.10.2, 1860.10.3, 1860.11, 1860.12, 1860.13, 1860.14, 1860.15, 1860.16, 1860.17, 1860.18, 1860.19, 1860.20, 1860.21
12/12/18 AMEND: 2970
12/12/18 AMEND: 18545, 18700, 18730, 18940.2
12/05/18 REPEAL: 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445
12/04/18 AMEND: 1897

11/29/18	ADOPT: 1896.83, 1896.85 AMEND: 1896.60, 1896.61, 1896.62, 1896.70, 1896.71, 1896.72, 1896.73, 1896.74, 1896.75, 1896.76, 1896.77, 1896.78, 1896.81, 1896.82, 1896.84, 1896.88, 1896.90, 1896.91, 1896.92, 1896.95, 1896.96, 1896.97		
11/27/18	AMEND: 1897		
11/08/18	ADOPT: 1896.13 AMEND: 1896.4, 1896.12, 1896.17		
10/29/18	AMEND: 1896.99.100, 1896.99.120		
10/22/18	ADOPT: 18215.4		
10/11/18	AMEND: 1859.51(e)		
09/27/18	AMEND: 43000, 43001, 43002, 43003, 43004, 43005, 43006, 43007, 43008, 43009		
09/26/18	AMEND: 1859.2, 1859.51(j), 1859.70, 1859.82, 1859.93.1		
09/26/18	AMEND: 59760		
09/24/18	AMEND: 18700.2		
09/20/18	AMEND: 559.885		
09/20/18	ADOPT: 211.2 AMEND: 211		
09/13/18	ADOPT: 21902, 21903.6 AMEND: 21902 (renumbered to 21901), 21903, 21904, 21905, 21905.5		
09/11/18	AMEND: 1859.77.3		
Title 3			
01/07/19	AMEND: 3439		
12/18/18	ADOPT: 4921		
11/29/18	AMEND: 3899		
11/06/18	AMEND: 3435(b)		
10/08/18	AMEND: 3591.12		
10/02/18	AMEND: 3591.12		
09/13/18	AMEND: 6502		
09/12/18	AMEND: 3591.13		
09/12/18	AMEND: 3591.12		
09/06/18	AMEND: 3601		
08/22/18	AMEND: 3591.2		
08/16/18	ADOPT: 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015		
08/10/18	AMEND: 1380.19, 1430.10, 1430.12, 1430.13, 1430.50, 1430.51, 1430.53		
Title 4			
01/02/19	AMEND: 12200, 12201, 12220, 12221		
12/17/18	ADOPT: 10092.1, 10092.2, 10092.3, 10092.4, 10092.5, 10092.6, 10092.7, 10092.8, 10092.9, 10092.10, 10092.11, 10092.12, 10092.13, 10092.14		
12/12/18	ADOPT: 10200, 10200.1, 10200.2, 10200.3, 10200.4, 10200.5, 10200.6, 10200.7		
11/26/18	ADOPT: 7313, 7314, 7315, 7316, 7317, 7318, 7319, 7319.1, 7320, 7321, 7322,		
	7323, 7324, 7325, 7325.1, 7326, 7327, 7328, 7329		
11/26/18	ADOPT: 7413, 7414, 7415, 7416, 7417, 7418, 7419, 7420, 7421, 7422, 7423, 7424, 7425, 7426, 7427, 7428, 7429		
11/20/18	AMEND: 1632		
11/20/18	AMEND: 1843.3		
11/20/18	AMEND: 8078.3, 8078.15		
11/19/18	ADOPT: 7213, 7214, 7215, 7216, 7218, 7219, 7220, 7221, 7222, 7223, 7224, 7225, 7227, 7228, 7229		
11/02/18	AMEND: 8078.8, 8078.10		
10/31/18	AMEND: 7051, 7054, 7055, 7056, 7063, 7071		
10/18/18	AMEND: 1843.2		
10/18/18	AMEND: 10170.2, 10170.3, 10170.4, 10170.5, 10170.6, 10170.7, 10170.8, 10170.9, 10170.10, 10170.14		
09/26/18	AMEND: 12205.1		
09/21/18	ADOPT: 5700, 5710, 5711, 5720, 5721, 5722, 5730, 5731 AMEND: 5000, 5020, 5033, 5035, 5037, 5054, 5060, 5100, 5101, 5102, 5120, 5144, 5170, 5191, 5212, 5230, 5240, 5250, 5540 REPEAL: 5259		
09/18/18	AMEND: 7051, 7054, 7055, 7056, 7063, 7071		
09/17/18	AMEND: 10091.1, 10091.2, 10091.3, 10091.4, 10091.5, 10091.6, 10091.7, 10091.8, 10091.9, 10091.10, 10091.11, 10091.12, 10091.13, 10091.14, 10091.15		
08/22/18	ADOPT: 7213, 7214, 7215, 7216, 7218, 7219, 7220, 7221, 7222, 7223, 7224, 7225, 7227, 7228, 7229		
Title 5			
12/31/18	AMEND: 11517.6, 11518, 11518.15, 11518.20, 11518.25, 11518.30, 11518.35, 11518.40, 11518.45, 11518.50, 11518.70, 11518.75, 11519.5		
12/05/18	AMEND: 19810		
10/22/18	ADOPT: 20236 AMEND: 20101, 20105, 20107, 20116, 20118, 20122, 20123, 20124, 20125, 20127, 20130, 20134, 20135, 20136, 20140, 20180, 20185, 20190, 20203, 20205, 20235 REPEAL: 20119, 20158, 20125, 20216, 20217, 20251, 20251, 20255, 20251, 20260, 20265		
10/17/18	AMEND: 18600		
Title 8			
01/07/19	AMEND: 11140		
01/03/19	AMEND: 336		
12/26/18	AMEND: 9789.19		
11/26/18	AMEND: 9789.25		

