



# California Regulatory Notice Register

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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 4. SCHOOL FINANCE  
AUTHORITY**

**TITLE 4, DIVISION 15, ARTICLE 5,  
CALIFORNIA CODE OF REGULATIONS  
CHARTER ACCESS TO BANK LOAN  
ENHANCEMENT  
(CharterABLE) PROGRAM**

The California School Finance Authority (Authority) proposes to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

**PUBLIC HEARING**

No public hearing is scheduled for this rulemaking. A public hearing will be held if any interested person, or their authorized representative, submits a written request for a public hearing via email to [CSFA@treasurer.ca.gov](mailto:CSFA@treasurer.ca.gov) or via mail to the contact person identified below no later than 15 days prior to the close of the written comment period.

**WRITTEN COMMENT PERIOD**

The public comment period for the proposed regulations will open November 26, 2021 and close January 10, 2022. During this time, any interested party or their authorized representative may submit written comments relevant to the proposed regulatory action. Interested persons are encouraged to submit their comments via email to the California School Finance Authority inbox at:

[CSFA@treasurer.ca.gov](mailto:CSFA@treasurer.ca.gov)

Interested persons may also mail written comments to:

California School Finance Authority  
Attention: Katrina Johantgen, Executive Director  
915 Capitol Mall, Room 101  
Sacramento, CA 95814

OR

300 South Spring Street, Suite 8500  
Los Angeles, CA 95814

When commenting, please indicate the proposed rulemaking action to which your comment refers.

**AUTHORITY AND REFERENCE**

Education Code sections 17179 authorizes the Authority to adopt these proposed regulations. The proposed regulations implement, interpret, and make specific sections 17179 and 17180 of the Education Code.

**INFORMATIVE DIGEST**

*Summary of Existing Laws and Effect of the Proposed Action*

The Authority has received a grant award under the U.S. Department of Education’s Credit Enhancement for Charter Schools Facilities Program (CFDA # 84.354) (Grant). This Grant, awarded in 2019, provides \$20,000,000 to provide credit enhancement to facilitate the financing of the construction, and/or renovation of facilities for California public Charter Schools. For purposes of the Authority’s implementation and administration of this Grant program, the program shall be entitled the “Charter Access to Bank Loan Enhancement (CharterABLE) Program”.

As this is the third award received under the Grant program, the Authority utilized the existing regulations (CCR, Title 4, Division 15, Article 3, Sections 10192 *et seq.* and 10200 *et seq.*) as templates for this current set of regulations.

The proposed regulations will set forth the applicant eligibility criteria, describe the eligible uses for program funds and how awards will be allocated, detail the contents of the application, lay out the application review and evaluation criteria, establish provisions for audits and the avoidance of conflicts of interest, and provide for any funding contingency.

*Anticipated Benefits of the Proposed Regulations*

The broad objective of the regulations is to implement the CharterABLE Program. This Program is the result of a \$20 million credit enhancement grant awarded to the Authority in 2019 through the U.S. Department of Education’s (DOE) Credit Enhancement for Charter School Facilities Program (CFDA # 84.354A). As currently envisioned, the Program will enhance bank loan financings issued by the Authority. Through a Performance Agreement with the DOE, the Authority will establish the broad program goals of leveraging a percentage of the grant award annually to secure and lower costs associated with financing the purchase, construction, and/or renovation of charter school facilities. Other Program goals include reducing pre-development and acquisition borrowing costs

for schools, and providing preference to applicant schools serving communities and families in need. The specific benefits anticipated from the regulations are increased openness and transparency in government. The regulations set forth eligibility criteria, application contents, and award allocation and eligible uses of Program funds.

*Evaluation of Inconsistency/Incompatibility with Existing State Regulations*

The Authority has determined that these proposed regulations are not inconsistent with or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area of law, the Authority has concluded that as this is a newly created Program, these are the only regulations implementing the Program.

The Authority has determined that the proposed regulations are not inconsistent or incompatible with regulations promulgated by the Authority at California Code of Regulations sections 10192 through 10199 implementing administration of the Charter School Facilities Credit Enhancement Grant Program (CFDA # 84.354A) fund(s) received by the Authority from the DOE to provide credit enhancement to facilitate the purchase, construction, and/or renovation of facilities for California public Charter Schools.

The Authority has determined that the proposed regulations are not inconsistent or incompatible with regulations promulgated by the Authority at California Code of Regulations sections 10200 through 10200.7 implementing the Authority's administration of the Charter School Facilities Credit Enhancement Grant Program (CFDA # 84.354A) fund(s) received by the Authority from the DOE and disbursed through the Project Acceleration Notes and Credit Enhancement Alternatives (PANACEA) Program, which provides credit enhancement to facilitate the financing of the purchase, construction, and/or renovation of facilities for California public Charter Schools and is used in conjunction with funding provided through the Charter School Facilities Program (CSFP) or the Authority's Conduit Financing Program (Non-CSFP).

**DISCLOSURES REGARDING THE PROPOSED ACTION**

The Authority has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: Negligible.

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 in federal funding to the state: None.

Significant, statewide adverse impact directly affecting business, including the ability of California

businesses to compete with businesses in other states: None.

Significant effect on housing costs: None.

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

There are not any expected non-discretionary costs or savings imposed upon by local agencies.

*Results of the Economic Impact Analysis/Assessment*

The Authority concludes that it is unlikely that

- 1) the proposal will eliminate any jobs,
- 2) the proposal will create any jobs,
- 3) the proposal will create any new businesses, or
- 4) the proposal will eliminate any existing businesses or result in the expansion of businesses currently doing business within the state.

The Authority believes the proposed regulations will benefit California residents by reducing costs associated with financing the purchase, construction, and/or renovation of charter school facilities. California residents will also benefit from the reduction of pre-development and acquisition of borrowing costs for schools, particularly as the program is designed to deliver these advantages to schools serving students and communities of need.

The Authority believes there may be minimal benefit to the environment by expressly permitting submission of applications electronically which may save paper.

The Authority does not anticipate any benefits to worker safety.

*Small Business Determination*

The Authority has determined that the proposed regulations may affect small business. These regulations establish procedures that must be followed by interested parties submitting applications for Program funds, some of which are small nonprofit businesses.

**CONSIDERATION OF ALTERNATIVES**

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

The Authority invites interested persons to present statements or arguments with respect to alternatives to

the proposed regulations during the written comment period.

CONTACT PERSONS

Inquiries concerning the proposed rulemaking action may be directed to:

Katrina Johantgen, Executive Director  
California School Finance Authority  
915 Capitol Mall, Room 101  
Sacramento, CA 95814

OR

300 South Spring Street, Suite 8500  
Los Angeles, CA 95814  
(213) 620-4608  
[kjohantgen@treasurer.ca.gov](mailto:kjohantgen@treasurer.ca.gov)

The following person is designated as a back-up Contact Person for inquiries only regarding the Regulations:

Ravinder Kapoor, Senior Attorney  
State Treasurer's Office  
915 Capitol Mall, Room 110  
Sacramento, CA 95814  
(916) 653-2995

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

The Authority will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the Sacramento address listed above. As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice, the proposed text of the regulations, the Initial Statement of Reasons, and the Form-STD. 399. Please direct requests for copies to the Program lead at [CSFA@treasurer.ca.gov](mailto:CSFA@treasurer.ca.gov) or the contact person(s) listed above. Due to COVID-19 restrictions, please call (916) 651-7110 to make an appointment to review the rulemaking file in person.

AVAILABILITY OF CHANGED OR  
MODIFIED TEXT

After considering all timely and relevant comments received, the Authority may adopt the proposed regulations substantially as described in this notice. If the Authority makes modifications that are sufficiently related to the originally proposed text, it will make the modified text, with the changes clearly indicated, available to the public for at least 15 days before adopting the regulations as revised. Please send requests for

copies of any modified regulations to the Program Lead or contact person listed above. If substantive modifications are made, the Authority will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL  
STATEMENT OF REASONS

Upon its completion, the Authority will make copies of the Final Statement of Reasons available. Please send requests for copies to the Program Lead or Contact Person listed above.

