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

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY:

Public Risk Innovation, Solutions, and Management (PRISM)

A written comment period has been established commencing on May 7, 2021 and closing on June 21, 2021. Written comments should be directed to the Fair Political Practices Commission, Attention Daniel Vo, 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 his 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 his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than June 21, 2021. 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 Daniel Vo, 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 Daniel Vo, Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California 95811, telephone (916) 322-5660.

Zachary Voss, Regulation Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 263-6036
Fax: (916) 263-6022
Email: zavoss@chr.ca.gov

TITLE 4. HORSE RACING BOARD

NOTICE OF PROPOSAL TO AMEND RULE 1843.2, CLASSIFICATION OF DRUG SUBSTANCES

The California Horse Racing Board (Board) proposes to amend the regulation described below after considering all comments, objections, or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Board proposes to amend Board Rule 1843.2, Classification of Drug Substances. The proposed regulation would provide that the Board, the board of stewards, the hearing officer, or the administrative law judge, when adjudicating a hearing for a violation of Business and Professions Code (BPC) section 19581, shall consider the classification of the substance as referenced in the Board Classification of Foreign Substances, Alphabetical Substances List (Substances List) (Rev. 02/21), incorporated by reference, which is based on the Association of Racing Commissioners International (ARCI) Uniform Classification Guidelines for Foreign Substances (Uniform Classification Guidelines) (12/20), as modified by the Board.

PUBLIC HEARING

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

WRITTEN COMMENT PERIOD

Any interested persons, or their authorized representative, may submit written comments about the proposed regulatory action to the Board. The written comment period closes **on June 21, 2021**. The Board must receive all comments at that time; however, written comments may still be submitted at the public hearing. Submit comments to:

AUTHORITY AND REFERENCE

Authority cited: Sections 19580, 19581, and 19582, BPC. Reference: Sections 19580, 19581, and 19582, BPC.

BPC section 19580 provides that the Board shall adopt regulations to establish policies, guidelines, and penalties relating to equine medication in order to preserve and enhance the integrity of horse racing in the state. BPC section 19581 provides that no substance of any kind shall be administered by any means to a horse after it has been entered to race in a horse race, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof. BPC section 19582 provides that violations of BPC section 19581, as determined by the Board, are punishable as set forth in regulation adopted by the Board. BPC section 19582 further provides that the Board may suspend a license, levy a monetary penalty of not more than one \$100,000, or both, and disqualify violators from purse money for a violation of section 19581.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The proposed amendment to Board Rule 1843.2 provides that the Board, the board of stewards, the hearing officer, or the administrative law judge, when adjudicating a hearing for a violation of BPC section 19581, shall consider the classification of the substance as referenced in the Substances List, which is based on the ARCI Uniform Classification Guidelines, as modified by the Board.

The proposed amendment modifies the Substances List revision date from January 2019 to February 2021. The modification is necessary to indicate that a new version of the Substances List is being incorporated by reference.

The proposed amendment also modifies the referenced Uniform Classification Guidelines from the version published in January 2018 to the version published in December of 2020. The ARCI publishes yearly updates to its Uniform Classification Guidelines that incorporate updates in veterinary medicine, technology, and regulation. The modification is necessary to incorporate the most recently published Uniform Classification Guidelines.

The current Board Rule 1843.2 references the Uniform Classification Guidelines published in January of 2018. These outdated Uniform Classification Guidelines do not incorporate new substances that have been discovered and classified, or substances that current veterinary science and technology has suggested need reclassifying since January 2018. It is therefore necessary to update the referenced Uniform Classification Guidelines to safeguard the health of California's racehorses by relying on the most up to date, inclusive, and medically salient version of the ARCI Uniform Classification Guidelines.

The ARCI annually modifies its Uniform Classification Guidelines which identify the classifications of drugs and substances and the recommended penalties for drug or substance violations. The Board utilizes the Substances List, which is incorporated by reference in Board Rule 1843.2 and is based on the ARCI Uniform Classification Guidelines, to identify the classification of drugs and the recommended penalties for drug violations in the Board's jurisdiction.

Board Rule 1843.2, and by extension the Substances List, was last updated in January of 2019 and is based on the ARCI Uniform Classification Guidelines published in January of 2018. In 2019 and 2020, ARCI updated the Uniform Classification Guidelines with several updates, thus leaving the Board Substances List outdated and missing pertinent information needed to classify drug violations in a manner consistent with national standards.

The ARCI guidelines have been adopted by the majority of racing states, which allows horsemen, especially those from out-of-state, to familiarize themselves with similar prohibitions regarding medications and drug substances in California as they do in other major racing states like New York, Florida, or Texas. However, by having outdated classification penalties within the Board's Substances List, the Board is out of line with the national model proposed by ARCI and utilized by several other states, and thus promotes confusion and a lack of clarity regarding the acceptable classification of drugs and how to assign penalties.

Consequently, the proposed amendment updates both the referenced Uniform Classification Guidelines to the most recently published version and updates the Board's Substances List to reflect the newly incorporated Uniform Classification Guidelines. The proposed amendment adds and classifies 107 new drugs and substances. The proposed amendment aligns the Board's Substances List with the most current ARCI Uniform Classification Guidelines, with the exception of Cannabidiol (CBD), Chorionic Gonadotropin (CG), Etacrynic acid, Luteinizing Hormone (LH), and Medroxyprogesterone.

The Board has determined to modify the Substances List slightly from the Uniform Classification Guidelines regarding these five substances to better fit California's specific veterinary and regulatory needs. All other changes to Board Rule 1843.2 are for the purposes of grammar, clarity, and renumbering.

POLICY STATEMENT OVERVIEW OF ANTICIPATED BENEFITS OF PROPOSAL

The proposed amendment to Board Rule 1843.2 provides that the Board, the board of stewards, the hearing officer, or the administrative law judge, when adjudicating a hearing for a violation of BPC 19581, shall consider the classification of the substance as referenced in the Board's Substances List, incorporated by reference in the regulation, which is based on the ARCI's Uniform Classification Guidelines, as modified by the Board.

The proposed amendment updates both the version of the Uniform Classification Guidelines referenced and the version of and revision date of the Substances List, which is based on the updated Uniform Classification Guidelines. The proposed amendment incorporates the latest Uniform Classification Guidelines published by the ARCI, as modified by the Board.

The proposed amendment has the benefit of providing clarity to horsemen and the wagering public by updating the Board's Substances List to align with the most recently published ARCI Uniform Classification Guidelines. The ARCI guidelines have been adopted by the majority of major racing jurisdictions in the United States. The Board's alignment with these guidelines provides that horsemen, especially those from or who race or train frequently out-of-state, will find similar prohibitions and penalties regarding medications and drug substances apply in California as they do in other major racing jurisdictions. This consistency minimizes confusion and the possibility of unwitting violation when administering drugs and substances to racehorses in California.

Additionally, the ARCI, when drafting its Uniform Classification Guidelines, marshals the expertise of the industry's leading scientific, veterinary, medical, technological, and regulatory authorities. Therefore, the proposed regulation has the benefit of incorporating the latest advances in veterinary, technological, and regulatory developments into the Board's Substances List. By ensuring that the Board's Substances List takes advantage of the ARCI's latest Uniform Classification Guidelines, the wagering public and horsemen can be assured that the Board's Substances List will benefit the safety and welfare of racehorses by using the foremost veterinary science to classify and regulate the use and abuse of potentially harmful drugs and substances. The increased welfare of racehorses in

California may have the benefit of attracting more horsemen to participate in California's horseracing industry and attracting further participation by the wagering public. Increased participation by horsemen promotes a healthy and sustainable horse population in California, an integral component of the industry's continued success. Increased participation by the wagering public results in increased handle and a positive economic impact for California's horseracing industry.

Lastly, by aligning with the ARCI's latest Uniform Classification Guidelines, the Board promotes the safety and welfare of racehorses by identifying and classifying new and potentially harmful drugs and substances that are newly incorporated into the Uniform Classification Guidelines. Incorporation of these newly identified drugs and substances discourages use and abuse, thereby safeguarding the wellbeing of racehorses in California.

CONSISTENCY EVALUATION

During the process of developing the amendment to Board Rule 1843.2, the Board has conducted a search of any similar regulations on this topic and has concluded that the regulation is neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: none.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code (GC) sections 17500 through 17630: none.

Other non-discretionary cost or savings imposed upon local agencies: none.

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

The Board has made an initial determination that the proposed amendment to Board Rule 1843.2 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 following studies/relevant data were relied upon in making the above determination: None.

ECONOMIC IMPACT ASSESSMENT

The results of the Board's Economic Impact Assessment as required by GC section 11346.3(b) are as follows:

The adoption of the proposed amendment to Board Rule 1843.2 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 proposed amendment to Board Rule 1843.2 provides that the Board, the board of stewards, the hearing officer, or the administrative law judge, when adjudicating a hearing for a violation of BPC 19581, shall consider the classification of the substance as referenced in the Board's Substances List, incorporated by reference in the regulation, which is based on the ARCI's Uniform Classification Guidelines, as modified by the Board.

The proposed amendment updates both the version of the Uniform Classification Guidelines referenced and the version of and revision date of the Substances List, which is based on the updated Uniform Classification Guidelines. The proposed amendment incorporates the latest Uniform Classification Guidelines published by the ARCI, as modified by the Board.

The proposed amendment to Board Rule 1843.2 will impact Board-licensed trainers, assistant trainers, veterinarians, and any other licensees who treat or administer drugs or substances to racehorses in the Board's jurisdiction. However, the net economic effect of the proposed regulation will be negligible. The proposed regulation updates an existing form to incorporate the latest guidelines published by the ARCI.

The proposed regulation will not impact the state's environment. The proposed regulation benefits the health and welfare of some California residents, namely those employed as jockeys and drivers, by ensuring proper classification and regulation of drugs and substances in California horseracing, thereby safeguarding the health of racehorses and their riders. By safeguarding those employed as jockeys and riders in California, the proposed regulation also benefits worker safety.

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

Significant effect on housing costs: none.

Effect on small businesses: none. The proposal to amend Board Rule 1843.2 does not affect small businesses because horse racing is not a small business under GC section 11342.610.

CONSIDERATION OF ALTERNATIVES

In accordance with GC section 11346.5, subdivision (a)(13), the Board has 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 or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation at the scheduled hearing or during the written comment period.

CONTACT PERSON

Inquiries concerning the substance of the proposed action and requests for copies of the proposed text of the regulation, the initial statement of reasons, the modified text of the regulation, if any, and other information upon which the rulemaking is based should be directed to:

Zachary Voss, Regulation Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 263-6036
Fax: (916) 263-6022
Email: zavoss@chr.ca.gov

If the person named above is not available, interested parties may contact:

Amanda Drummond, Manager
Policy and Regulations
Telephone (916) 263-6033
Email: amdummond@chr.ca.gov

AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATION

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its offices 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, and the initial statement of reasons. Copies of these documents, or any of the information upon which the proposed rulemaking is based on, may be obtained by contacting Zachary Voss, or the alternative contact person at the address, phone number or e-mail address listed above.