11/15/18	AMEND: 344, 344.1, 344.2	01/03/19	AMEND: 553.70
11/06/18	ADOPT: 9789.19.1 AMEND: 9789.12.1, 9789.12.2, 9789.12.6, 9789.12.8, 9789.12.12, 9789.12.13, 9789.13.2, 9789.16.1, 9789.16.7, 9789.18.1, 9789.18.2, 9789.18.3, 9789.18.11, 9789.19	11/07/18	AMEND: 505.2
11/01/18	AMEND: 14300.35, 14300.41	09/27/18	AMEND: 500 (renumbered to 501), 501 (renumbered to 505), 501.1 (renumbered to 501.3), 501.2 (renumbered to 505.2), 501.3 (renumbered to 505.1), 501.4 (renumbered to 505.11), 502 (renumbered to 505.3), 502.1 (renumbered to 505.6), 502.2 (renumbered to 505.12), 502.3 (renumbered to 505.4), 503 (renumbered to 501.2), 503.1 (renumbered to 505.7), 504 (renumbered to 505.8), 504.1 (renumbered to 505.9), 505 (renumbered to 510.1), 506 (renumbered to 500), 507 (renumbered to 510.9), 508 (renumbered to 510.10), 509 (renumbered to 520.2)
10/30/18	ADOPT: 9792.24.5 AMEND: 9792.22	09/25/18	AMEND: 600
10/10/18	AMEND: 344.18		
10/08/18	ADOPT: 13850, 13851, 13853, 13855, 13856, 13857, 13858, 13859, 13860, 13861, 13862, 13863, 13864, 13865, 13866, 13867, 13868, 13870, 13871, 13872, 13873, 13874		
Title 9			
10/04/18	AMEND: 4350		
08/20/18	ADOPT: 4020, 4020.1		
Title 10			
12/31/18	AMEND: 2632.5, 2632.11	Title 13	
12/26/18	ADOPT: 2238.10, 2238.11, 2238.12	01/08/19	ADOPT: 182.02, 182.03 AMEND: 182.01, 182.02 (renumbered to 182.04)
11/29/18	ADOPT: 2509.80, 2509.81, 2509.82	01/03/19	AMEND: 553.70
11/27/18	AMEND: 3704	12/26/18	AMEND: 2025
11/20/18	AMEND: 8000, 8030	12/26/18	AMEND: 1152.7, 1152.7.1
11/19/18	ADOPT: 10000, 10001, 10002, 10003, 10004, 10005, 10006, 10007	12/20/18	ADOPT: 1217.2, 1263.2
09/25/18	AMEND: 2498.4.9	12/12/18	AMEND: 1961.2, 1961.3
09/25/18	AMEND: 2498.5	12/04/18	ADOPT: 425.01
09/25/18	AMEND: 2498.6	11/29/18	AMEND: 17.00
09/24/18	ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620, 6622	11/27/18	AMEND: 1157.21
09/17/18	ADOPT: 6520, 6522, 6524, 6526, 6528, 6530, 6532, 6534, 6536, 6538	10/22/18	AMEND: 551.14, 551.24, 555.1, 584
08/31/18	ADOPT: 2218.80, 2218.81, 2218.82, 2218.83	10/18/18	AMEND: 551.12
Title 11			
01/08/19	ADOPT: 5460	10/10/18	AMEND: Appendix (Article 2.0)
12/31/18	AMEND: 2084, 2086, 2088, 2089, 2090, 2092, 2095, 2107	09/24/18	AMEND: 2222
12/28/18	AMEND: 5505, 5507, 5509, 5510, 5511, 5513, 5514, 5516, 5517	09/24/18	ADOPT: 2461.1 AMEND: 2450, 2451, 2452, 2453, 2455, 2456, 2458, 2459, 2460, 2461, 2462, 2464, 93116.1, 93116.2, 93116.3, 93116.4
10/24/18	AMEND: 1953, 1955	08/30/18	AMEND: 1213
09/26/18	AMEND: 44.2	08/30/18	AMEND: 1239
08/23/18	AMEND: 1004, 1005, 1081	08/16/18	ADOPT: 25.23 AMEND: 25.06, 25.08, 25.09, 25.10, 25.11, 25.14, 25.15, 25.16, 25.17, 25.18, 25.19, 25.20, 25.21, 25.22
08/15/18	AMEND: 1005, 1015		
Title 12			
01/08/19	ADOPT: 182.02, 182.03 AMEND: 182.01, 182.02 (renumbered to 182.04)	Title 13, 17	
		01/04/19	ADOPT: title 17: 95483.2, 95483.3, 95486.1, 95486.2, 95488, 95488.1, 95488.2, 95488.3, 95488.4, 95488.5, 95488.6, 95488.7, 95488.8, 95488.9, 95488.10, 95490, 95491.1, 95500, 95501, 95502, 95503 AMEND: title 13: 2293.6; title 17: 95481, 95482, 95483, 95483.1, 95484, 95485, 95486, 95487, 95489, 95491, 95492, 95493, 95494,