AVAILABILITY OF  
DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations, as well as the Final Statement of Reasons, when completed, and modified text, if any, can be accessed via the Authority's website at <https://www.treasurer.ca.gov/csfa/csfgp/public-comment.asp>.

**TITLE 4. SCHOOL FINANCE  
AUTHORITY**

ARTICLE 4, SECTIONS 10200  
THROUGH 10200.7  
TITLE 4, DIVISION 15  
CALIFORNIA CODE OF REGULATIONS

NOTICE IS HEREBY GIVEN that the California School Finance Authority (CSFA or the Authority), organized and operating pursuant to Sections 17170 through 17199.5 of the Education Code, proposes to adopt the regulations as described below after considering all comments regarding the proposed action. Any person interested may present comments relevant to the proposed action to the attention of the Contact Person as listed in this Notice no later than 5:00 p.m. on Tuesday, January 11, 2022. CSFA, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal 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(s) designated in this notice as Contact Person and will be mailed to those persons who submit statements related to this proposal or who have required notification of any changes to the proposal.

## PROPOSED REGULATORY ACTION

CSFA proposes to amendments to Sections 10200.1, 10200.2, and 10200.3 of Title 4 of the California Code of Regulations (Regulations) as permanent regulations. The Regulations implement CSFA's responsibilities related to the Project Acceleration Notes and Credit Enhancement Alternatives (PANACEA) Program.

## AUTHORITY AND REFERENCE

Authority: Sections 17179 and 17180 of the Education Code. Section 17179 sets forth that the Authority is vested with all powers to carry out the powers and responsibilities expressly granted or imposed upon it. Section 17180(a) provides the Authority with the ability to adopt bylaws for the regulation of its affairs and the conduct of its business. Section 17180(o) of the Education Code provides CSFA the authority to adopt guidelines for grants, bonds, and other evidence of indebtedness.

Reference: Sections 17173, 17180, 17199.4, 47600 *et seq.*, 47605, and 47612.5 of the Education Code. The Regulations include a number of the requirements of the Program contained in the reference code provisions. They also rely on several provisions in the Charter Schools Act of 1992, commencing with section 47600 of the Education Code. Section 17180(d) provides CSFA with the authority to receive grants from the federal government.

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

CSFA was created in 1985 to assist school districts and community college districts in financing school construction projects (Education Code section 17170, *et seq.*). CSFA is authorized to adopt bylaws for the regulation and conduct of its business, is vested with all powers reasonably necessary to carry out its powers and responsibilities and may receive and accept grants from a federal agency (Education Code sections 17179 and 17180).

In 2017, the U.S. Department of Education awarded a grant of \$8,000,000 to CSFA, pursuant to the Credit Enhancement for Charter School Facilities Program (CFDA # 84.354A), authorized under Title V, Part B, Subpart 2 of the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act of 2001 (Grant). Program funds may be used to credit enhance the financing of acquisition, renovation, or construction of charter school facilities, or the refinancing of existing charter school facility debt.

For purposes of the Program, the Authority intends to use the funds for the interim financing of charter

school facilities awarded an Advance or Final Apportionment through the Charter School Facilities Program (CSFP) or awaiting the issuance of long-term debt through the Authority's Conduit Bond and Note Financing Program. While the Authority also was awarded a grant award for \$8,300,000 in 2011 under the same Grant program, this Program is distinguished from the previous Grant award by the fact that it focuses on credit enhancement for short-term interim financing while the previously awarded Grant focuses on credit enhancement for the issuance of long-term debt, especially bonds and long-term notes. The need for interim financing is critical when special considerations, including considerations of efficiency, require implementation of the acquisition, renovation, or construction of charter school facilities, or refinancing of such, prior to receipt of proceeds through CSFP or issuance of long-term debt.

Regulations implementing the Program must be in place to allow CSFA the ability to establish application and eligibility requirements, eligible uses of Program funds, criteria for evaluation and selection, and internal controls to ensure the integrity of the Program. In addition, regulations are necessary to ensure uniformity and consistency in the process of review and selection of applicants for Program awards. These Regulations are critical in order to lower financing costs for the acquisition, renovation, or construction of California public charter schools, as well as to accelerate the construction of permanent facilities to house California's public school students.

The eligibility for Program funds is based on meeting all the following eligibility criteria: (1) in the case of an Application associated with CSFP funding, an Advance or Final Apportionment has been awarded under CSFP; (2) an approved charter has been awarded and is in place and current; (3) the Charter School is in good standing with its Charter Authorizer and is in compliance with the terms of its charter at the time of Application submission; and (4) the Charter School is established pursuant to Education Code section 47600 *et seq.*, and also meets the federal definition of Charter School as defined in section 5210(1) of the Elementary and Secondary Education Act (ESEA) as amended by the No Child Left Behind Act (NCLB) of 2001. In addition, eligibility further requires that an Applicant meet at least one of the following evaluation criteria whereby preference is to be established based on the number met and level of need, where applicable: (1) location of the Applicant in a district or county with low academic performance (50% or less of students meeting proficiency in State standards for mathematics or English-language Arts); (2) location of the Applicant in a district or county with a high level of eligibility for free and reduced-price meals (60% or more of pupils); (3) the Applicant having a high level of eligibility

for free and reduced-price meals (greater than 50% of pupils); (4) location of Applicant in a district or county where there is a high need for facilities improvement; and (5) the Applicant having received an award under CSFP<sup>1</sup>.

Pursuant to a Performance Agreement with the United States Department of Education, the Authority commenced administration of the Program in 2018 fiscal year and to adopt regulations. A Certificate of Compliance was approved on December 12, 2018 by the Office of Administrative Law (OAL) (OAL Regulatory Action #2018-1030-05).

ANTICIPATED BENEFITS OF THE PROPOSED REGULATION

The proposed Regulations allow CSFA the ability to establish application and eligibility requirements, eligible uses of Program funds, criteria for evaluation and selection, and internal controls to ensure the integrity of the Program. In addition, the Regulations are necessary to ensure uniformity and consistency in the process of review and selection of applicants for Program awards. These Regulations are critical in order to lower financing costs for the purchase, renovation, or construction of California public charter schools. The Authority is proposing permanent regulations through the Office of Administrative Law’s permanent rulemaking process.

EVALUATION OF INCONSISTENCY/ INCOMPATIBILITY WITH EXISTING STATE REGULATIONS

After conducting a thorough evaluation of the other regulations on this matter, specifically the Authority’s regulations for its Grant awarded in 2011, California Code of Regulations, Title 4, Division 15, Article 3, entitled “Charter School Facilities Credit Enhancement Grant Program,” the Authority has found that the proposed regulations are neither inconsistent nor incompatible with the existing State regulations.

SUMMARY OF PROPOSED REGULATIONS

The Regulations are briefly summarized below.

**Section 10200.1: “Definitions”**

An amendment to this section would be the addition of “Financing” to the set of definition due to its addition in the proposed amendments in Section 10200.3 below. Current paragraphs (i) through (k) in this subsection will be re-lettered to (j) through (l) due to “Financing” being added as new paragraph (i).

<sup>1</sup> This latter criterion regarding having a CSFP is common to both the initial criteria and evaluation criteria.

**Section 10200.3: “Applicant Eligibility Criteria”**

This amendment removes “and throughout the term of an award” in paragraph (b).

**Section 10203: “Award Allocation and Eligible Use of Program Funds”**

The amendment is the removal of “\$1,000,000 per application” from paragraph (a) and the addition of “up to maximum annual debt service per Financing, with an award dollar limit of \$2,000,000” in its place.

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

No other matters prescribed by statute are applicable to CSFA or to any specific Regulation or class of Regulations pursuant to Section 11346.5(a)(4) of the Government Code pertaining to the proposed Regulations or CSFA.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

CSFA has determined that the proposed regulations do not impose any additional mandate on local agencies or school districts for a new program or higher level of service of an existing program.