AVAILABILITY OF MODIFIED TEXT

After holding a hearing and considering all timely and relevant comments received, the Board may adopt

the proposed regulation substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text, with changes clearly marked, shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulation. Requests for copies of any modified regulations should be sent to the attention of Zachary Voss at the address stated above. The Board will accept written comments on the modified regulation for 15 days after the date on which it is made available.

AVAILABILITY OF FINAL STATEMENT OF REASONS

Requests for copies of the final statement of reasons, which will be available after the Board has adopted the proposed regulation in its current or modified form, should be sent to the attention of Zachary Voss at the address stated above.

BOARD WEB ACCESS

The Board will have the entire rulemaking file available for inspection throughout the rulemaking process at its web site. The rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. The Board's website address is: www.chrb.ca.gov.

TITLE 9. DEPARTMENT OF STATE HOSPITALS

CHANGES IN THE REGULATIONS OF THE CALIFORNIA DEPARTMENT OF STATE HOSPITALS

Property Transfer Between Patients Regulations

The Department of State Hospitals (Department) proposes the adoption of the regulation described below. A public hearing is not currently scheduled. No later than 15 days prior to the close of the public comment period, any interested person, or their duly authorized representative, may make a written request for a public hearing pursuant to Section 11346.8 of the Government Code, and a public hearing will be held. Requests for a public hearing should be sent to the address or number below. If a request for public hearing is received, the date, time, and means by which the public hearing will be conducted will be provided in a separate notice.

Any interested person or their representative may provide comments relevant to the proposed regulatory action to the Department in writing, email, or facsimile to the address or number listed below. The

public comment period for this regulatory action will begin on **May 7, 2021**.

For any written comment to be considered, it must be received by the Department no later than the close of the 45-day comment period, which is **June 21, 2021**. Comments sent to persons or addresses other than that specified in this document or received after the date and time specified may be included in the record of this proposed regulatory action, but may not be summarized or responded to by the Department. For consideration, written comments shall be submitted to:

California Department of State Hospitals
Regulations and Policy Unit
Property Transfer with Patients
1600 9th Street, Room 410
Sacramento, CA 95814
Tel: (916) 654-2478, Fax: (916) 651-3090
Email: DSH.Regulations@dsh.ca.gov

AUTHORITY AND REFERENCE

Welfare and Institutions Code sections 4005.1, 4109, and 4101.

INFORMATIVE DIGEST AND POLICY OVERVIEW

Existing laws, including Sections 4005.1, 4109, and 4101 of the Welfare and Institutions Code, authorize the Department to adopt and enforce rules and regulations it determines necessary to manage its responsibility for the care of patients committed to its facilities. These laws also mandate that all institutions under the jurisdiction of the Department are governed by the rules written by the Department.

This proposed regulation would adopt new rules defining the process under which the buying, selling, trading, or gifting of property either between or with patients committed to the care of the Department and housed in state facilities may occur, when permitted. This permission is determined by each facility based on its patient population and the security and safety needs. These rules would be located in Title 9, Division 1, Chapter 4.5, Article 3, of the California Code of Regulations.

These proposed rules define how property is identified and confiscated when the buying, selling, trading or gifting of the property is prohibited. In these situations, the original owner would be identified, if possible, and the property returned. If the original owner of the property is not identified, the property would be deemed unidentified property. These rules also outline the process in which the patient may contest the confiscation of the property.

These proposed rules define the process under which the buying, selling, trading, or gifting of property may occur, and include considerations to be made by the appropriate Department staff at the facility, such as a mutual agreement on the transfer of property from the patients, the competency and cognitive functioning of the patient, and all other safety and security considerations. These rules provide for additional factors to be considered when determining if the buying, selling trading or gifting of money or other property of value is permitted. For facilities with an onsite canteen, the purchase of canteen items for other patients would also follow an approval process that ensures the transaction is appropriate and not a threat to the safety and security of the patients, Department staff, or the public.

These proposed rules ensure that permitted buying, selling, trading, or gifting of property is approved and tracked by the facility. The rules also ensure each patient is aware of the transaction and the transaction is mutually agreed upon. Cognitive functions vary from patient to patient, necessitating rules which permit the appropriate Department staff to review the potential transfer and approve or deny it based on all applicable safety and security concerns and needs.

ANTICIPATED BENEFITS

These regulations will benefit the health and welfare of California residents, ensure worker safety, and benefit the environment by establishing a process for the buying, selling, trading, or gifting of personal property either between or with patients. In establishing these regulations, any property transferred with patients are monitored and approved to ensure the transfer does not include items which could be considered a danger to the patients or the safety and security of Department staff and the public. Property considered safe in the possession of one patient may become an imminent danger in the possession of another patient. This regulation monitors the volume of transfers and the possession items which may present a safety hazard to the patient and staff by violating safety protocols such as applicable fire codes and sanitation standards.

EVALUATIONS AND DETERMINATIONS

Mandate on local agencies and school districts: None.

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

Cost or savings to any State agency: None.

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

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

Significant effect on housing costs: None.

Effect on small business: The proposed regulations do not effect small businesses because the proposed regulations will only effect patients and state hospital facilities.

Cost impacts to a representative private person or business: None.

Evaluation of Inconsistency or Incompatibility with Existing State Regulations:

During the development of this proposed regulatory action, the Department reviewed any existing regulations on this subject matter and concluded that the proposed regulation is neither inconsistent nor incompatible with existing state regulations or statutes. In arriving at this conclusion, the Department reviewed the Welfare and Institutions Code, title 22 of the California Code of Regulations, and its own regulations in title 9 of the California Code of Regulations.

SIGNIFICANT, STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS AND INDIVIDUALS

There is no anticipated significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESS

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.

STATEMENT OF RESULTS OF ECONOMIC IMPACT ASSESSMENT

The adoption of the proposed regulations will neither create nor eliminate jobs in the State of California, nor result in the elimination of existing businesses or create or expand businesses in the State of California. The proposed regulations benefit the health and welfare of California residents, worker safety, and the state's environment.

STATEMENT OF ALTERNATIVES CONSIDERED

The Department must determine that no reasonable alternative considered 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 regulation is 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.

The Department invites interested persons to submit statements or arguments with respect to alternatives to the proposed regulation during the comment period.

CONTACT PERSONS

The primary contact for this regulatory action is Tarik Allen, and the backup contact is Sylvester Okeke. They can be reached by contacting the Department of State Hospitals, Regulations and Policy Unit phone number at (916) 654-2478 or email at DSH.Regulations@dsh.ca.gov.

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

Department staff prepared an Initial Statement of Reasons (ISOR) for the proposed regulatory action, which includes a summary of the economic impacts of the proposal and all the information upon which the proposal is based, including the purpose and necessity for the proposed regulatory action and the proposed text (the "express terms") of the regulation.

Copies of the proposed regulation text and the ISOR may be accessed on the Department's website, listed below, or may be obtained from the Department using the contact information provided in this document.

Further, interested persons may direct comments concerning the proposed regulatory action to Tarik Allen, Regulations Coordinator, at (916) 654-2478 or DSH.Regulations@dsh.ca.gov. DSH has compiled a record of this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the close of the public comment period, and after any requested public hearing, the Department will consider all timely and relevant comments, and it 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, except for grammatical or organizational 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 regulation as revised and noticed as

appropriate. These documents will be available on the Department’s website at <https://www.dsh.ca.gov/Publications/Regulations.html>. The Department will accept written comments on the modified regulation for 15 days after the date on which it is 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 contact persons in this notice or may be accessed on the Department’s Internet web site listed below.

**AVAILABILITY OF
DOCUMENTS ON THE INTERNET**

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 at <https://www.dsh.ca.gov/Publications/Regulations.html>.

**TITLE 16. CONTRACTORS STATE
LICENSE BOARD**

**NOTICE OF PROPOSED REGULATORY
ACTION CONCERNING C-47 — GENERAL
MANUFACTURED HOUSING CONTRACTOR
INITIAL INSTALLER TRAINING
REQUIREMENT, § 825.5**

NOTICE IS HEREBY GIVEN that the Contractors State License Board (CSLB or Board) is proposing to adopt California Code of Regulations, title 16 (16 CCR), division 8, article 2, section 825.5, as described in the Informative Digest.

PUBLIC HEARING

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

Written comments, including those sent by mail, facsimile, or email to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than **5:00 p.m. on Tuesday, June 22, 2021.**

The Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposal substantially as described below or may modify such

proposal if such modifications are sufficiently related to the original text. Apart from technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as the contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Business and Professions Code (BPC) sections 7008 and 7059, the Board proposes to implement, interpret, and make specific BPC sections 7026.11, 7058, 7059, 7065, and 7068, and part 3286 of title 24 of the Code of Federal Regulations (24 CFR), subtitle B, chapter XX, subpart D, commencing with section 3286.301, in adopting 16 CCR section 825.5.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

The Contractors State License Board’s (CSLB or Board) mission is to protect consumers by regulating the construction industry through policies that promote the health, safety, and general welfare of the public in matters relating to construction. CSLB fulfills its mandate to protect the public, in part, by ensuring that only those individuals who meet the qualifications for licensure are granted contractor licenses in California. CSLB licenses more than 346,000 contractors (active, inactive, and expired but renewable) in 44 different license classifications, covering the broad range of construction trades performed by contractors. Licenses are issued to sole proprietorships (65.4% of the license population), corporations (30.4%), partnerships (2.6%), limited liability companies (1.4%), and joint ventures (0.2%).

Business and Professions Code (BPC) section 7008 authorizes CSLB to adopt rules and regulations that are reasonably necessary to carry out the provisions of the Contractors State License Law in accordance with the Administrative Procedure Act. Section 7026.11 requires the General Manufactured Housing contractor (C-47) license’s scope of work include manufactured homes, mobilehomes, and multifamily manufactured homes as defined in the Health and Safety Code. Section 7058 establishes a specialty contractor license classification and defines “specialty contractor” as “a contractor whose operations involve the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts.” Section 7059 authorizes the Board to adopt reasonably necessary rules and regulations to effect

the classification of contractors in a manner consistent with established usage and procedure found in the construction business. Section 7065 authorizes the CSLB registrar to investigate, classify, and qualify applicants for licensure by written examination and sets forth the circumstances under which no examination shall be required. Section 7068 establishes required knowledge and experience qualifications for licensure applicants. Part 3286 of 24 CFR, subpart D contains federal Department of Housing and Urban Development (HUD) regulations on the Manufactured Home Installation Program.