95495 REPEAL: title 17: 95483.2, 95488, 95496

Title 14

01/02/19 AMEND: 27.30, 27.35, 27.40, 27.45, 27.50, 28.27, 28.55, 52.10, 150.16

12/28/18 ADOPT: 15064.3, 15234 AMEND: 15004, 15051, 15061, 15062, 15063, 15064, 15064.4, 15064.7, 15072, 15075, 15082, 15086, 15087, 15088, 15094, 15107, 15124, 15125, 15126.2, 15126.4, 15152, 15155, 15168, 15182, 15222, 15269, 15301, 15357, 15370, Appendix G, Appendix M, Appendix N

12/17/18 ADOPT: 798 AMEND: 791, 791.6, 791.7, 792, 793, 794, 795, 796, 797

12/17/18 AMEND: 819, 819.01, 819.02, 819.03, 819.04, 819.05, 819.06, 819.07

12/17/18 ADOPT: 820.02

12/17/18 ADOPT: 817.04 AMEND: 790

12/14/18 ADOPT: 4970.17.1 AMEND: 4970.00, 4970.01, 4970.04, 4970.05, 4970.06.1, 4970.06.2, 4970.06.3, 4970.07.2, 4970.08, 4970.09, 4970.10.1, 4970.10.2, 4970.10.3, 4970.10.4, 4970.11, 4970.13, 4970.19.2, 4970.20, 4970.21, 4970.22, 4970.23, 4970.23.1, 4970.23.2, 4970.24.1, 4970.24.2, 4970.25.1, 4970.25.2

12/13/18 AMEND: 2975

12/10/18 ADOPT: 126.1 AMEND: 125.1, 126 [renumbered to 126.1]