FISCAL IMPACT

CSFA has determined that the Regulations do not impose any additional cost or savings to any state agency, any costs to any local agency or school district requiring reimbursement under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code, any other non-discretionary cost or savings to any local agency, or any cost or savings in federal funding to the State.

While CSFA will incur additional expenses in implementing and administering the Program, the U.S. Department of Education provides that CSFA may charge such additional expenses for CSFA’s administrative costs against interest earned on the Program grant funds. Therefore, there is no fiscal impact on the State’s General Fund or requirement of additional appropriations by the Legislature. There will be no cost or savings to any State Agency pursuant to Government Code Sections 11346.1(b) or 11346.5(a)(6).

**INITIAL DETERMINATION REGARDING  
ANY SIGNIFICANT STATEWIDE  
ADVERSE ECONOMIC IMPACT DIRECTLY  
AFFECTING BUSINESS**

CSFA has made an initial determination that the Regulations will not have any significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

**EFFECT ON SMALL BUSINESSES**

CSFA has determined that the adoption of the Regulations will not affect small business. The Program is a voluntary financing program available to charter schools to assist in the financing of charter school facilities.

**COST IMPACTS**

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

**RESULTS OF THE ECONOMIC  
IMPACT ASSESSMENT**

CSFA has determined, pursuant to Government Code section 11346.3(b)(1)(A)–(D), that the Regulations will not have an effect on jobs and business expansion, elimination or creation. As such, to the extent that the awards benefit the long-term viability of charter schools and the expansion of charter schools, the Program and its proposed regulations have the potential to directly benefit economically vulnerable populations and communities throughout the State. We do not expect any anticipated benefits to worker safety or the State's environment.

**COST IMPACT ON HOUSING**

The Regulations will not have any effect on housing costs.

**CONSIDERATION OF ALTERNATIVES**

In accordance with Government Code Section 11346.5(a)(13), CSFA must determine that no reasonable alternative to the Regulations considered by CSFA or that has otherwise been identified and brought to the attention of CSFA would be more effective in carrying out the purpose for which the Regulations are proposed, would be as effective and less burdensome to affected private persons than the proposed Regulations, or would be more cost-effective to affected pri-

vate persons and equally effective in implementing the statutory policy or other provision of law.

CSFA invites interested persons to present statements with respect to alternatives to the Regulations during the written comment period.

**AGENCY CONTACT PERSONS**

Written comments, inquiries, and any questions regarding the substance of the Regulations shall be submitted or directed to:

Katrina Johantgen, Executive Director  
California School Finance Authority  
300 South Spring Street, Suite 8500  
Los Angeles, CA 90013  
(213) 620-4608

or

915 Capitol Mall, Room 101  
Sacramento, CA 95814  
(916) 651-7710

Or by email to [kjohantgen@treasurer.ca.gov](mailto:kjohantgen@treasurer.ca.gov).

The following person is designated as a back-up contact person for inquiries only regarding the Regulations:

Ravinder Kapoor, General Counsel  
State Treasurer's Office  
915 Capitol Mall, Room 110  
Sacramento, CA 95814  
(916) 651-9479

Or by email to [rkapoor@treasurer.ca.gov](mailto:rkapoor@treasurer.ca.gov).

**WRITTEN COMMENT PERIOD**

Any interested person, or his or her authorized representative, may submit written comments relevant to the Regulations to CSFA. The written comment period on the Regulations will end at 5:00 p.m. on Tuesday, January 11, 2022. All comments to be considered by CSFA must be submitted in writing to the Agency Contact Person identified in this Notice by that time. In the event that changes are made to the Regulations during the written comment period, CSFA will also accept additional written comments limited to any changed or modified Regulations for 15 calendar days after the date on which such Regulations, as changed or modified are made available to the public pursuant to title 1, Chapter 1, Section 44 of the California Code of Regulations. Any written comments on any modifications to the proposed regulations should be addressed to the Agency Contact Person identified in this Notice.



AVAILABILITY OF INITIAL  
STATEMENT OF REASONS,  
RULEMAKING FILE AND EXPRESS  
TERMS OF PROPOSED REGULATIONS

Pursuant to the California Government Code, CSFA has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at CSFA's office at 915 Capitol Mall, Sacramento, California, during normal business hours. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the Initial Statement of Reasons, and the proposed text of the Regulations. Copies of these items are available upon request, from the Agency Contact Person designated in this Notice. The Sacramento address will also be the location for inspection of the rulemaking file and any other public records, including reports, documentation and other materials related to this proposed regulatory action. In addition, the rulemaking file, including the Initial Statement of Reasons and the proposed text, may be viewed on CSFA's website at [www.treasurer.ca.gov/csfa](http://www.treasurer.ca.gov/csfa).

PUBLIC HEARING

No public hearing regarding the Regulations has been scheduled. Anyone wishing a public hearing must submit a request in writing, pursuant to Section 11346.8 of the Government Code, to CSFA at least 15 days before the end of the written comment period. Such request must be addressed to the Agency Contact Person identified in this Notice and should specify the Regulations for which the hearing is being requested.

15-DAY AVAILABILITY OF CHANGED OR  
MODIFIED TEXT

After the written comment period ends and following a public hearing, if any is requested, CSFA may adopt the Regulations substantially as described in this Notice, without further notice. If CSFA makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public (including through CSFA's Website described above) for at least fifteen (15) calendar days before CSFA adopts the proposed Regulations, as modified. Inquiries about and requests for written copies of any changed or modified regulations should be addressed to the Agency Contact Person identified in this Notice.

AVAILABILITY OF FINAL  
STATEMENT OF REASONS

CSFA is required to prepare a Final Statement of Reasons pursuant to Government Code section 11346.9. Once CSFA has prepared a Final Statement of Reasons, a copy will be made available to anyone who requests a copy and will be available on CSFA's website described above. Written requests for copies should be addressed to the Agency Contact Person identified in this Notice.

**TITLE 14. BOARD OF FORESTRY AND  
FIRE PROTECTION**

**“SUBSTANTIALLY DAMAGED  
CONSISTENCY AMENDMENTS”  
TITLE 14 OF THE CALIFORNIA CODE OF  
REGULATIONS (14 CCR), DIVISION 1.5,  
CHAPTER 4,  
SUBCHAPTER 4, ARTICLE 3**

NATURE OF PROCEEDING

Notice is hereby given that the California State Board of Forestry and Fire Protection (Board) is proposing to take the action described in the Informative Digest.

PUBLIC HEARING

The Board will hold a public hearing on January 19, 2022, via teleconference only. A registration link for this hearing (within the June Board meeting) is available on the Board of Forestry and Fire Protection website (<https://bof.fire.ca.gov/>). At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their statements. Additionally, pursuant to **Government Code (GOV) § 11125.1(b)**, writings that are public records pursuant to **GOV § 11125.1(a)** and that are distributed to members of the state body prior to or during a meeting, pertaining to any item to be considered during the meeting, shall be made available for public inspection at the meeting if prepared by the state body or a member of the state body, or after the meeting if prepared by some other person.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regula-

tory action to the Board. The written comment period ends on at the conclusion of the public hearing on January 19, 2022.

The Board will consider only written comments received at the Board office by that time and those written comments received at the public hearing, including written comments submitted in connection with oral testimony at the public hearing. The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection  
Attention: Eric Hedge  
Regulations Program Manager  
P.O. Box 944246  
Sacramento, CA 94244-2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection  
715 P Street, 9<sup>th</sup> Floor  
Sacramento, CA 95814

Written comments may also be sent to the Board via facsimile at the following phone number:

(916) 653-0989

Written comments may also be delivered via e-mail at the following address:

[PublicComments@BOF.ca.gov](mailto:PublicComments@BOF.ca.gov)

#### AUTHORITY AND REFERENCE

(pursuant to GOV § 11346.5(a)(2) and 1 CCR § 14)  
14 CCR § 1122)

Authority cited: Sections 4551, 4551.5, 4553, 4561.1 and 4562.5 Public Resources Code (PRC). Reference: Sections 4561, 4561.1, 4562.5 and 4562.7, Public Resources Code.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

(pursuant to GOV § 11346.5(a)(3)(A)-(D))

Pursuant to the Z'berg-Nejedly Forest Practice Act of 1973 (FPA, PRC § 4511, *et seq.*), the Board of Forestry and Fire Protection (Board) is authorized to construct and maintain an effective and comprehensive system of forest practice regulations applicable to timber management on state, municipal and private timberlands.