There is no existing regulation relating to manufactured home initial installer training in California. In this regulatory proposal, the Board proposes to add a new regulation to establish the requirement for initial installer training as a prerequisite for a C-47 — General Manufactured Housing contractor license to address the manufactured home initial installer training requirement mandated by HUD.

Specifically, the Board proposes to:

- Add a new section and title;
- Add a new subdivision (a) to establish the requirement for initial installer training, consistent with HUD’s training curriculum, as a prerequisite for a C-47 — General Manufactured Housing contractor license, effective July 1, 2021;
- Add a new subdivision (b) to establish the procedures by which an applicant must submit proof of compliance with the training requirement to the Board; and
- Add a new subdivision (c) to establish through whom such training shall be obtained.

The California Department of Housing and Community Development (HCD) oversees the Manufactured Home Installation Program in California, which includes issuance and approval of permits for the installation and renovation of manufactured homes. CSLB oversees licensing requirements for manufactured homes in California by licensing C-47 — General Manufactured Housing contractors. While HCD’s installation program and CSLB’s licensing requirements substantially comply with HUD’s requirements, neither agency operates a federally approved manufactured home initial installer training program, as required by HUD.

This proposal addresses the need for training of installers of manufactured homes that will achieve full acceptance of the state’s Manufactured Home Installation Program by HUD. CSLB intends to adopt a new regulation establishing an initial installer training requirement for applicants for new C-47 — General Manufactured Housing contractor licenses, in compliance with the requirements contained in the federal Manufactured Home Installation Program

regulations. This new requirement will apply only to 1) applicants for new C-47 — General Manufactured Housing licenses, 2) existing licensed contractors that hold other classifications that apply to add the C-47 — General Manufactured Housing classification to their license, and 3) existing C-47 — General Manufactured Housing contractors that apply to replace the qualifying individual for the C-47 classification on their existing license, including examination and waiver applicants for all three categories. Existing C-47 — General Manufactured Housing licensees that do not apply for a new license or to replace their qualifying individual will not be impacted by the new initial installer training requirement. Failure to comply with HUD’s request for an initial installer training program, prior to July 13, 2021, may result in HUD withdrawing its conditional acceptance of California’s Manufactured Home Installation Program and taking action to administer its own program in California, including the training and licensure of installers.

**ANTICIPATED BENEFITS OF THE
PROPOSED REGULATION**

The proposed regulation will ensure the qualifications of applicants for licensure as C-47 — General Manufactured Housing contractors, and compliance with HUD requirements, by establishing an initial installer training prerequisite for C-47 licensees. This regulatory proposal will meet the initial installer training requirements established by HUD and CSLB’s minimum qualification requirements for licensure of C-47 — General Manufactured Housing contractors under BPC section 7068(a). It will protect the health, safety, and welfare of the public and consumers, particularly those Californians who hire C-47 — General Manufactured Housing contractors, by ensuring that applicants for the C-47 license have received sufficient training to install manufactured homes as part of their licensure process. The federal mandate for initial installer training in all states for the purpose of public protection has been a national industry standard for licensed manufactured home installers.

**DETERMINATION OF INCONSISTENCY/
INCOMPATIBILITY WITH
EXISTING REGULATIONS**

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

FISCAL IMPACT ESTIMATES

The Board has made the following initial determinations:

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: The Board indicates any workload and costs related to implementing the proposed regulations will be absorbed within existing resources.

The Board anticipates approximately 40 applicants will apply for the C-47 — General Manufactured Housing contractor license annually, as historically been the case over the last five years. Each applicant will be required to submit a one-time proof of compliance with the initial installer training requirement as a result of implementing the proposed regulations. The Board indicates the costs to the state will be as follows:

- A Program Technician (PT) III will perform a one-time review of the Certificate of Completion of Training for each applicant, which is anticipated to take approximately five minutes per application.
- The PT III hourly rate is \$79, including benefits and Department of Consumer Affairs’ distributed costs.
- Five minutes of time at the hourly rate of \$79 equals a cost of approximately \$6.60 per application to process the proof of compliance documentation.
- For the annual workload of 40 applications and at the rate of \$6.60 per application, the additional costs to the Board for implementation of these regulations is \$264 annually.

The Board considers the annual \$264 cost to the Board to be minor and anticipates that it will be absorbed within existing resources.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

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

Business Impact: This regulation may have an economic impact on businesses, specifically, those that apply for a C-47 — General Manufactured Housing contractor license. The regulation would require applicants to have completed initial installer training before the issuance of their C-47 — General Manufactured Housing license. To the extent businesses apply for a C-47 — General Manufactured Housing license, the proposed regulations will impact them. Although the regulation has an economic impact, the impact is not anticipated to be significant because the one-time cost for the initial installer

training is considered to be very minor compared to the income of most C-47 — General Manufactured Housing licensees.

This initial determination is based on the fact that the average one-time cost for an initial installer training course is approximately \$255, which would need to be paid to the training provider by each applicant for a C-47 — General Manufactured Housing license prior to the issuance of a license upon implementation of this regulatory proposal. In addition, the time investment for the required initial installer training is just 12 hours per applicant, which amounts to less than two days, potentially accomplished outside of business hours.

As of July 1, 2020, there are currently 417 active C-47 — General Manufactured Housing contractor licenses. This overall C-47 license population has remained fairly steady for the last five years, increasing or decreasing by less than three percent from year to year. Since July 1, 2015, CSLB has received an average of 40 applications annually for the C-47 — General Manufactured Housing classification.

New applicants for the C-47 — General Manufactured Housing contractor classification will pay the same application and licensure fees that they would have currently paid under the existing rules (\$330 application fee and \$200 initial license fee that are both paid to CSLB, plus the costs that they must pay to a third party to obtain bonds and insurance, as required). Applicants will also pay the approximate \$255 one-time cost for the initial installer training to the training provider. Therefore, there is minimal adverse economic impact on such applicants. For additional information, please refer to the Initial Statement of Reasons (ISOR).

Impact on Jobs/New Businesses: The Board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California because the approximate \$255 one-time cost for the initial installer training is considered to be very minor compared to the income of such licensees.

Benefits to the Health and Welfare of California Residents, Worker Safety, and the State’s Environment: The regulatory proposal will benefit the health and welfare of California residents, worker safety, and the state’s environment because the proposal will add a requirement for initial installer training for C-47 — General Manufactured Housing contractors to ensure that only those contractors who are qualified to do so are licensed and authorized to perform manufactured housing work, which is a significant issue relating to the health and welfare of California residents, worker safety, and the state’s environment.

In addition, this regulatory proposal is necessary to fulfill the Board’s mandate under BPC sections 101.6,

7000.6, and 7068(a) to protect the health, safety, and welfare of the public and consumers, particularly those Californians who hire C-47 — General Manufactured Housing contractors.

Cost Impact on Representative Private Person or Business: This regulation may have an economic impact on private persons or businesses, specifically, those that apply for a C-47 — General Manufactured Housing contractor license. The regulation would require such applicants to have completed initial installer training prior to the issuance of their C-47 — General Manufactured Housing license. To the extent businesses apply for a C-47 — General Manufactured Housing license, the proposed regulations will impact them. Although the regulation has an economic impact, the impact is not anticipated to be significant because the one-time cost for such training is considered to be very minor compared to the income of most C-47 — General Manufactured Housing licensees. For additional information, please refer to the ISOR.

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Board estimates that the effect on small business will be minimal as the one-time cost of the initial installer training is absorbable.

Approximately 65% of all contractors currently licensed by CSLB are sole ownerships (approximately 226,600 out of more than 346,300 licenses), some of whom may be impacted by the proposed regulatory changes that would require initial installer training as a prerequisite to licensure as a C-47 — General Manufactured Housing contractor. Therefore, approximately 26 of the average 40 applicants per year for the C-47 license may be small businesses that may be impacted by this regulatory proposal.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

The Board has determined that this regulatory proposal will have a minimal impact on the creation of jobs or new businesses, the elimination of jobs or existing businesses, or the expansion of businesses in the state of California because the approximate \$255 one-time cost for the initial installer training is considered to be very minor compared to the income of licensees. It will benefit the health and welfare of California residents because the proposal will add a requirement for initial installer training for C-47 — General Manufactured Housing contractors to help ensure that only those contractors who are qualified to do so are licensed and authorized to perform manufactured housing work, which is a significant

health and welfare issue. For additional information, please refer to the ISOR.

In addition, this regulatory proposal is necessary to fulfill the Board's mandate under BPC sections 101.6, 7000.6, and 7068(a) to protect the health, safety, and welfare of the public and consumers, particularly those Californians who hire C-47 — General Manufactured Housing contractors.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to 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 regulatory action, or would be more cost-effective to the affected private persons and equally effective in implementing the statutory policy or other provision of the law.

Interested persons are invited to present written statements or arguments relevant to the above determinations during the written comment period in accordance with this Notice.

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

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons, availability of express terms, proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and may be obtained upon request from the person designated in this Notice under Contact Person or by accessing the Board's website, www.cslb.ca.gov.

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

All the information upon which the proposed regulation is based is contained in the rulemaking file, which is available for public inspection by contacting the person named below. You may obtain a copy of the Final Statement of Reasons, once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

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

Name:
Betsy Figueira
Address:
9821 Business Park Drive,
Sacramento, CA 95827
Telephone Number:
916-255-3369
E-Mail Address:
betsy.figueira@cslb.ca.gov

Backup:

Name:
Michael Jamnetski
Address:
9821 Business Park Drive,
Sacramento, CA 95827
Telephone Number:
916-255-2798
E-Mail Address:
michael.jamnetski@cslb.ca.gov

Website Access: Materials regarding this proposal can be found at https://cslb.ca.gov/About_Us/Library/Laws/.

**TITLE 16. LANDSCAPE ARCHITECTS
TECHNICAL COMMITTEE/
CALIFORNIA ARCHITECTS BOARD**

**FORM OF EXAMINATIONS, § 2615
EDUCATION AND TRAINING
CREDITS, § 2620**

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the action described in the Informative Digest, below.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under Contact Person in this Notice.

COMMENT PERIOD

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than **5:00 p.m.** on **Tuesday, June 22, 2021**, or must be received by the Board at the hearing, should one be scheduled.