11/28/18 ADOPT: 716 AMEND: 300

11/28/18 ADOPT: 42 AMEND: 43, 651, 703

11/20/18 AMEND: 699.5

11/15/18 AMEND: 632

11/15/18 AMEND: 632

11/15/18 AMEND: Subsection 120.7(m)
REPEAL: Appendix A Form DFG-120.7 (10/87)

11/13/18 AMEND: 1038, 1038.1, 1038.2

11/06/18 AMEND: 3010, 3011, 3012, 3013, 3015

11/05/18 ADOPT: 29.11

10/30/18 ADOPT: 132.6 AMEND: 132.1, 132.2, 132.3

10/30/18 AMEND: 11600

10/29/18 AMEND: 17041, 17042, 17043, 17044, 17045, 17046

10/29/18 AMEND: 1038

10/16/18 AMEND: 890

10/16/18 AMEND: 1038

10/15/18 AMEND: 895, 895.1, 912.9, 932.9, 952.9

09/17/18 ADOPT: 18660.44, 18660.45, 18660.46
AMEND: 18660.5, 18660.6, 18660.7, 18660.8, 18660.9, 18660.10, 18660.12,

18660.13, 18660.15, 18660.16, 18660.17, 18660.18, 18660.19, 18660.20, 18660.21, 18660.22, 18660.24, 18660.25, 18660.30, 18660.31, 18660.32, 18660.33, 18660.35, 18660.36, 18660.37, 18660.39, 18660.41 REPEAL: 18660.23

09/06/18 AMEND: 1104.1

08/13/18 AMEND: 7.50

08/09/18 AMEND: 13055

Title 15

01/09/19 AMEND: 3043, 3043.3, 3043.4, 3043.5

01/07/19 AMEND: 3999.98, 3999.200

01/07/19 AMEND: 8000

12/26/18 ADOPT: 2249.30, 2449.31, 2449.32, 2449.33, 2449.34, 3495, 3496, 3497
AMEND: 2449.1, 3490, 3491

11/14/18 ADOPT: 1350.5, 1352.5, 1354.5, 1358.5, 1408.5, 1418, 1437.5 AMEND: 1302, 1303, 1304, 1321, 1322, 1324, 1325, 1327, 1328, 1329, 1341, 1343, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1370, 1371, 1372, 1373, 1374, 1376, 1377, 1390, 1391, 1400, 1401, 1402, 1403, 1404, 1406, 1407, 1408, 1412, 1413, 1415, 1416, 1417, 1430, 1431, 1432, 1433, 1434, 1436, 1437, 1438, 1439, 1452, 1453, 1454, 1460, 1461, 1462, 1464, 1465, 1467, 1480, 1482, 1483, 1484, 1485, 1487, 1500, 1510, 1511 REPEAL 1378

11/13/18 ADOPT: 8200, 8201, 8202, 8203, 8204, 8205, 8206, 8207, 8208, 8209, 8210, 8211, 8212, 8213, 8214, 8215 AMEND: 8000, 8004.3, 8106, 8106.1 amended and renumbered as 8207, 8106.2 amended and renumbered as 8106, 8198 amended and renumbered as 8298, 8199 amended and renumbered as 8299