PRC § 4551 requires the Board to "...adopt district forest practice rules... to ensure the continuous growing and harvesting of commercial forest tree species and to protect the soil, air, fish, wildlife, and water resources..." and PRC § 4553 requires the Board to continuously review the rules in consultation with other interests and make appropriate revisions.

Furthermore, PRC § 4551.5 requires that these regulations adopted by the Board "...apply to the conduct of timber operations and shall include, but shall not be limited to, measures for fire prevention and control, for soil erosion control, for site preparation that involves disturbance of soil or burning of vegetation following timber harvesting activities, for water quality and watershed control, for flood control, for stocking, for protection against timber operations that unnecessarily destroy young timber growth or timber productivity of the soil, for prevention and control of damage by forest insects, pests, and disease..."

These regulations for the Southern Subdistrict of the Coast Forest District (14 CCR § 895.1) (Southern Subdistrict) include "Special Harvesting Methods" (14 CCR § 913.8), which identifies, among other requirements, stocking and retention requirements for Timber Operations conducted within the Southern Subdistrict. These requirements are introduced in the section with the statement "[o]nly the following regeneration methods and stocking requirements shall apply in the Southern Subdistrict of the Coast Forest District."

Substantially Damaged Timberlands are defined within the Forest Practice Rules as follows:

"...areas of Timberland where wildfire, insects, disease, wind, flood, or other blight caused by an act of God occurs after January 1, 1976 and the damage reduced Stocking below the requirements of PRC § 4561 or other higher minimum Stocking requirements that may be applicable under Articles 3 and 11 of Subchapter 4, Article 3 of Subchapter 5, and Articles 3 and 11 of Subchapter 6." (14 CCR § 895.1.)

The **problem** is that, between these two provisions (14 CCR §§ 895.1 and 913.8), there exists an issue of clarity and consistency regarding what stocking requirements apply on Substantially Damaged Timberlands within the Southern Subdistrict of the Coast Forest District.

The regulations related to Substantially Damaged Timberlands exist within 14 CCR § 1080 *et seq.* and include, among other requirements, Stocking standards where "...substantial damage has occurred prior to the start of Timber Operations, or where such damage has occurred following the start of Timber Operations but before a stocking report has been submitted or approved by the Director..." (14 CCR § 1080.1(a)).

The modern language of the definition for Substantially Damaged Timberlands was adopted in 1983 to address, in part, certain situations such as (from Board

Rulemaking File 53, p. 22), "...an area is being harvested and a wildfire destroys stocking before timber operations are complete and before a stocking report can be filed. Under current regulations the land must still meet minimum stocking standards. Landowners, despite the fact that their land was satisfactorily stocked before the fire, must spend money to restock the land. This can be a special burden on low site lands where the economic returns to planting investments are marginal at best."

Provided that a state of Substantial Damage to timberlands can certainly include those timberlands within the Southern Subdistrict, as evident through the fire conditions of 2020, and the understanding that the Substantially Damaged Timberland regulations were adopted to address situations which could occur within the Southern Subdistrict (14 CCR § 913.8 exists within Article 3 of Subchapter 4, as identified within the definition for Substantially Damaged Timberland), the ability to classify lands as Substantially Damaged Timberlands requires clarification within 14 CCR § 913.8.

The *purpose* of the proposed action is to amend regulations related to regeneration methods and stocking requirements within the Southern Subdistrict to clarify that the standards for Substantially Damaged Timberlands, which exist within Article 6 of Subchapter 7 of Chapter 4 of Division 1.5 of Title 14, are applicable within the Southern Subdistrict.

The *effect* of the proposed action is to provide clear regulations regarding the applicability of the standards contained in the rules related to substantially damaged timberlands within the geographic region of the Southern Subdistrict.

The *benefit* of the proposed action is a clear an enforceable regulatory scheme related to the standards of stocking and regeneration as applicable within the Southern Subdistrict.

There is no comparable Federal regulation or statute.

Board staff conducted an evaluation on whether or not the proposed action is inconsistent or incompatible with existing State regulations pursuant to **GOV § 11346.5(a)(3)(D)**. State regulations related to the proposed action were, in fact, relied upon in the development of the proposed action to ensure the consistency and compatibility of the proposed action with existing State regulations. Otherwise, Board staff evaluated the balance of existing State regulations related to the licensing of timber operators within State regulations that met the same purpose as the proposed action. Based on this evaluation and effort, the Board has determined that the proposed regulations are neither inconsistent nor incompatible with existing State regulations. The proposed regulation is entirely consistent and compatible with existing Board rules.

Statute to which the proposed action was compared: 4511 *et seq.*

MANDATED BY FEDERAL  
LAW OR REGULATIONS

The proposed action is not mandated by Federal law or regulations.

The proposed action neither conflicts with, nor duplicates, Federal regulations.

There are no comparable Federal regulations related to stocking requirements on non-federal forest lands. No existing Federal regulations meeting the same purpose as the proposed action were identified.

OTHER STATUTORY REQUIREMENTS  
(pursuant to GOV § 11346.5(a)(4))

There are no other matters as are prescribed by statute applicable to the specific State agency or to any specific regulation or class of regulations.

LOCAL MANDATE  
(pursuant to GOV § 11346.5(a)(5))

The proposed action does not impose a mandate on local agencies or school districts.

FISCAL IMPACT  
(pursuant to GOV § 11346.5(a)(6))

There is no cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

A local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by the act, within the meaning of Section 17556 of the Government Code.

The proposed action will not result in the imposition of other non-discretionary costs or savings to local agencies.

The proposed action will not result in costs or savings in Federal funding to the State.

The proposed action will not result in costs to any State agency. The proposed action represents a continuation of existing forest practice regulations related to stocking requirements on substantially damaged timberland and will not result in any direct or indirect costs or savings to any state agency.

The proposed action will not result in the imposition of other non-discretionary costs or savings to local agencies.

**HOUSING COSTS**  
(pursuant to GOV § 11346.5(a)(12))

The proposed action will not significantly affect housing costs.

**SIGNIFICANT STATEWIDE ADVERSE  
ECONOMIC IMPACT DIRECTLY  
AFFECTING BUSINESS, INCLUDING  
ABILITY TO COMPETE**  
(pursuant to GOV §§ 11346.3(a),  
11346.5(a)(7) and 11346.5(a)(8))

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

**FACTS, EVIDENCE, DOCUMENTS,  
TESTIMONY, OR OTHER EVIDENCE  
RELIED UPON TO SUPPORT INITIAL  
DETERMINATION IN THE NOTICE THAT  
THE PROPOSED ACTION WILL NOT HAVE  
A SIGNIFICANT ADVERSE ECONOMIC  
IMPACT ON BUSINESS**  
(pursuant to GOV § 11346.2(b)(5) and  
GOV § 11346.5(a)(8))

Contemplation by the Board of the economic impact of the provisions of the proposed action through the lens of the decades of contemplating fire safety in land use and development in California that the Board brings to bear on regulatory development.