AVAILABILITY OF MODIFICATIONS

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

Authority and Reference: Pursuant to the authority vested by section 5630 of the Business and Professions Code (BPC) and to implement, interpret, or make specific sections 5650 and 5651 of the BPC, the Board is considering changes to sections 2615 and 2620 of article 1 of division 26 of title 16 of the California Code of Regulations (CCR).¹

INFORMATIVE DIGEST

BPC section 5630 authorizes the Board to adopt, amend, or repeal such rules and regulations as are reasonably necessary to govern the examinations of license applicants, establish criteria for approving schools of landscape architecture, establish rules of professional conduct that are not inconsistent with state or federal law, and carry out the provisions of the Landscape Architects Practice Act. BPC section 5650 authorizes any person over 18 years of age, who has had six years of training and educational experience in the actual practice of landscape architectural work, to take an examination for a license to practice landscape architecture. Section 5650 also provides that a degree from a school of landscape architecture approved by the Board shall be deemed equivalent to four years of training and educational experience in the actual practice of landscape architecture. BPC section 5651 requires the Board, by means of examination, to ascertain the professional qualifications of all landscape architect license applicants and requires the Board to issue a license to every person whom the Board finds to be qualified on payment of the initial license fee.

CCR section 2615, among other things, provides that a candidate who has a combination of six years of education and training experience, as specified, is eligible and may apply to take the Landscape Architect Registration Examination (LARE). Section 2615 also provides that a candidate who has a Board-approved

¹All CCR references are to Title 16 unless otherwise noted.

degree in landscape architecture, as specified, or an extension certificate in landscape architecture from a Board-approved school, as specified, is eligible and may apply to take Sections 1 and 2 of the LARE. CCR section 2620 provides the Board's evaluation table of a candidate's training and educational experience and clarifies the educational and training credits accepted by the Board. CCR section 2620, subdivision (b) requires candidates to have at least one year of education credit and identifies qualifying educational programs. CCR section 2620, subdivision (c) requires candidates to have a minimum of two years of training/practice in landscape architecture, and section 2620, subdivision (a) lists the amount of credit given for various degree programs and specific training/practice settings.

The Joint Legislative Sunset Review Committee's (JLSRC) 2010 and 2014 Recommendations and the Landscape Architecture Technical Committee's (LATC) subsequent 2015–16 Strategic Plans directed the LATC to review the existing six-year training and education requirements for examination, identify eligibility issues, and propose solutions that not only protect the public health, safety, and welfare of the consumers, but also ensure that there are no unnecessary barriers to the landscape architect profession for qualified individuals.

Additionally, the 2017–2018 LATC Strategic Plan contained objectives to expand pathways to both initial and reciprocal licensure by exploring requirements for applicants who have degrees that are related to the field of landscape architecture, or training experience only.

At its June 15, 2017 meeting, the Board reviewed the current education and training requirements for licensure as a landscape architect and directed the LATC to develop a proposal that amends its reciprocal and initial licensure requirements to mirror those of the Board, where possible, which allow credit for related degrees and experience-only pathways.

In response to the directives given by both the JLSRC and the Board, the LATC is pursuing this regulatory proposal to expand experience and education pathways to licensure and reduce unnecessary barriers to the landscape architect profession for qualified individuals.

The Board is proposing the following changes:

Amend Title 16 CCR section 2615 — Form of Examinations

Under CCR section 2615, subdivision (a)(2), references to CCR section 2620, subdivision (a) need to be updated to reflect proposed amendments to CCR section 2620 addressed in this proposal, including clarifying a candidate who has a degree from an accredited program, instead of a “Board-approved” degree, has examination eligibility.

Amend Title 16 CCR Section 2620 — Education and Training Credits

This proposal would retain the Board's existing education and training credits and add additional credits for accredited civil engineering degrees, four-year degrees, and training experience under the supervision of a licensed landscape contractor (as specified in existing subdivision (a) paragraphs (4), (5), and (15), respectively). The proposal would also increase both the amount of credit granted for accredited degrees in architecture from one to two years (as specified in subdivision (a)(3)), and the maximum amount of credit allowed for working as, or under the supervision of, an architect or civil engineer from one to three years (as specified in subdivision (a)(13)). By eliminating the one-year education credit requirement of current subdivision (b)(1) and increasing the amount of credit allowed for training/practice experience as, or under, a licensed landscape architect from five to six years (as specified in subdivision (a)(12)), this proposal also establishes an experience-only pathway to licensure. Non-substantive grammatical and format-related changes are also included throughout the proposal resulting in regulation language that is easier to read.

**POLICY STATEMENT OVERVIEW/
ANTICIPATED BENEFITS OF PROPOSAL**

The Board seeks to expand pathways to landscape architecture licensure by revising the years of education and training credits necessary for licensure examination. The Board anticipates that license applicants will benefit from removing unnecessary barriers to licensure for qualified candidates, and the public health, safety, and welfare will benefit from a larger pool of licensed landscape architects. Additionally, the Board anticipates that the various minor and technical revisions in the rulemaking will make the examination, education, and training regulations easier for candidates to understand and provide a clear guide for candidates to determine if they have met the examination qualifications.

**CONSISTENCY AND COMPATIBILITY
WITH EXISTING STATE REGULATIONS**

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

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Cost/Savings in

Federal Funding to the State: The Board estimates 10 additional initial license applications will be approved per year as a result of the proposed regulations. The Board indicates it takes approximately 3 hours of workload (1 hour — Office Technician (OT) and 2 hours — Staff Services Analyst) to process initial licensure with costs of approximately \$268 per license. Renewal licensure takes approximately 15 minutes of OT workload with costs of approximately \$69 per license.

The Board anticipates initial and renewal license fee revenues ranging from \$1,400 to \$17,400 per year and up to \$94,000 over a ten-year period.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

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

Business Impact: The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposal increases pathways to licensure, which may result in more licensed Landscape Architects and increase economic growth for landscape architecture businesses.

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

The Board typically receives approximately 200 initial applications per year. By increasing the pathways to landscape architect licensure for qualified candidates, the Board estimates 10 additional license applicants will be granted licensure per year.

These licensees will be required initial license and examination fees as follows:

- Initial Application Fee — \$35
- Supplemental Examination Application Fee — \$35
- Supplemental Examination Fee — \$350
- Initial License Fee — \$400

Additionally, licensees will be required to renew their licenses every two years and pay a biennial renewal fee of \$400.

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations may have a positive impact on small business as the proposal increases pathways to

licensure, which would increase the pool of licensed landscape architects, who may start their own small landscape architect business or be employed by one.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

Because the rulemaking is intended to decrease barriers to landscape architect licensure by expanding education and training pathways to licensure, the Board anticipates that landscape architect businesses may benefit from a larger pool of licensed landscape architects from which to hire, and some newly licensed landscape architects may create new businesses. The rulemaking will not create new businesses or eliminate existing businesses within the State of California because it is aimed at reducing barriers to landscape architect licensure and the Board does not regulate or collect information on landscape architect businesses.

This regulation may affect the expansion of businesses currently doing business within the State of California because the rulemaking is intended to decrease barriers to landscape architect licensure by expanding education and training pathways to licensure. However, the Board has determined that this regulatory proposal will not have any impact on the creation or elimination of jobs in the State of California.

Benefits of Regulation:

The Board has determined that this regulatory proposal will benefit the health and welfare of California residents by expanding the pathways to landscape architect licensure and the number of individuals who are qualified to take examination and become landscape architects. By increasing the number of licensed landscape architects, the Board anticipates this may benefit worker safety and the state's environment.

CONSIDERATION OF ALTERNATIVES

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

Any interested person may submit comments to the Board in writing relevant to the above determinations at 2420 Del Paso Road, Suite 105, Sacramento, California 95834.

INITIAL STATEMENT OF
REASONS AND INFORMATION

The Board has prepared an Initial Statement of Reasons for the proposed action and has made available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the California Architects Board, Landscape Architects Technical Committee at 2420 Del Paso Road, Suite 105, Sacramento, California 95834 or by contacting the Contact Person named below.

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

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

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

CONTACT PERSON

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

Name:

Stacy Townsend

Address:

2420 Del Paso Road, Suite 105

Sacramento, CA 95834

Telephone Number:

(916) 575-7235

Fax Number:

(916) 575-7283

E-Mail Address:

stacy.townsend@dca.ca.gov

The backup contact person is:

Name:

Trish Rodriguez

Address:

2420 Del Paso Road, Suite 105

Sacramento, CA 95834

Telephone Number:

(916) 575-7231

Fax Number:

(916) 575-7283

E-Mail Address:

latc@dca.ca.gov

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

TITLE 19. STATE FIRE MARSHAL

NOTICE IS HEREBY GIVEN pursuant to Government Code §11346.6, that the California Department of Forestry and Fire Protection — Office of the State Fire Marshal (“OSFM”) or (“SFM”) proposes to take the regulatory action described below in the Informative Digest implementing Title 19, Division 1, Chapter 1, Article 3A of the California Code of Regulations (CCR), related to special event permits on state-owned and specified state-occupied property or in state buildings, after considering public comments, objections, or recommendations regarding the proposed action.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action. Written comments will be accepted for at least 45 days beginning May 7, 2021 and ending June 21, 2021. The written comment period **closes at 12:00 a.m. (Pacific Time) on June 22, 2021**. All written comments received by that date and time will be considered and responded to as part of the compilation of the rulemaking file and are subject to disclosure under the Public Records Act (Gov. Code § 6250, et seq.). Written comments should be directed to:

- **Email:** Diane Arend diane.arend@fire.ca.gov (Include in the subject line of the email “Comments: Special Event Permit”).
- **Mail to:**
CAL FIRE/Office of the State Fire Marshal
P.O. Box 944246
Sacramento, California 94244-2460
Attn: Diane Arend, Code Development & Analysis

- **Hand-delivered between 8:00 a.m. and 5:00 p.m. (PDT) to:**
CAL FIRE/Office of the State Fire Marshal
2251 Harvard Street, Suite 400

Pursuant to Government Code §11346.9, the SFM shall respond to comments submitted during the comment period containing objections and/or recommendations specifically directed at the SFM’s proposed action or to the procedures followed by the agency in proposing or adopting the action.

PUBLIC HEARING

The SFM has not scheduled a public hearing on this proposed action. However, the SFM will hold a public hearing to accept comments if a written request is received from any interested party or their authorized representative no later than 15 days before the close of the 45-day written comment period, pursuant to Government Code Section 11346.8. Submit requests to the contact person(s) indicated below.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding a public hearing, if requested, and considering all timely and relevant comments received by the State Fire Marshal, and following the 45-day comment period, the SFM may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the modified text — with changes indicated — shall be made available to the public for at least 15 days before the SFM adopts, amends, or repeals the regulations as revised. The SFM will accept written comments on the modified regulations for 15 days after the date on which they are made available. To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modified regulations. Please send requests for copies of any modified regulations to the contact person.

The State Fire Marshal invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation during the written comment period.