11/01/18 ADOPT: 3999.25

10/30/18 ADOPT: 3329.5

10/29/18 REPEAL: 3999.20

10/22/18 ADOPT: 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157

10/17/18 ADOPT: 3371.1 AMEND: 3043.7, 3044
REPEAL: 3371.1

10/08/18 AMEND: 3352.2, 3352.3, 3354, 3355.1

10/03/18 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	10/09/18	ADOPT: 40127, 40132, 40190, 40191, 40192, 40194, 40196
10/03/18	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	09/24/18	ADOPT: 2461.1 AMEND: 2450, 2451, 2452, 2453, 2455, 2456, 2458, 2459, 2460, 2461, 2462, 2464, 93116.1, 93116.2, 93116.3, 93116.4
09/13/18	AMEND: 1006, 1029, 1041, 1050, 1069, 1206	09/24/18	AMEND: 60201, 60205, 60210
08/20/18	AMEND: 3294.5	09/05/18	ADOPT: 100650
08/13/18	AMEND: 3000, 3190, 3213	08/29/18	AMEND: 60065.18, 60075.17
Title 16		08/21/18	AMEND: 35083, 35087
12/21/18	ADOPT: 1399.515	Title 18	
12/05/18	AMEND: 1380.3, 1380.6, 1381, 1381.1, 1381.4, 1381.5, 1381.7, 1382, 1382.3, 1382.4, 1382.5, 1382.6, 1386, 1387.3, 1387.4, 1387.5, 1387.7, 1388, 1389.1, 1390.1, 1390.3, 1391.3, 1391.4, 1391.5, 1391.6, 1391.7, 1391.11, 1393, 1394, 1395, 1395.1, 1396.5, 1397, 1397.35, 1397.50, 1397.51, 1397.53, 1397.54, 1397.55, 1397.60, 1397.61, 1397.62, 1397.67, 1397.69, 1397.70 REPEAL: 1381.6, 1397.63, 1397.64, 1397.65, 1397.66, 1397.68, 1397.71	01/03/19	AMEND: 1533.2, 1598
12/03/18	AMEND: 18	01/02/19	ADOPT: 30000, 30101, 30102, 30103, 30104, 30105, 30106, 30201, 30202, 30203, 30204, 30205, 30206, 30207, 30208, 30209, 30210, 30211, 30200.5, 30212, 30213, 30213.5, 30214, 30214.5, 30215, 30216, 30217, 30218, 30219, 30220, 30221, 30222, 30223, 30224, 30301, 30302, 30303, 30304, 30310, 30311, 30312, 30313, 30314, 30315, 30316, 30401, 30402, 30403, 30404, 30405, 30410, 30411, 30412, 30420, 30421, 30430, 30431, 30432, 30433, 30501, 30502, 30503, 30504, 30505, 30601, 30602, 30603, 30604, 30605, 30606, 30607, 30701, 30702, 30703, 30704, 30705, 30706, 30707
11/28/18	AMEND: 1399.514	12/27/18	ADOPT: 3702
11/20/18	AMEND: 2450	12/17/18	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, 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,
10/25/18	AMEND: 1300.1, 1300.2, 1300.4, 1355, 1355.1, 1355.3 REPEAL: 1333, 1333.1, 1333.2, 1333.3, 1362, 1362.1		
10/16/18	AMEND: 2070, 2071		
10/15/18	AMEND: 1417		
10/08/18	ADOPT: 1423.1, 1423.2 AMEND: 1418, 1424, 1426, 1430		
09/17/18	AMEND: 1735.2		
09/13/18	ADOPT: 3353.1, 3353.2, 3354, 3355, 3357 AMEND: 3303, 3352, 3353, 3356, 3358, 3371 REPEAL: 3356.1, 3359, 3355		
08/30/18	AMEND: 1399.573		
08/29/18	AMEND: 1805.01, 1816, 1816.1, 1820, 1820.5, 1820.7, 1821, 1822, 1822.51, 1822.52, 1829.2, 1829.3, 1833, 1833.1, 1845, 1846, 1870, 1874, 1886		
08/08/18	REPEAL: 1399.531, 1399.532		
Title 17			
12/31/18	AMEND: 94506, 94509, 94513, 94515		
12/27/18	ADOPT: 95371, 95372, 95373, 95374, 95375, 95376, 95377		
10/10/18	AMEND: 35095		