**STATEMENTS OF THE RESULTS OF THE  
ECONOMIC IMPACT ASSESSMENT (EIA)**

The results of the economic impact assessment are provided below pursuant to **GOV § 11346.5(a)(10)** and prepared pursuant to **GOV § 11346.3(b)(1)(A)–(D)**. The proposed action:

- Will not create jobs within California (GOV § 11346.3(b)(1)(A));
- Will not eliminate jobs within California (GOV § 11346.3(b)(1)(A));
- Will not create new businesses (GOV § 11346.3(b)(1)(B));
- Will not eliminate existing businesses within California (GOV § 11346.3(b)(1)(B));
- Will not affect the expansion or contraction of businesses currently doing business within California (GOV § 11346.3(b)(1)(C));
- Will yield nonmonetary benefits (GOV § 11346.3(b)(1)(D)) through the promotion of a

clear and enforceable regulatory scheme related to the standards of stocking and regeneration as applicable within the Southern Subdistrict which will improve environmental quality through the promotion of the goals of the Forest Practice Act, including those related to resource protection and environmental quality. The proposed action will not affect the health and welfare of California residents, or worker safety.

**COST IMPACTS ON REPRESENTATIVE  
PERSON OR BUSINESS**  
(pursuant to GOV § 11346.5(a)(9))

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. No adverse impacts are to be expected.

**BUSINESS REPORT**  
(pursuant to GOV §§ 11346.5(a)(11) and  
11346.3(d))

The proposed action does not impose a business reporting requirement.

**SMALL BUSINESS**  
(defined in GOV § 11342.610)

The proposed business may affect small business. Small business, pursuant to 1 CCR § 4(a):

- (1) Is legally required to comply with the regulation;
- (2) Is not legally required to enforce the regulation;
- (3) Does not derive a benefit from the enforcement of the regulation;
- (4) May incur a detriment from the enforcement of the regulation if it does not comply with the regulation.

**ALTERNATIVES INFORMATION**

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

**CONTACT PERSON**

Requests for copies of the proposed text of the regulations, the Initial Statement of Reasons, modified

text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection  
 Attention: Eric Hedge  
 Regulations Program Manager  
 P.O. Box 944246  
 Sacramento, CA 94244-2460  
 Telephone: (916) 653-9633

The designated backup person in the event Mr. Hedge is not available is Dan Stapleton, Assistant Executive Officer for the Board of Forestry and Fire Protection. Mr. Stapleton may be contacted at the above address or phone.

AVAILABILITY STATEMENTS

(pursuant to GOV § 11346.5(a)(16), (18))

All of the following are available from the contact person:

1. Express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion.
2. Initial Statement of Reasons, which includes a statement of the specific purpose of each adoption, amendment, or repeal, the problem the Board is addressing, and the rationale for the determination by the Board that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed.
3. The information upon which the proposed action is based (pursuant to **GOV § 11346.5(b)**).
4. Changed or modified text. After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text — with the changes clearly indicated — available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who testified at the hearings, submitted comments during the public comment period, including written and oral comments received at the public hearing, or requested notification of the availability of such changes from the Board of Forestry and Fire Protection. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

FINAL STATEMENT OF REASONS

When the Final Statement of Reasons (FSOR) has been prepared, the FSOR will be available from the contact person on request.

INTERNET ACCESS

All of the material referenced in the Availability Statements is also available on the Board website at: <https://bof.fire.ca.gov/regulations/proposed-rule-packages/>.

**TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION**

**“EMERGENCY NOTICE FUEL TREATMENT & RPF RESPONSIBILITIES” BOARD OF FORESTRY AND FIRE PROTECTION**

**TITLE 14 OF THE CALIFORNIA CODE OF REGULATIONS**

**DIVISION 1.5, CHAPTER 4, SUBCHAPTER 7, ARTICLE 2**

NATURE OF PROCEEDING

Notice is hereby given that the California State Board of Forestry and Fire Protection (Board) is proposing to take the action described in the Informative Digest.

PUBLIC HEARING

The Board will hold a public hearing on January 19, 2022, at its regularly scheduled meeting commencing at 9:00 a.m., via the virtual meeting platform of GoToWebinar. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their statements. Additionally, pursuant to Government Code (GOV) § 11125.1(b), writings that are public records pursuant to GOV § 11125.1(a) and that are distributed to members of the state body prior to or during a meeting, pertaining to any item to be considered during the meeting, shall be made available for public inspection at the meeting if prepared by the state body or a member of the state body, or after the meeting if prepared by some other person.

Attendees may participate via GoToWebinar online meeting platform or telephone conferencing. To participate via GoToWebinar online meeting platform please

email [PublicComments@bof.ca.gov](mailto:PublicComments@bof.ca.gov) by 4:30 p.m. on January 18, 2022, to request a link to the meeting. A link to the meeting will also be posted under the “Webinar Information” heading on the front page of the Board website, no later than 8:00 a.m. the morning of the hearing.

#### WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period ends on at the conclusion of the public hearing on January 19, 2022.

The Board will consider only written comments received at the Board office by that time and those written comments received at the public hearing, including written comments submitted in connection with oral testimony at the public hearing. The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection  
Attention: Jane Van Susteren  
Regulations Coordinator  
P.O. Box 944246  
Sacramento, CA 94244–2460

Written comments can also be hand-delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection  
715 P Street  
Sacramento, CA 95814

Written comments may also be sent to the Board via facsimile at the following phone number:

(916) 653–0989

Written comments may also be delivered via e-mail at the following address:

[PublicComments@BOF.ca.gov](mailto:PublicComments@BOF.ca.gov)

#### AUTHORITY AND REFERENCE

(pursuant to GOV § 11346.5(a)(2) and 1 CCR § 14)

Authority cited: Sections 4551 and 4552, Public Resources Code (PRC).

Reference: Sections 4592, 4750, 4750.3 and 4750.4, Public Resources Code.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW (pursuant to GOV § 11346.5(a)(3)(A)–(D))

Pursuant to the Z’berg–Nejedly Forest Practice Act (Act) of 1973, PRC § 4511, *et seq.* (FPA) the State Board of Forestry and Fire Protection (Board) is authorized to construct a system of forest practice regulations applicable to timber management on state and private timberlands.

PRC § 4551 requires the Board to “...adopt district forest practice rules... to ensure the continuous growing and harvesting of commercial forest tree species and to protect the soil, air, fish, wildlife, and water resources...,” and PRC § 4553 requires the Board to continuously review the rules in consultation with other interests and make appropriate revisions.

Furthermore, PRC § 4551.5 requires that these regulations adopted by the Board “...apply to the conduct of timber operations and shall include, but shall not be limited to, measures for fire prevention and control, for soil erosion control, for site preparation that involves disturbance of soil or burning of vegetation following timber harvesting activities, for water quality and watershed control, for flood control, for stocking, for protection against timber operations that unnecessarily destroy young timber growth or timber productivity of the soil, for prevention and control of damage by forest insects, pests, and disease...”

Timber Operations are further defined within PRC § 4527 as “...the cutting or removal, or both, of timber or other solid wood forest products...from Timberlands for commercial purposes, together with all the incidental work, including, but not limited to, construction and maintenance of roads, fuel breaks, firebreaks, stream crossings, landings, skid trails, and beds for the falling of trees, fire hazard abatement, and site preparation that involves disturbance of soil or burning of vegetation following timber harvesting activities...”.

The Act provides a means for the immediate harvesting of timber in an emergency through PRC § 4592. The Forest Practice Rules<sup>1</sup> implement this provision within 14 CCR §§ 1052 *et seq.* which establishes the “Emergency Notice” process to provide a non-discretionary timber harvest permitting mechanism to facilitate immediate harvesting in an emergency.

#### ***RPF Involvement***

In 2018, Senate Bill 901 (Chapter 626) amended PRC § 4589 to require the Board and Department of Forestry and Fire Protection (Department) to engage in monitoring and reporting of nondiscretionary Exemption and Emergency Notice timber harvests in the

<sup>1</sup> Chapter 4, Division 1.5, Title 14 of the California Code of Regulations

state of California. The 2019 draft CAL FIRE Report on Exemptions and Emergency Notice timber harvests observed environmental compliance and water-quality issues in a sample of Emergency Notices. Twenty-three percent of those Emergencies had an “Unacceptable” outcome related to water quality impacts from watercourse crossing, road hydrologic disconnection, or watercourse protection. Surface erosion was observed that would, in time, lead to sediment discharge into waters of the state.