AUTHORITY AND REFERENCE

The State Fire Marshal is proposing this regulatory action pursuant to Health and Safety Code Section 13145: the State Fire Marshal shall enforce regulations and standards and other regulations that have been formally adopted by the State Fire Marshal for the prevention of fire or for the protection of life and property against fire or panic. The proposed

regulations implement, interpret, and make specific section 13145 of the Health and Safety Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The broad objective of this proposed rulemaking action is to better define the regulatory requirements of the SFM Fire and Life Safety Program, for special event activities on state-owned or specified state-occupied property and the enforcement and maintenance of those requirements for state agencies and stakeholders.

Specifically, this action proposes to require a special event permit for special event activities occurring on state-owned or specified state-occupied properties or in state buildings which are beyond the normal scope of activities and typical operations conducted on state properties.

This rulemaking action proposes the adoption of new Article 3A, and Sections 3.34, 3.35, 3.36, 3.36.1, 3.36.2, 3.36.3, 3.36.4, 3.37, 3.38, 3.39, 3.40, 3.41 and 3.42 in Chapter 1, of Title 19, CCR.

The regulations proposed in this rulemaking action implement, interpret, clarify, and make specific the regulatory requirements of the SFM Fire and Life Safety Program and provide the following:

- Add new Article 3A, titled “Special Event Permit.”
- Require owners and operators of state-owned and specified state-occupied properties to obtain a special event permit for operation of special events.
- Provide clarity and consistency for people directly affected by the regulations, including type of permit, application, criteria for issuance, minimum staffing, duration, revocation, denial or cancellation and restrictions on use. These regulations provide the groundwork for the community to understand the requirements necessary for compliance by special events on state properties.
- Specify and define terms and definitions used in the proposed regulations.

Summary of Existing Laws

Health and Safety Code Section 13145 authorizes the Office of the State Fire Marshal to promulgate and adopt rules and regulations necessary for implementation of the program. Health and Safety Code Section 13108(c) requires the State Fire Marshal to enforce regulations adopted in California Code of Regulations relating to fire and panic safety in all state-owned buildings, specified state-occupied buildings and state institutions throughout the state.

Summary of Existing Regulations

Existing regulations regarding the proposed changes establish the requirements in California Code of Regulations, Title 19, Division 1, Chapter 1, General Fire and Panic Safety. The SFM is proposing to adopt new Article 3A, Special Event Permit, Sections 3.34, 3.35, 3.36, 3.36.1, 3.36.2, 3.36.3, 3.36.4, 3.36.5, 3.37, 3.38, 3.39, 3.40, 3.41 and 3.42.

The proposed regulations by the SFM were developed based on operational need. The Office of the State Fire Marshal consulted with State Parks and Fair Operators who requested a clear and concise process. There were no documents relied upon in connection with these consultations.

Summary of Effect

The changes are proposed to create regulations and have been prepared and adopted for the purpose of establishing minimum standards for the prevention of fire and for the protection of life and property against fire, explosion and panic during a gathering where the activities will create a greater potential hazard or liability to the State than incurred through typical operations.

Comparable Federal Statute or Regulations

There are no comparable federal regulations or statutes.

Evaluation of Consistency

The Office of the State Fire Marshal (OSFM) determined this proposed regulation is not inconsistent or incompatible with existing state regulations. After conducting a review for any regulations that would relate to or affect this area, the OSFM has concluded that these are the only regulations that concern the protection of life and property against fire or panic on State properties during special events.

Objective and Anticipated Benefits

The broad objective of the proposed action is to define and clarify the fire safety requirements for special events on State properties while reducing potential risk.

The specific benefit anticipated from the regulation is providing standardized regulations for the consistent application and enforcement of business practices of the State Fire Marshal which benefits the public health and welfare of California residents, worker safety, and the environment by identifying potential issues and correcting them before an incident occurs.

DOCUMENTS INCORPORATED
BY REFERENCE

The following form, in the format developed by the Office of the State Fire Marshal, is hereby incorporated by reference in the text of regulations and available from the electronic permitting and license application

system called “GOVmotus Fire” on the State Fire Marshal’s website: <https://osfm.fire.ca.gov/> or Special Events Tab at <https://osfm.fire.ca.gov/divisions/fire-and-life-safety-division/>.

- (1) GOVmotus Special Event Application (dated February 2021).

It would be cumbersome, unduly expensive or otherwise impractical to publish this document in the California Code of Regulations. The document is made available from the agency or is reasonably available to the affected public from a commonly known or specified source which is made available on the State Fire Marshal’s website above.

OTHER MATTERS PRESCRIBED BY
STATUTE APPLICABLE TO THE
AGENCY OR ANY SPECIFIC REGULATION
OR CLASS OF REGULATIONS

There are no other matters prescribed by statute applicable to the Office of the State Fire Marshal, or to any specific regulation or class of regulations. There are no other matters to identify.

DISCLOSURES REGARDING THE
PROPOSED ACTION

The State Fire Marshal has made the following initial determinations:

- 1. Mandate on local agencies and school districts: **None.**
- 2. Cost or savings to any other State agency: **None.**
- 3. Cost to any local agency or school district which must be reimbursed in accordance with Government Code Sections 17500–17630: **None.**
- 4. Other non–discretionary cost or savings imposed upon local agencies: **None.**
- 5. Cost or savings in federal funding to the State: **None.**
- 6. Significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other States: **None.**
- 7. Significant effect on housing costs: **None.**

COST IMPACTS ON REPRESENTATIVE
PERSON OR BUSINESS

The State Fire Marshal 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 State Fire Marshal has made the initial determination that the amendments to these regulations will have no effect on small businesses and the State Fire Marshal has not identified any alternatives that would lessen any adverse impact, if any, on small businesses. The proposed regulations will not affect small business.

STATEWIDE ADVERSE ECONOMIC
IMPACT DIRECTLY AFFECTING
BUSINESSES AND INDIVIDUALS

The SFM concluded that any adverse economic impact, including the ability of California businesses to compete with businesses in other states, will not be significant.

RESULTS OF THE ECONOMIC IMPACT
ANALYSIS/ASSESSMENT

The SFM concludes that the adoption of these regulations *will not*:

- a) Create or eliminate jobs within California;
- b) Create new businesses or eliminate existing businesses within California; or
- c) Affect the expansion of businesses currently doing business within California.
- d) The State Fire Marshal has assessed that this regulatory proposal provides a direct benefit to the environment, protection of public health and welfare of California residents, worker safety, and the environment by providing standardized regulations regarding special events.

CONSIDERATION OF ALTERNATIVES

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

The State Fire Marshal invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

BUSINESS REPORT

This regulatory proposal does not mandate any new reporting or recordkeeping requirements beyond the business practice that has already been established by the SFM.

CONTACT PERSON

Inquiries concerning the proposed regulatory action, or requests for copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based may be directed to:

General Inquiries or requests for copies:

Diane Arend, Supervising DSFM/Regulations
Coordinator
CAL FIRE/Office of the State Fire Marshal
2251 Harvard Street, Suite 400
Sacramento, CA 95815
Phone: (916) 568-2917
Email: diane.arend@fire.ca.gov

Substantive or technical questions:

Jack Stinson, Supervising Deputy State Fire
Marshal
CAL FIRE/Office of the State Fire Marshal
2251 Harvard Street, Suite 130
Sacramento, CA 95815
(916) 214-4041
Email: jack.stinson@fire.ca.gov

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

The State Fire Marshal will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office indicated above. As of the date this notice is published in the Notice Register, the SFM’s rulemaking file consists of this notice, the proposed text of the regulations, the initial statement of reasons for the proposed action, the economic impact assessment contained in the initial statement of reasons, and documents incorporated by reference or relied upon. Copies may be obtained through the contact persons at the address or telephone number listed above.

AVAILABILITY OF THE FINAL
STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons (FSOR) may be obtained by making a written

request to the contact person at the above address or by accessing the website listed below.

AVAILABILITY OF
DOCUMENTS ON THE INTERNET

Copies of the Notice of the Proposed Action (“NOPA”), the Initial Statement of Reasons (“ISOR”), the Text of the Proposed Regulations (“TEXT”) in underline and strikeout, the economic impact assessment contained in the ISOR, documents incorporated by reference or relied upon and any other materials or documents concerning this rulemaking can be accessed through the Office of the State Fire Marshal web address at: <http://osfm.fire.ca.gov/divisions/code-development-and-analysis/title-19-development/>.

TITLE 24. ENERGY COMMISSION

**PROPOSED REVISIONS TO THE
CALIFORNIA BUILDING ENERGY
EFFICIENCY STANDARDS**

**2022 CALIFORNIA
ADMINISTRATIVE CODE
2022 BUILDING ENERGY
EFFICIENCY STANDARDS
PART 1, CHAPTER 10, and PART 6
(2022 CALIFORNIA ENERGY CODE)
Docket Number 21–BSTD–01**

INTRODUCTION

Notice is hereby given that the California Energy Commission (CEC) proposes to adopt changes to the California Energy Code contained in the California Code of Regulations (CCR), Title 24, Part 6 (also known as the California Energy Code), and associated administrative regulations in Chapter 10 of Part 1, after considering all recommendations, comments, and objections regarding the proposed action. A description of the proposed standards is provided in the Informative Digest below.

The CEC has prepared this Notice of Proposed Action (NOPA) and an Initial Statement of Reasons (ISOR) regarding the need for the proposed revisions and has made available all the information upon which its proposal is based. The CEC has also published the Express Terms (45–Day Language) of the proposed amendment language. These documents can be obtained from the contact persons designated below or from the CEC website at: <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency>.

[ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency](https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency).

PUBLIC HEARING AND
ADOPTION BY COMMISSION

The CEC will hold a public hearing for the purpose of hearing comments on the proposed standards at the date and time listed below. Interested persons, or their authorized representative, may present oral and written statements, arguments, or contentions relevant to the proposed standards at the public hearing.

The public hearing will be held remotely, consistent with Executive Orders N–25–20 and N–29–20 and the recommendations from the California Department of Public Health to encourage physical distancing to slow the spread of COVID–19. Instructions for remote participation are below.

Public Hearing and Proposed Adoption Date
Wednesday, August 11, 2021
10:00 a.m. (Pacific Time)

REMOTE ATTENDANCE

The workshop may be accessed by clicking the Zoom link below or visiting Zoom at <https://join.zoom.us> and entering the ID and password for the workshop listed below. If you experience difficulties joining, you may contact Zoom at (888) 799–9666 ext. 2, or the Public Advisor’s Office at publicadvisor@energy.ca.gov or (800) 822–6228.

Link: <https://energy.zoom.us/j/93869230237?pwd=Zm96c09ULzdXTjd4eldtUXdnUGErz09>
Webinar ID: 93869230237
Password: mtg@10am

To participate by telephone dial (213) 338–8477 or 1–888–475–4499 (toll free). When prompted, enter the Webinar ID and password listed above. To comment or ask a question over the telephone, dial *9 to “raise your hand” and *6 to mute/unmute your phone line.