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		08/20/18	AMEND: 301
		08/20/18	AMEND: 469
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		11/30/18	ADOPT: 4010
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		12/05/18	ADOPT: 1751, 1769.1, 1937, 1941, 1942, 2300 AMEND: 1201, 1209, 1211.5, 1211.7, 1212, 1231, 1232, 1232.5, 1233.1, 1233.2, 1233.3, 1233.4, 1234, 1240, 1704, 1706, 1708, 1709, 1710, 1714, 1714.3, 1714.5, 1720.2, 1745.5, 1748, 1768 (renumbered to 1749), 1769, 1936, 1940, 1943, 1944, 1945, 1946, 2308 (renumbered to 2300.1) REPEAL: 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2309
		09/26/18	AMEND: 1601, 1602, 1602.1, 1603, 1604, 1605, 1605.1, 1605.2, 1605.3, 1606, 1607, 1608, 1609
		Title 22	
		12/31/18	AMEND: 66272.62
		12/19/18	AMEND: 66262.41
		12/19/18	AMEND: 72329.2
		12/13/18	ADOPT: 51002.5 AMEND: 51003.1
		12/04/18	ADOPT: 69511.3 AMEND: 69511
		12/04/18	AMEND: 20100.5
		11/29/18	ADOPT: 96060, 96061, 96062, 96065, 96070, 96071, 96075, 96076, 96077, 96078, 96080, 96081, 96082, 96083, 96084, 96085, 96086, 96087
		10/31/18	ADOPT: 66264.121, 66265.121, 66270.28 AMEND: 66264.90, 66264.110, 66265.90, 66265.110, 66270.1, 66270.14
		10/31/18	AMEND: 97215, 97216, 97217, 97221, 97222, 97223, 97224, 97225, 97226, 97227, 97228, 97229, 97232, 97248
		10/24/18	ADOPT: 66720.14, 66271.50, 66271.51, 66271.52, 66271.53, 66271.54, 66271.55, 66271.56, 66271.57 AMEND: 66260.10, 66264.16, 66264.101, 66264.143, 66264.144, 66264.145, 66264.146, 66264.147, 66264.151, 66265.16, 66265.143, 66265.144, 66265.145, 66265.146, 66265.147
		10/22/18	ADOPT: 66273.80, 66273.81, 66273.82, 66273.83, 66273.84 AMEND: 66261.4, 66273.6, 66273.7, 66273.9, 66273.70, 66273.72, 66273.73, 66273.74, 66273.75 REPEAL: 66273.90, 66273.91, 66273.100, 66273.101
		09/04/18	ADOPT: 68400.5, 69020, 69021, 69022
11/20/18	AMEND: 25137-1, 17951-4		
10/23/18	ADOPT: 35201		
09/18/18	ADOPT: 23663-1, 23663-2, 23663-3, 23663-4, 23663-5		
09/17/18	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, 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, 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		
09/10/18	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		

09/04/18	AMEND: 51490.1	12/13/18	ADOPT: 3939.55
08/20/18	ADOPT: 66262.83, 66262.84 AMEND: 66260.10, 66260.11, 66261.4, 66261.6, 66262.10, 66262.12, 66262.41, 66262.80, 66262.81, 66262.82, 66263.10, 66263.20, 66264.12, 66264.71, 66265.12, 66265.71, 66273.39, 66273.40, 66273.41, 66273.56, 66273.62, 67450.25, 67450.44, Article 8 Appendix REPEAL: 66262.50, 66262.52, 66262.53, 66262.54, 66262.55, 66262.56, 66262.57, 66262.58, 66262.60, 66262.83, 66262.84, 66262.85, 66262.86, 66262.87, 66262.88, 66262.89	11/29/18	ADOPT: 335, 335.2, 335.4, 335.6 [renumbered to 335.16], 335.8 [renumbered from 335.12(a)], 335.10 [renumbered to 335.12], 335.12 [335.12(a) renumbered to 335.8; 335.12(b)–(c) renumbered to 335.6], 335.14 [renumbered to 335.10], 335.16 [renumbered to 335.14], 335.18, 335.20 AMEND: 310
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01/08/19	AMEND: 87224, 87412	11/05/18	AMEND: 2200, 2200.4, 2200.6
01/02/19	ADOPT: 85175, 85318, 85320, 85340, 85342, 85364, 85368.1, 85368.4, 85370, 85387, 85390, 85102, 85161, 85168, 85168.3, 85169 AMEND: 85000, 85068.2, 85375, 85100, 85101, 85118, 85120, 85122, 85140, 85142, 85164, 85165, 85168.1, 85168.2, 85168.4, 85170, 85187, 85190, 85300, 85301, 85302, 85322, 85361, 85365, 85368, 85368.2, 85368.3, 85369	11/01/18	AMEND: 1062, 1063, 1064, 1066, 1068
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		11/27/18	AMEND: 25603
		08/30/18	REPEAL: 25601, 25602, 25603, 25603.1, 25603.2, 25603.3, 25604, 25604.1, 25604.2, 25605, 25605.1, 25605.2.
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		01/09/19	AMEND: 42–207, 42–213, 42–215, 42–221, 80–310
		12/20/18	AMEND: 40–105, 40–171, 80–301 REPEAL: 40–026
		09/26/18	AMEND: 31–206, 31–525