An identified common factor in the Emergency Timber Operations with water quality impacts in the “Unacceptable” range is a lack of adequate Registered Professional Forester (RPF) involvement and presence during Harvest Activities. Specifically, the report indicates that “...the primary causal factor for lower water quality-related performance was the lack of [Forest Practice Rule] implementation.”

### ***Hazardous Fuel Conditions***

Anthropogenic activity, including fire suppression without active forest management, as well as increases in human-caused wildfires, over the last several centuries has resulted in alterations to the natural fire regime, which has resulted in substantial ecosystem stress statewide, particularly in forest and shrub-dominated habitats<sup>2</sup>. Additionally, due to fire suppression, the Sierra Nevada and northwestern California have experienced less frequent fires than have historically occurred, causing a buildup of forest fuels, and southern California is experiencing larger and more frequent fires than under historic conditions<sup>3</sup>. Additionally, fire suppression in forested areas has resulted in dense forest stands and has caused a build-up of fuels resulting in higher-than-natural intensity and heat of wildfires, which can destroy otherwise fire-adapted plants and damage soil structure<sup>4</sup>. Furthermore, the recent and prolonged periods of drought throughout the state have resulted in forests which are more prone to fire due to tree mortality from both drought and pests and are more vulnerable due to fires from the buildup of fuels resulting from these environmental and anthropogenic conditions.

Timberland owners and managers may utilize the existing regulatory permitting process of Fuel Hazard Reduction Emergencies, as listed under § 1052.4, to address these high, very high, or extreme fuel haz-

ard, or other certain conditions, which pose a significant fire threat on private timberlands. In these Fuel Hazard Reduction Emergencies, prompt treatment of harvest debris is necessary to complete the removal of fuels from the site. At this time, all fuel treatments, except burning treatments, must be accomplished within one year to ensure that sites requiring a Fuel Hazard Reduction Emergency Notice do not have significant fuels remaining on site after timber operations are complete. Burning operations allow for a delay of two years to allow the fuels to become dry enough to burn and to avoid burning operations during fire season. The current version of the Rules sets the timeline for fuel treatments from the beginning of operations but does not require that the start of operations be reported to CALFIRE, resulting in issues with enforcement and potential delays in removing fuels from the site (14 CCR § 1052.4).

In order to address the above conditions, the Board amended 14 CCR §§ 1052 and 1052.4 in accordance with the provisions of the above-mentioned statutes.

The history of the development of this regulation is related to an existing regulatory emergency as follows:

- The Board adopted an emergency regulation (OAL Matter Number 2021-0729-02E) related to the emergency conditions at their regular meeting scheduled on July 14, 2021.
- The emergency became effective August 5, 2021 and will expire on February 2, 2022 without the filing of a certificate of compliance.

The purpose of the proposed action is to make permanent existing emergency regulations related to Emergency Notice processes to address the current needs for improved compliance with the Rules in all Emergency Notice timber harvests. The action would require the Timber Owner or operator retain an RPF to provide professional advice and that the RPF be present on site at a sufficient frequency to know the progress of operations and advise the Timber Owner or Licensed Timber Operator (LTO). The increased presence of the RPF and subsequent increase in compliance and implementation of the Rules is intended to avoid impacts to water quality resulting from non-compliance. The proposed action will also make the timelines for fuels treatment in Emergency Notices for Fuel Hazard Reduction clear and consistent.

The effect of the proposed action is to provide evidence-supported means of reducing impacts to watercourses from Emergency Notice Timber Operations by making the responsibilities of the RPF explicit, requiring a higher level of collaboration between RPFs and LTOs, and addressing current potential enforcement issues with fuel treatment timelines and wildfire risks in the Emergency Notice for Fuel Hazard Reduction.

<sup>2</sup> Ainsworth, J. and Doss, T. A. 1995. Natural history of fire & flood cycles. California Coastal Commission.

<sup>3</sup> Safford, H.D. and Van de Water, K.M. 2014. Using Fire Return Interval Departure (FRID) analysis to map spatial and temporal changes in fire frequency on National Forest lands in California. Research Paper PSW-RP-266, USDA Forest Service, Pacific Southwest Research Station, Albany, CA.

<sup>4</sup> Baker, W.L. and Shinneman, D.J. 2004. Fire and restoration of pinyon-juniper woodlands in the western United States: a review. *Forest Ecology and Management* 189:1-21.

The benefit of the proposed action is rules that accommodate the changing conditions of California timberlands. The proposed action would result in an improvement in water quality due to required oversight from RPFs, licensed experts on the best methods for limiting sediment deposition into watercourses during Timber Operations. The proposed action would also define timelines for fuels treatments, allowing existing rules to be effectively enforced.

There is no comparable Federal regulation or statute.

Board staff conducted an evaluation on whether the proposed action is inconsistent or incompatible with existing State regulations pursuant to **GOV § 11346.5(a)(3)(D)**. State regulations related to the proposed action were, in fact, relied upon in the development of the proposed action to ensure the consistency and compatibility of the proposed action with existing State regulations. Otherwise, Board staff evaluated the balance of existing State regulations related to the treatment of fuels resulting from timber operations within State regulations that met the same purpose as the proposed action. Based on this evaluation and effort, the Board has determined that the proposed regulations are neither inconsistent nor incompatible with existing State regulations. The proposed regulation is entirely consistent and compatible with existing Board rules.

Statutes to which the proposed action was compared: 4512, 4513, 4527, 4551, 4551.5, 4554, Public Resources Code.

Regulations to which the proposed action was compared: Subchapter 13, Chapter 4, Division 1, Title 8 of the California Code of Regulations; Article 4, Subchapters 4, 5, & 6, Chapter 4, Division 1.5, Title 14, California Code of Regulations

**MANDATED BY FEDERAL  
LAW OR REGULATIONS**

The proposed action is not mandated by Federal law or regulations.

The proposed action neither conflicts with, nor duplicates, Federal regulations.

There are no comparable Federal regulations related to management plans for the non-industrial harvesting of timber. No existing Federal regulations meeting the same purpose as the proposed action were identified.

**OTHER STATUTORY REQUIREMENTS  
(pursuant to GOV § 11346.5(a)(4))**

There are no other matters as are prescribed by statute applicable to the specific State agency or to any specific regulation or class of regulations.

**LOCAL MANDATE  
(pursuant to GOV § 11346.5(a)(5)).**

The proposed action does not impose a mandate on local agencies or school districts.

**FISCAL IMPACT  
(pursuant to GOV § 11346.5(a)(6))**

There is no cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

A local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by the act, within the meaning of Section 17556 of the Government Code.

The proposed action will not result in the imposition of other non-discretionary costs or savings to local agencies.

The proposed action will not result in costs or savings in Federal funding to the State.

The proposed action will not result in costs to any State agency. The proposed action represents a continuation of existing forest practice regulations related to the conduct of timber operations and will result in any direct or indirect costs or savings to any state agency.

**HOUSING COSTS  
(pursuant to GOV § 11346.5(a)(12))**

The proposed action will not significantly affect housing costs.

**SIGNIFICANT STATEWIDE ADVERSE  
ECONOMIC IMPACT DIRECTLY  
AFFECTING BUSINESS, INCLUDING  
ABILITY TO COMPETE  
(pursuant to GOV §§ 11346.3(a),  
11346.5(a)(7) and 11346.5(a)(8))**

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states (by making it costlier to produce goods or services in California).



FACTS, EVIDENCE, DOCUMENTS,  
TESTIMONY, OR OTHER EVIDENCE  
RELIED UPON TO SUPPORT INITIAL  
DETERMINATION IN THE NOTICE THAT  
THE PROPOSED ACTION WILL NOT HAVE  
A SIGNIFICANT ADVERSE ECONOMIC  
IMPACT ON BUSINESS  
(pursuant to GOV § 11346.2(b)(5) and  
GOV § 11346.5(a)(8))

Contemplation by the Board of the economic impact of the provisions of the proposed action through the lens of the decades of contemplating forest practice in California that the Board brings to bear on regulatory development.