PUBLIC ADVISOR

The CEC’s Public Advisor’s Office provides the public assistance in participating in CEC proceedings. For information on participation or to request interpreting services or reasonable accommodations, reach out via email at publicadvisor@energy.ca.gov, by phone at (916) 654–4489, or toll free at (800) 822–6228. Requests for interpreting services and reasonable accommodations should be made at least five days in advance. The CEC will work diligently to accommodate all requests.

Zoom: If you experience difficulties with the Zoom platform, please contact the Public Advisor's office via email or phone.

MEDIA INQUIRIES

Direct media inquiries to the Media and Public Communications Office to (916) 654-4989 or mediaoffice@energy.ca.gov.

WRITTEN COMMENT PERIOD

Written and oral comments, attachments, and associated contact information (including address, phone number, and email address) will become part of the public record of this proceeding with access available via any internet search engine.

The public comment period for the 2022 Building Energy Efficiency Standards will be held from May 7, 2021 through June 21, 2021. Any interested person, or their authorized representative, may submit written comments to the CEC for consideration on or prior to June 21, 2021. The CEC appreciates receiving written comments at the earliest possible date.

The CEC encourages use of its electronic commenting system. Visit the e-commenting page at <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency>, which links to the comment page for this docket. Enter your contact information and a comment title describing the subject of your comment(s). Comments may be included in the "Comment Text" box or attached as a downloadable, searchable document consistent with 20 California Code of Regulations Section 1208.1. The maximum file size allowed is 10 MB.

Written comments may also be submitted by email. Include docket number 21-BSTD-01 and "2022 Energy Code" in the subject line and email to docket@energy.ca.gov.

A paper copy may be sent to:

California Energy Commission
Docket Unit, MS-4
RE: Docket No. 21-BSTD-01
1516 9th Street, MS-4
Sacramento, CA 95814

POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Pursuant to Government Code Section 11346.8, following the written public comment period and the public hearing, the CEC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently

related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CEC adopts, amends, or repeals the regulation(s). The CEC will accept written comments on the modified building standards during the 15-day period.

AUTHORITY AND REFERENCE

The CEC proposes to adopt the regulations under the authority granted by Public Resources Code Sections 25213, 25218, 25218.5, 25402, 25402.1, and 25605.

The CEC proposes to implement, interpret, or make specific Public Resources Code Sections 21080.4, 21153, 25007, 25008, 25218.5, 25310, 25402, 25402.1, 25402.4, 25402.5, 25402.8, 25605, 25910, 25942, and 25943, and Health and Safety Code Sections 18930, 18934, and 18935.

INFORMATIVE DIGEST

Summary of Existing Laws and Regulations

The Warren-Alquist Act (California Pub. Res. Code Sections 25001 et seq.) establishes the CEC as California's primary energy policy and planning agency. Public Resource Code Sections 25213, 25402, 25402.1, 25402.4, 25402.5, 25402.8, 25910, 25942, and 25943 mandate and/or authorize that the CEC adopt rules and regulations, as necessary, to reduce the inefficient consumption of energy and water in newly constructed buildings and certain additions and alterations to existing buildings. One of the ways the CEC satisfies this requirement is through the California Energy Code (California Code of Regulations, Title 24, Part 6) found in the California Building Standards Code, which are adopted pursuant to Health and Safety Code Sections 18930, 18934, and 18935 and, where applicable, the California Environmental Quality Act, California Public Resources Code Sections 21000 et seq. The Energy Code includes all the energy efficiency requirements applicable to newly constructed buildings and additions and alterations to existing buildings. As a part of the California Building Standards Code, the Energy Code follows the same three-year update cycle.

The proposed standards are significant to the state of California in that they support state clean energy goals, policies, and mandates. The amendments will increase the deployment of on-site renewable energy generation, reduce carbon emissions from new buildings (building decarbonization), reduce growth in energy demand, increase energy demand flexibility, and ensure that California buildings are as energy

efficient as is found to be technically feasible and cost-effective.

Summary of the Proposed Standards and Effect

Therefore, the CEC proposes the following amendments to the Energy Code:

- Revise the prescriptive compliance path available for building projects to include only heat pump technology in specific circumstances;
- Revise the “standard design” used for the modeling-based performance compliance path available for building projects to establish the performance baseline based on heat pump technologies in specific circumstances;
- Improve existing residential energy efficiency standards for solar photovoltaic systems, including battery storage, and associated compliance options;
- Add new prescriptive solar photovoltaic and battery requirements for the following newly constructed nonresidential building types: high-rise multifamily, hotel-motel, tenant-space, office, medical office or clinic, restaurant, grocery store, retail store, school, and theater/auditorium/convention center buildings;
- Add new requirements that mixed fuel buildings be electric ready, meaning that electrical connections and other features needed to allow use of non-combustion equipment options are installed at the time of initial construction;
- Establish new energy efficiency standards for lighting, envelope, and space conditioning systems serving controlled environment horticulture spaces;
- Improve energy efficiency standards for commercial and industrial process loads, including computer room air conditioning, refrigerated areas, fan systems, compressed air systems, and steam traps;
- Improve nonresidential and multifamily efficiency standards for building envelopes (e.g., exterior walls, windows, roofs, and floors), fan and duct systems, HVAC controls, boilers and service water heating systems, indoor and outdoor lighting systems, and grid integration equipment such as demand responsive controls;
- Improve minimum standards for residential kitchen ventilation;
- Update and enhance requirements relating to duct sealing and ventilation;
- Add language for requiring operational guides and maintenance of local exhaust systems in a multifamily building;

- Add language to require data registries to submit electronic data along with paper compliance documents to the CEC Repository;
- Revise the language to reduce the burden for local jurisdictions to designate Outdoor Lighting Zones;
- Revise the community shared solar compliance option for clarity with additional requirements for location, size, and opt-out;
- Require the Commission to make specified findings before reviewing an application for a nonresidential data registry; and
- Make numerous minor revisions to existing provisions to improve the clarity of the regulations.

The CEC proposes to adopt these amendments for publication in 2022 with an effective date of January 1, 2023.

Comparable Federal Statute or Regulations

The CEC has determined that there are no existing comparable federal regulations or statutes.

Policy Statement Overview

The broad objective of the regulations is to increase energy efficiency savings in the state by carrying out the CEC’s statutory mandate to provide energy efficiency and conservation standards for newly constructed buildings and certain alterations and additions to existing buildings. By saving large amounts of energy, the standards will make a major contribution in meeting the state’s goals for reductions in greenhouse gas emissions. By making buildings more affordable to operate, the standards encourage investment in new construction, making capital available for other investments, to stimulate economic growth.

The specific benefits of the proposed standards are cost savings to California residents and businesses, lower statewide energy use, and lower greenhouse gas emissions from lower energy use. The total lifetime savings for the 2022 Energy Code costs incurred in 2023 are estimated to be \$8.778 billion. Beyond the monetary benefits, the CEC estimates that the implementation of the 2022 Energy Code updates will reduce anticipated increases in statewide annual electricity demand and natural gas consumption. This will, in turn, result in a net reduction in the emissions of greenhouse gases, nitrous oxide, sulfur oxides, carbon monoxide, and particulate matter attributable to electricity generation and on-site combustion (compared to the current Energy Code requirements). Reduced air pollution and reductions in greenhouse gases will result in health benefits to Californians and help mitigate health and other costs associated with climate change. The reduction in statewide electricity demand will also marginally decrease water consumption in the electricity generation sector.

Evaluation of Inconsistency or Incompatibility with Existing State Regulations

The CEC has conducted an evaluation of other state regulations in this area and has determined that the proposed standards are neither inconsistent nor incompatible with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

None.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The CEC has determined that the proposed regulatory action would not impose a new mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

The CEC has prepared an estimate in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or savings to any state agency: Yes. Buildings owned and occupied by state agencies are required to comply with the standards.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: No. Buildings owned or operated by local agencies are required to comply with the standards.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: No. School buildings are covered by the standards, and the Administrative regulations of the Division of State Architect require public school buildings to comply with the standards. However, costs of complying with the standards are not required to be reimbursed.
- D. Other nondiscretionary cost or savings imposed on local agencies: No.
- E. Cost or savings in federal funding to the state: No. While the CEC receives federal State Energy Program funding for the building standards program, the updates proposed to the standards do not alter or affect the state's ongoing participation in federal State Energy Program.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES, INCLUDING ABILITY OF CALIFORNIA BUSINESSES TO COMPETE WITH BUSINESSES IN OTHER STATES

Based on the information and evidence in the record, the CEC has made an initial determination that the proposed standards are unlikely to have a statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

California's Energy Code is part of the California Building Standards Code and therefore impacts nearly all newly constructed buildings, as well as certain additions and alterations to existing buildings. As a result, the Energy Code may eventually impact all businesses in the state that own buildings because California's Energy Code applies to buildings built in the state of California. Therefore, no California construction businesses should be at a disadvantage versus businesses in other states when all builders and manufacturers have to meet the same standards to build or sell building products in California.

While there are initial up-front costs imposed by the Energy Code, there are long-term savings that typically repay those costs by a significantly positive ratio. In the case of the 2022 Energy Code that ratio is approximately 3.5:1. Past changes to the Energy Code continue to generate benefits even as the latest version of Energy Code increases initial costs. More simply, the Energy Code helps create long-term economic growth and stability by increasing the disposable income of Californians and California businesses in the longer term. These long-term benefits far outweigh the initial upfront costs and, therefore, California businesses are not disadvantaged in competing with businesses from other states by these regulations. California has aggressively pursued environmental and energy regulations for well over a decade, while simultaneously out-performing the overall United States growth in per-capita personal income.

Additional facts, data, and evidence supporting this initial determination are included in the CEC's Economic and Fiscal Analysis (STD. 399) and in the rulemaking docket (21-BSTD-01).

DECLARATION OF EVIDENCE

The basis for the CEC's findings on economic impacts is that the standards are cost-effective, and therefore will have a beneficial economic impact on the owners and occupants of buildings built to comply with the standards. Evidence for the cost-effectiveness of the standards requirements is contained in the formal rulemaking docket (21-BSTD-01).

DOCUMENTS INCORPORATED
BY REFERENCE

The existing Energy Code incorporates a number of industry test standards by reference. The amendments proposed for the 2022 Energy Code include updates to these standards as needed to maintain currency. The following test standards are therefore incorporated by reference as a part of the proposed 2022 update:

All documents are available for review at the CEC located at 1516 Ninth Street, Sacramento, California 95814.