STATEMENTS OF THE RESULTS OF THE  
ECONOMIC IMPACT ASSESSMENT (EIA)

The results of the economic impact assessment are provided below pursuant to **GOV § 11346.5(a)(10)** and prepared pursuant to **GOV § 11346.3(b)(1)(A)–(D)**. The proposed action:

- Will not create jobs within California (GOV § 11346.3(b)(1)(A));
- Will not eliminate jobs within California (GOV § 11346.3(b)(1)(A));
- Will not create new businesses (GOV § 11346.3(b)(1)(B));
- Will not eliminate existing businesses within California (GOV § 11346.3(b)(1)(B));
- Will not affect the expansion or contraction of businesses currently doing business within California (GOV § 11346.3(b)(1)(C));
- Will yield nonmonetary benefits (GOV § 11346.3(b)(1)(D)). The proposed action would result in an improvement in water quality due to required oversight from RPFs, licensed experts on the best methods for limiting sediment deposition into watercourses during Timber Operations, improving water quality outcomes. The proposed action would also define timelines for fuels treatments in Fuel Hazard Emergency Notices, allowing existing rules to be effectively enforced which will ensure adequate treatment of fuels in areas where a Fuel Hazard Emergency Notice is applicable, and reduce potential wildfire severity. The proposed action will not affect the health and welfare of California residents or worker safety.

COST IMPACTS ON REPRESENTATIVE  
PERSON OR BUSINESS  
(pursuant to GOV § 11346.5(a)(9))

The proposed action requires that a RPF must be retained to provide professional advice and must be present on the site at a sufficient frequency to know the progress of operations and advise the Timber Owner or LTO. Similar provisions exist within 14 CCR § 1035(d)(1) in order to address potential impacts to resources and are suitable and appropriate here to address similar resource concerns. There is likely to be a minor economic impact resulting from the cost of additional RPF involvement requirements. The proposed action requires increased utilization of RPFs (at approximately \$75/hour for an average of 40 hours/emergency) to provide advice during Emergency Notice Timber Operations. The economic impact for implementation of these regulations are the result of these requirements and are estimated at \$3,000 for each Emergency Notice submitted, which will be borne by an individual or company which bears the cost of administration of each Emergency Notice.

BUSINESS REPORT  
(pursuant to GOV §§ 11346.5(a)(11)  
and 11346.3(d))

The proposed action does not impose a business reporting requirement.

SMALL BUSINESS  
(defined in GOV § 111342.610)

The proposed action may affect small business. The proposed action requires that an RPF provide advice during Emergency Notice Timber Operations. The economic impact for implementation of these regulations is the result of these requirements and is estimated at \$3,000 for each Emergency Notice submitted, which will be borne by an individual or company which bears the cost of administration of each Emergency Notice.

Small business, pursuant to 1 CCR § 4(a):

- (1) Is legally required to comply with the regulation;
- (2) Is not legally required to enforce the regulation;
- (3) Does not derive a benefit from the enforcement of the regulation;
- (4) May incur a detriment from the enforcement of the regulation if it does not comply with the regulation.

ALTERNATIVES INFORMATION

In accordance with **GOV § 11346.5(a)(13)**, the Board must determine that no reasonable alternative

it considers, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

#### CONTACT PERSON

Requests for copies of the proposed text of the regulations, the Initial Statement of Reasons, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection  
Attention: Jane Van Susteren  
Regulations Coordinator  
P.O. Box 944246  
Sacramento, CA 94244-2460  
Telephone: (916) 619-9796

The designated backup person in the event Ms. Van Susteren is not available is Eric Hedge, Regulations Program Manager for the Board of Forestry and Fire Protection. Mr. Hedge may be contacted at the above address or phone.

#### AVAILABILITY STATEMENTS

(pursuant to GOV § 11346.5(a)(16), (18))

All of the following are available from the contact person:

1. Express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion.
2. Initial Statement of Reasons, which includes a statement of the specific purpose of each adoption, amendment, or repeal, the problem the Board is addressing, and the rationale for the determination by the Board that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed.
3. The information upon which the proposed action is based (pursuant to **GOV § 11346.5(b)**).
4. Changed or modified text. After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text — with the changes clearly indicated — available to the public for at least 15 days before the Board

adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who testified at the hearings, submitted comments during the public comment period, including written and oral comments received at the public hearing, or requested notification of the availability of such changes from the Board of Forestry and Fire Protection. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### FINAL STATEMENT OF REASONS

When the Final Statement of Reasons (FSOR) has been prepared, the FSOR will be available from the contact person on request.

#### INTERNET ACCESS

All of the material referenced in the Availability Statements is also available on the Board website at: <https://bof.fire.ca.gov/regulations/proposed-rule-packages/>.

### TITLE 16. CANNABIS CONTROL APPEALS PANEL

#### NOTICE OF PROPOSAL TO AMEND RULES 6000, 6003-6005, 6012, 6014, AND 6017

#### AMENDMENTS TO UPDATE AND CLARIFY CANNABIS CONTROL APPEALS PANEL REGULATIONS

The Cannabis Control Appeals Panel (the “Panel” or “CCAP”) proposes to amend the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

#### SECTIONS AFFECTED

Title 16, Division 43, California Code of Regulations, sections 6000, 6003, 6004, 6005, 6012, 6014, and 6017.

#### PUBLIC HEARING

The Panel will hold a public hearing starting at 10:30 a.m., January 13, 2022, at 400 R Street, Suite 330, Sacramento, CA 95811. At the hearing, any person may present statements or arguments orally or in writing about the proposed action described in the informative digest. It is requested, but not required, that persons

making oral comments at the hearing also submit a written copy of their testimony.

#### WRITTEN COMMENT PERIOD

Any interested person or their authorized representative may submit written comments relevant to the proposed regulatory action to the Panel at the addresses below. Written comments, including those sent by postal mail or email to the addresses listed below, must be received by the Panel at its office no later than 5:00 p.m. on January 12, 2022. The Panel will consider only comments received by that time.

Submit comments to:

Christopher Phillips, Chief Counsel  
Cannabis Control Appeals Panel  
400 R Street Suite 320  
Sacramento, CA 95811

Email: [Christopher.Phillips@ccap.ca.gov](mailto:Christopher.Phillips@ccap.ca.gov)

#### AUTHORITY AND REFERENCE

Business and Professions Code section 26042 authorizes the Panel to adopt procedures for administrative appeals from cannabis licensing decisions. The proposed amendments implement, interpret, and make specific sections 26042, 26043, and 26044 of the Business and Professions Code.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

This rulemaking action amends the regulatory language to reflect recent statutory changes to licensing agency structure, to clarify and make specific certain filing procedures, to update the Panel's office location and incorporated documents, and to maximize inclusivity.

The Panel is a quasi-judicial administrative body authorized to hear appeals from cannabis licensing decisions. The scope of the Panel's jurisdiction is provided by Business and Professions Code section 26043. Originally, this jurisdictional scope included appeals from decisions reached by any of the three licensing programs. However, Assembly Bill 141 (effective July 12, 2021) consolidated the three state cannabis licensing programs — the Bureau of Cannabis Control, California Department of Food and Agriculture's CalCannabis Cultivation Licensing Division, and California Department of Public Health's Manufactured Cannabis Safety Branch — into a single licensing agency, the Department of Cannabis Control (the "Department"). As of the same date, section 26043 and all related provisions of law have been amended to reflect the con-

solidated licensing structure. The Panel's jurisdiction now includes only appeals from the Department.

The proposed amendments therefore revise the regulatory language to refer to the Department as a singular, unified licensing agency.

Additionally, the proposed amendments allow parties to initiate appeals and file documents through an online portal system, in addition to existing methods, and update the documents required to initiate an appeal, incorporated by reference, to the most current versions.

The amendments also update the Panel's office address.