Any document that is not copyrighted will be available on the CEC's building standards website found at <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency>.

FINDING OF NECESSITY FOR THE
PUBLIC'S HEALTH, SAFETY, OR WELFARE
OF BUSINESS REPORT

The regulations do not impose a new reporting requirement.

COST IMPACT ON REPRESENTATIVE
PRIVATE PERSON OR BUSINESS

The CEC is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. California's Energy Code is part of the California Building Standards Code and therefore impacts nearly all newly constructed buildings, as well as to certain additions and alterations to existing buildings. As a result, the Energy Code may eventually impact all businesses in the state that own buildings because California's Energy Code applies to buildings built in the state of California. While the increased energy efficiency in California's buildings may have short term initial costs, there are long-term benefits from reduced utility costs. For individuals this will result in increased disposable income and for businesses lower costs and potentially additional profit. The proposed standards are cost-effective over the life of the measure.

In addition, the CEC estimates that the implementation of the proposed standards will reduce anticipated increases in statewide annual electricity demand and natural gas consumption. This will, in turn, result in a net reduction in the emissions of greenhouse gases, nitrous oxide, sulfur oxides, carbon monoxide, and particulate matter attributable to electricity generation and on-site combustion (compared to the current Energy Code requirements). Reduced air pollution and reductions in greenhouse

gases will result in health benefits to Californians and help mitigate health and other costs associated with climate change. The reduction in statewide electricity demand will also marginally decrease water consumption in the electricity generation sector.

SMALL BUSINESS

The proposed standards may affect small business. The Energy Code does not differentiate between a small business and a typical business but rather impact construction that may occur in nearly all public and private buildings in California.

ASSESSMENT OF EFFECT OF REGULATIONS
UPON JOBS AND BUSINESS EXPANSION,
ELIMINATION OR CREATION

The CEC has assessed whether or not and to what extent this proposal will affect the following:

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

The evidence in the record indicates that employment impacts based on the implementation of the 2022 Energy Code may result in an estimated 781 jobs created and 6,868 jobs eliminated. California businesses producing energy efficient products and technology that meet or exceed the proposed standards are likely to expand sales of those products and technologies due to the implementation of these proposed standards. Construction related jobs and occupations, and companies that provide energy efficient products and services, will likely benefit from increased demand for those products and services likely creating jobs. Any jobs eliminated may be the result of a single measure that will reduce indoor nonresidential lighting power requirements. This estimate is based on an analysis by Evergreen Economics, which can be found in the rulemaking docket (21-BSTD-01). Therefore, the CEC concludes that the proposal may both create and eliminate jobs within California.

B. **The creation of new businesses or the elimination of existing businesses within the State of California.**

California's Energy Code is part of the California Building Standards Code and therefore impacts nearly all newly constructed buildings, as well as to specific additions and alterations to existing buildings. As a result, the Energy Code may eventually impact all businesses in the state that own buildings. However, while the increased energy efficiency in California's buildings may have short term initial costs, there are long-term benefits from reduced utility costs. California's

Energy Code applies to buildings built in the state of California. As such, no California construction businesses should be at a disadvantage when all builders and manufacturers have to meet the same standards to build or sell building products in California. More broadly, while there are initial up-front costs imposed by the Energy Code, there are long-term savings that typically repay those costs by a significantly positive ratio. The Energy Code helps create long-term economic growth and stability by increasing the disposable income of Californians and California businesses in the longer term making it possible that new businesses may be created to provide compliance services and to supply energy efficient products. Therefore, the CEC concludes that it is likely the proposal may create new businesses and unlikely the proposal may eliminate existing businesses within the state of California.

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

California businesses producing energy efficient products and technology that meet or exceed the proposed standards are likely to expand sales of those products and technologies due to the implementation of these proposed standards. Therefore, the CEC concludes that it is likely that businesses currently doing business in California to provide energy efficient products and services, including the sale and installation of solar photovoltaic systems are likely to be expanded.

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

The benefit of this proposed action is energy and water cost savings to California residents and businesses, lower statewide energy use, and lower statewide greenhouse gas emissions.

The proposed regulation will not adversely affect the health and welfare of California residents, worker safety, or the state's environment.

ESTIMATED COST OF COMPLIANCE WITH STANDARDS THAT WOULD IMPACT HOUSING

The CEC has made an initial determination that the proposed standards are likely to have an effect on housing costs. California's Energy Code is part of the California Building Standards Code and therefore impacts newly constructed buildings and certain additions and alterations to existing buildings. However, the energy bill savings over the life of the building will be greater than any increased construction costs that will result from the standards.

CONSIDERATION OF ALTERNATIVES

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

The CEC invites interested persons to present statements, arguments, or data concerning alternatives to the proposed standards at the scheduled hearing or during the written comment period.

AVAILABILITY OF RULEMAKING DOCUMENTS

The CEC maintains a website to facilitate public access to documents prepared and considered as part of this rulemaking proceeding. Documents prepared by the CEC for this rulemaking have been posted at <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency>.

The CEC will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at the address below. As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice, the Express Terms, the Initial Statement of Reasons (ISOR), the Economic and Fiscal Impact Statement (STD. 399), any documents relied upon, and any documents incorporated by reference. Copies may be obtained by contacting Corrine Fishman at the phone number below or accessed through the CEC website at <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency>.

At the conclusion of the rulemaking, persons may obtain a copy of the Final Statement of Reasons (FSOR), once it has been prepared, by visiting the CEC's website at <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency> or by contacting the contact person listed below.

CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS

Please direct general inquiries concerning aspects of the rulemaking process, including requests for copies of the proposed text (Express Terms), the Initial Statement of Reasons (ISOR), any modified version

of the regulations, the substance of the proposed regulations, or any other information upon which the rulemaking is based, to:

Corrine Fishman
 Regulations Manager
 California Energy Commission
 Efficiency Division
 (916) 654-4287
corrine.fishman@energy.ca.gov

PROPOSING STATE AGENCY CONTACT
 PERSON FOR SUBSTANTIVE AND/OR
 TECHNICAL QUESTIONS ON
 THE PROPOSED CHANGES TO
 BUILDING STANDARDS

Specific questions regarding the substantive and/or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Payam Bozorgchami, PE
 Senior Civil Engineer
 California Energy Commission
 Building Standards Office, Efficiency Division
 (916) 931-9765
payam.bozorgchami@energy.ca.gov

Secondary Contact:

Peter Strait, Supervisor
 California Energy Commission
 Building Standards Office, Efficiency Division
 (916) 805-7427
peter.strait@energy.ca.gov

GENERAL PUBLIC INTEREST

DEPARTMENT OF PUBLIC HEALTH

**Notice of 30-Day Public Comment
 May 7, 2021 through June 7, 2021
 Medi-Cal Waiver Program
 HIV/AIDS Waiver Renewal Application**

NOTICE IS HEREBY GIVEN that the California Department Health Care Services (DHCS) in collaboration with the California Department of Public Health (CDPH) intends to submit the 1915(c) Home and Community-Based Services, Medi-Cal Waiver Program (MCWP), HIV/AIDS Waiver Renewal Application to the federal Centers for Medicare and Medicaid Services (CMS). This notice provides information of public interest with respect to DHCS

and CDPH seeking approval from CMS to allow for the renewal of the current HIV/AIDS Waiver, which expires on December 31, 2021. DHCS plans to submit the HIV/AIDS Waiver Renewal Application to CMS on or before August 31, 2021.

WRITTEN PUBLIC COMMENT PERIOD

Any interested person may submit written comments to CDPH, Office of AIDS (OA), relevant to the Waiver Renewal Application described in this notice. The public comment period is May 7 through June 7, 2021. The Companion Guide and Public Comment Template for submitting public comments will be posted at: https://www.cdph.ca.gov/Programs/CID/DOA/Pages/OA_care_mcwp.aspx.

Stakeholders may also e-mail comments or questions about the Waiver application to: MCWPWaiverRenewal@cdph.ca.gov.

The Companion Guide and Public Comment Template discussed above will be posted on May 7, 2021, on the CDPH OA MCWP webpage:

A hard copy of the full HIV/AIDS Waiver is also available upon request. **Hard copy requests and comments can be submitted in writing or through email at the following addresses:**

Mail Delivery:

Attention: Dennis Fleming
 California Department of Public Health
 Office of AIDS
 Medi-Cal Waiver Program
 P.O. Box 997426, MS 7700
 Sacramento, CA 95899-7426

The public comment period will begin on May 7, 2021 and end at 5:00 pm on June 7, 2021. Any written comments regardless of the method of transmittal must be received by 5:00 p.m. or postmarked on June 7, 2021 for consideration.

For individuals with disabilities, CDPH will provide assistive services such as sign-language interpretation, real-time captioning, note takers, reading or writing assistance, and conversion of training or meeting materials into Braille, large print, audiocassette, or computer disk. To request such services or copies in an alternate format, please email or write:

Attention:

Drew Young
 California Department of Public Health
 Office of AIDS
 Medi-Cal Waiver Program
 P.O. Box 997426, MS 7700
 Sacramento, CA 95899-7426
 Email: drew.young@cdph.ca.gov

**DEPARTMENT OF TOXIC
SUBSTANCES CONTROL**

NOTICE OF PUBLIC COMMENT PERIOD

May 7, 2021–June 7, 2021

PROSPECTIVE PURCHASER AGREEMENT

Zeneca/Former Stauffer Chemical Site

**1415 South 47th Street,
Richmond, California 94804**

WHAT IS BEING PROPOSED? The Department of Toxic Substances Control (DTSC) invites the public to review and comment on a Prospective Purchaser Agreement with HRP Campus Bay Property, LLC (HRP), regarding the Zeneca/Former Stauffer Chemical site located at 1415 South 47th Street, Richmond, California 94804 (Site). HRP plans to develop the property to include multi-family housing, commercial businesses, and open spaces. The Prospective Purchaser Agreement will require HRP to construct buildings and utility corridors, conduct operation and maintenance, perform monitoring activities, and other activities as required by the Feasibility Study and Remedial Action Plan (FS/RAP) for Lot 1, Lot 2, and the Upland Portions of Lot 3 approved by DTSC in October 2019. HRP will also be responsible for various activities required by the 2017 approved FS/RAP for Habitat Area 2, 2005 Removal Action Workplan for Habitat Area 1, and existing and future land use covenant requirements. HRP will conduct these remediation activities at the Site in consideration for a covenant not to sue and contribution protection from DTSC. These activities are needed to protect human health and the environment at the Site and will be beneficial to the area by improving environmental conditions, generating economic benefits to the local community, creating jobs, providing new residential units and affordable housing, and providing permanent open space.

HOW DO I PARTICIPATE?

DTSC will consider public comments on the Prospective Purchaser Agreement that are postmarked or received by June 7, 2021. DTSC may decline to finalize the Prospective Purchaser Agreement if such comments disclose facts or considerations that indicate the Prospective Purchaser Agreement is inappropriate, improper, or inadequate.

Comments should be addressed to both:

Julie Pettijohn, MPH, CIH
Branch Chief
Department of Toxic Substances Control
700 Heinz Avenue
Berkeley, CA 94710
Julie.Pettijohn@dtsc.ca.gov

Peter Fagrell
HRP Campus Bay Property, LLC
c/o Hilco Redevelopment Partners
111 South Wacker Dr., Suite 3000
Chicago, Illinois 60606
pflagrell@hilcoglobal.com

WHERE DO I GET MORE INFORMATION?

Copies of this document, other documents, key technical reports, and other site-related information are available for review at:

DTSC Regional Records Office (By appointment only)
700 Heinz Avenue
Berkeley, CA 94710
(510) 540-3800
BerkeleyFileRoom@dtsc.ca.gov

Or information can be found at the DTSC EnviroStor website:

https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=07280002

Questions, Contact:

Julie Pettijohn, MPH, CIH
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 For media inquiries

Dr. John Budroe
 Chief, Air Toxicology and Risk Assessment
 Section
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 Fax: (510) 622-3210

**OFFICE OF ENVIRONMENTAL
 HEALTH HAZARD ASSESSMENT**

AIR TOXICS HOT SPOTS PROGRAM

**NOTICE OF PUBLIC COMMENT
 PERIOD AND WORKSHOPS ON A DRAFT
 CANCER INHALATION UNIT RISK
 FACTOR FOR 1-BROMOPROPANE**

The Office of Environmental Health Hazard Assessment (OEHHA) is releasing a document for public review that summarizes the carcinogenicity and derivation of a cancer inhalation unit risk factor (IUR) for 1-bromopropane (1-BP). Cancer IURs are used to estimate lifetime cancer risks associated with inhalation exposure to a carcinogen.

OEHHA is required to develop guidelines for conducting health risk assessments under the Air Toxics Hot Spots Program (Health and Safety Code Section 44360(b)(2)). In implementing this requirement, OEHHA develops IURs for many air pollutants. The draft 1-BP cancer IUR was developed using the most recent “Air Toxics Hot Spots Program Technical Support Document for Cancer Potency Factors,” finalized by OEHHA in 2009. The draft 1-BP cancer IUR document is being made available today on the OEHHA website. **The posting of the document will commence a 45-day public review period that will end on June 21, 2021.**

A remote public workshop will be held virtually on May 26, 2021 at 10:00 a.m. Instructions on how to participate will be provided in a future public notice.

Due to the continuing COVID-19 emergency, the public is strongly encouraged to submit written information via OEHHA’s website, rather than in paper form. Comments may be submitted electronically through the following link: <https://oehha.ca.gov/comments>.

Hard-copy comments may be mailed, faxed, or hand-delivered to the address below:

After the close of the public comment period, the document will be revised as appropriate by OEHHA, and peer reviewed by the state’s Scientific Review Panel on Toxic Air Contaminants.

Information about dates and agendas for meetings of the Scientific Review Panel can be obtained from the California Air Resources Board website at <https://ww2.arb.ca.gov/resources/documents/scientific-review-panel-toxic-air-contaminants>.

**SUMMARY OF REGULATORY
 ACTIONS**

**REGULATIONS FILED WITH THE
 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.

California Department of Tax and Fee
 Administration
 File # 2021-0312-03
 California Cannabis Track-and-Trace

This action specifies information that a distributor or cannabis retailer who is required to record commercial cannabis activity in the California Cannabis Track-and-Trace system must enter into that system. This action is exempt from the Administrative Procedure Act pursuant to Government Code section 15570.40(b).

Title 18
 Adopt: 3702
 Filed 04/26/2021
 Effective 04/26/2021
 Agency Contact: Kim DeArte (916) 309-5227

Department of Corrections and Rehabilitation
File # 2021-0407-03
Program and Credit Earning Revisions

This emergency rulemaking action by the Department of Corrections and Rehabilitation updates terminology, expands rehabilitative programs and reentry services, and eliminates the Long-Term Offender Program by incorporating participants into the new Integrated Substance Use Disorder Treatment Program. This action also amends the Milestone Completion Credit Schedule to add new programs, discontinue programs that are no longer available to inmates, amend the amount of credit earned for some programs, and reorganize the schedule. This action was certified as an operational necessity by the Undersecretary of Operations on January 5, 2021.

Title 15
Adopt: 3040.1
Amend: 3000, 3040, 3041, 3041.3, 3043.3, 3043.5, 3043.7, 3043.8, 3044, 3075.1, 3077.1, 3315, 3375, 3375.2, 3375.4, 3375.5, 3375.6, 3379
Repeal: 3040.1 3040.2
Filed 04/27/2021
Effective 04/27/2021
Agency Contact: Anthony Carter (916) 445-2220

Department of Corrections and Rehabilitation
File # 2021-0408-04
Minimum Security Credit and Inmate Credit Earning

In this emergency by operational necessity the Department of Corrections and Rehabilitation amends regulations concerning inmate credit earning and minimum security credit.

Title 15
Adopt: 3043.7
Amend: 3043, 3043.2, 3043.3, 3043.4, 3043.5, 3043.6, 3044, 3045.1, 3043.7 [Renumbered to 3044.1], 3043.8 [Renumbered to 3044.2], 3047 [Renumbered to 3046.1]
Filed 04/28/2021
Effective 05/01/2021
Agency Contact: Josh Jugum (916) 445-2266

Department of Corrections and Rehabilitation
File # 2021-0409-02
Nonviolent Parole Process Eligibility re Gadlin

In this emergency by operational necessity the California Department of Corrections and Rehabilitation amends the nonviolent offender parole review process (NVPP) eligibility regulations to be consistent with the California Supreme Court ruling In re Gadlin (2020) 10 Cal.5th 915 that held eligibility consideration for NVPP must be based on an inmate's current conviction and that an inmate may not be ex-

cluded from NVPP consideration based on a current conviction for a nonviolent registerable sex offense.

Title 15
Amend: 2449.32, 3491, 3492, 3496, 3497
Filed 04/29/2021
Effective 04/29/2021
Agency Contact: Josh Jugum (916) 445-2266

Department of Corrections and Rehabilitation
File # 2021-0324-03
Incompatible Activities

In this regular rulemaking, the Department of Corrections and Rehabilitation is repealing a prohibition against using workgroup computer technologies to publish, display or transmit information that encourages the use of prescribed controlled substances.

Title 15
Amend: 3413
Filed 04/29/2021
Effective 04/29/2021
Agency Contact: DeAnna Goulby (916) 691-3747

Department of Corrections and Rehabilitation
File # 2021-0408-03
Inmate Authorized Personal Property

In this emergency of operational necessity readopt of OAL Matter No. 2020-0706-02EON, the Department of Corrections and Rehabilitation is amending the list of facility exemptions for allowable personal property.

Title 15
Amend: 3000, 3006, 3044, 3133, 3190, 3314, 3315, 3323
Filed 04/27/2021
Effective 04/30/2021
Agency Contact: Rosie Ruiz (916) 445-2244

Department of Food and Agriculture
File # 2021-0312-02
Device Administration — Inspections and Fees

This rulemaking action will permit use of new weighing and measuring devices, clarify the process for submitting an alternative inspection frequency plan, and increase annual device administrative fees.

Title 04
Amend: 4070, 4071, 4073, 4074, 4075
Repeal: 4072
Filed 04/28/2021
Effective 04/28/2021
Agency Contact: Samuel Ferris (916) 229-3000

Department of Housing and Community
Development
File # 2021-0412-01
Mobilehome Residency Law Protection Program

The Department of Housing and Community Development in this emergency readopt action (2020-0615-02E) is readopting regulations for the Mobilehome Residency Law Protection Act to establish the process for mobilehome owners to seek assistance with alleged violations of the Mobilehome Residency Law. This program provides for referral to various enforcement agencies or referral to a non-profit legal service provider for assistance.

Title 25
Adopt: 4900, 4902, 4904, 4906, 4908, 4910, 4912, 4914, 4916, 4918
Filed 04/22/2021
Effective 04/22/2021
Agency Contact: Ruth Ibarra (916) 263-3262

Department of Justice
File # 2021-0315-01
Department of Financial Protection and Innovation

This action by Department of Justice amends section 31.28, Electronic Surety Bond — California Financing Law Bond, in the title 11 listing of approved surety bonds for the Department of Financial Protection and Innovation.

Title 11
Adopt: 31.28
Filed 04/27/2021
Effective 04/27/2021
Agency Contact: Sarah L. Fabian (510) 879-0272

Department of Social Services
File # 2021-0419-03
CalWORKs Homeless Assistance, Domestic Abuse, etc.

This emergency readoption amends the Manual of Policies and Procedures (MPP) to implement statutory changes regarding CalWORKs and applicants fleeing domestic abuse, family reunion cases, victims of natural disasters, and related matters. This action is exempt from OAL review pursuant to Section 8 of Assembly Bill 557 (Chapter 691, Statutes of 2017).

Title MPP
Amend: 40-105, 40-190, 40-407, 42-715, 44-211, 82-812
Filed 04/28/2021
Effective 04/28/2021
Agency Contact: Everardo Vaca (916) 657-2363

Secretary of State
File # 2021-0421-01
Vote-by-Mail Ballot Drop Boxes and Vote-by-Mail Drop-Off Locations

This action by the Secretary of State readopts an emergency amendment that extends the time within which ballots must be retrieved from unstaffed vote-by-mail drop boxes from 24 hours to 48 hours. (See OAL file no. 2020-0616-01E.)

Title 02
Amend: 20136
Filed 04/27/2021
Effective 04/27/2021
Agency Contact: Robbie Anderson (916) 657-2166

State Mining and Geology Board
File # 2021-0226-03
Forfeiture of Financial Assurance Mechanisms

In this rulemaking action, the Board amends its regulations related to mining operations reclamation plans and financial assurances for reclamation. The amendments align with statutory changes made in the Public Resources Code sections.

Title 14
Amend: 3810, 3811, 3812, 3813, 3814, 3815, 3816, 3817
Filed 04/29/2021
Effective 07/01/2021
Agency Contact: Matthew Livers (916) 214-2066

**PRIOR REGULATORY
DECISIONS AND CCR
CHANGES FILED WITH THE
SECRETARY OF STATE**

A quarterly index of regulatory decisions by the Office of Administrative Law (OAL) is provided in the California Regulatory Notice Register in the volume published by the second Friday in January, April, July, and October following the end of the preceding quarter. For additional information on actions taken by OAL, please visit www.oal.ca.gov.