Finally, the use of pronouns has been adjusted to maximize gender inclusivity.

The broad objective of these amendments is to maximize clarity and accessibility for the public and any parties appearing before the Panel.

#### FORMS INCORPORATED BY REFERENCE

- (1) CCAP Form 6003, Notice of Appeal (Revision (Rev.) 10/21)
- (2) CCAP Form 6005, Certification of Email Address (Rev. 10/21)

The proposed amendment to Rule 6003 incorporates by reference CCAP Form 6003, Notice of Appeal (Rev. 10/21), which must be completed and submitted by the appellant in order to initiate their appeal. Form 6003 has been amended from its original version to reflect the consolidation of the three cannabis licensing entities into one department.

The proposed amendment to Rule 6005 incorporates by reference CCAP Form 6005, Certification of Email Address (Rev. 10/21), which must be submitted to the Panel by all parties to an appeal to determine whether or not they agree to receive service of documents through email. Form 6005 has been amended from its original version to reflect the consolidation of the three cannabis licensing entities into one department.

#### ANTICIPATED BENEFITS OF THE PROPOSED AMENDMENTS

The proposed amendments will benefit cannabis applicants, licensees, the Department, and the public by clarifying the Panel's jurisdiction, by introducing an additional method of filing appeals and documents, by providing an updated Panel address, and by employing inclusive gender pronouns.

#### CONSISTENCY EVALUATION

The Panel has determined that these proposed amendments are not inconsistent or incompatible with

existing regulations, as the amendments do not affect existing rights.

**DISCLOSURES REGARDING THE  
PROPOSED ACTION**

The Panel has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

Statewide adverse economic impact directly affecting businesses and individuals: None.

Significant effect on housing costs: None.

**RESULTS OF THE ECONOMIC IMPACT  
ANALYSIS/ASSESSMENT**

The Panel concludes that the proposed amendments will not: (1) create or eliminate jobs in California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.

Benefits of Proposed Action to the Health and Welfare of California Residents, Worker Safety, and the State's Environment: These amendments will have no effect on the existing rights, health, or welfare of California residents. As the amendments do not substantively alter existing Panel procedures, they will have no effect on worker safety. Finally, the addition of an alternative electronic portal filing method may reduce paper waste for both the Panel and any parties appearing before it. Otherwise, these amendments will have no effect on the state's environment.

Effect on small businesses: The Panel has determined that the proposed amendments affect small businesses only to the extent that they clarify existing procedures and improve inclusivity and accessibility. The amendments will have no effect on the existing rights of cannabis licensees or other small businesses.

**CONSIDERATION OF ALTERNATIVES**

In accordance with Government Code section 11346.5, subdivision (a)(13), the Panel must determine

that no reasonable alternative it considered or that had otherwise been identified and brought to the attention of the Panel, 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 Panel invites interested persons to present statements with respect to alternatives to the proposed amendments during the written comment period or, as needed, at the scheduled hearing.

**CONTACT PERSON**

Christopher Phillips, Chief Counsel  
Cannabis Control Appeals Panel  
400 R Street, Suite 320  
Sacramento, CA 95811

Telephone: (916) 322-6874

Email: [Christopher.Phillips@ccap.ca.gov](mailto:Christopher.Phillips@ccap.ca.gov)

The backup contact person for these inquiries is:

Sarah M. Smith, Senior Staff Attorney  
Cannabis Control Appeals Panel  
400 R Street, Suite 320  
Sacramento, CA 95811

Telephone: (916) 322-6917

Email: [Sarah.Smith@ccap.ca.gov](mailto:Sarah.Smith@ccap.ca.gov)

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

The Panel will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons. Copies may be obtained by contacting Christopher Phillips, or the alternative contact person, at the address, phone number, or email address listed above.

**AVAILABILITY OF CHANGED OR  
MODIFIED TEXT**

After considering all timely and relevant comments received, the Panel may adopt the proposed regulations

as described in this notice. If the Panel makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Panel adopts the regulations as revised. Please send requests for copies of any modified regulations to Christopher Phillips at the address or email address listed above. The Panel will accept written comments on the modified regulations for 15 days after the date on which they are made available.

**AVAILABILITY OF THE FINAL STATEMENT OF REASONS**

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Christopher Phillips at the address or email address listed above.

**AVAILABILITY OF DOCUMENTS ON THE INTERNET**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through the Panel’s website at <https://www.ccap.ca.gov>.

**GENERAL PUBLIC INTEREST**

**DEPARTMENT OF TOXIC SUBSTANCES CONTROL**

**NOTICE OF PARTIAL CONSENT DECREE AND OPPORTUNITY FOR PUBLIC COMMENT**

**DTSC AND SEVERAL OIL COMPANY DEFENDANTS FOR THE McCOLL SUPERFUND SITE  
Fullerton, California 92833**

The California Department of Toxic Substances Control (DTSC) has entered into an agreement called a Partial Consent Decree (Partial CD) with Shell Oil Company, Chevron Corporation, and Atlantic Richfield Company (Oil Company Defendants). This Partial CD recovers a portion of California’s costs in responding to the release of hazardous substances at the 22-acre McColl Superfund site (Site) located at Rosecrans and Sunny Ridge Drive, Fullerton, Orange County, California 92633.

This notice provides a brief summary of the Site’s, background, Partial CD and opportunities for public involvement and comment.

**Site Location, History, and Background**

The McColl Site, located in Fullerton, was formerly used as a refinery–waste disposal facility that operated during the 1940s and 1950s. The Site has numerous waste sumps that were used for disposing hazardous waste. The waste is primarily an acid sludge generated during the refining process for high octane aviation fuel during the 1940s. Drilling muds were placed over a few of the sumps in the early 1950s. It is estimated that approximately 97,100 cubic yards of contaminated material is contained in the waste sumps.

In 1968, homes were built in the area. The distance from the Site to the nearest residence is less than 100 feet. Subsequently, complaints from residents near the Site about odors and health problems initiated investigations by local, State and Federal agencies. Soil and groundwater on site were found to contain thiophene, sulfur dioxide, and various volatile organic compounds including benzene.

The cleanup remedy for the site included construction of a multi–layer cap and slurry wall containment system, gas collection and treatment system, and institution of surface runoff controls and continued groundwater monitoring. Construction of the remedy began in July 1996 and was completed in November 1997. The Site has been inspected and monitored regularly since 1997, and the implemented remedies for both soil and groundwater are currently protective of human health and the environment. The gas and collection treatment system, control surface water recharge, and other institutional controls are functioning as designed.

**The Partial Consent Decree**

This proposed Partial CD involves recovery of response costs from October 1990 through March 31, 2021. The Partial CD commits the Oil Company Defendants to pay \$8.1 million in settlement of the response costs incurred at the Site. DTSC will continue to provide oversight of the environmental response actions taken at the Site to address the hazardous substances associated with the Site.

**Public Comment Period (December 6, 2021–January 6, 2022)**

The Department is holding a 30–day public comment period on the Partial CD beginning December 10, 2021 and ending on January 10, 2022. Persons wishing to comment on the Partial CD and related documents are invited to submit them in writing. All written comments must be received by the Department by no later than 5:00 p.m. on January 6, 2022. Late submittal of comments will not be accepted.

The proposed Partial CD and other documents related to the Site are available at the following location: DTSC Cypress Office, 5796 Corporate Avenue, Cypress, California 90630. Phone: (714) 484–5337 (By

appointment only; Monday–Friday, 8 a.m. to 5 p.m.)  
– OR – Fullerton Public Library, 353 West Commonwealth Avenue, Fullerton, CA 92832, (714) 738–6326.

Copies of these documents, key technical reports, fact sheets and other site–related information are also available online at DTSC’s website: [https://www.envirostor.dtsc.ca.gov/public/profile\\_report?global\\_id=30290001](https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=30290001).

Written comments should be sent to the attention of:

California Department of Toxic Substances  
Control Site Mitigation and Environmental  
Restoration Branch  
5769 Corporate Avenue  
Cypress, CA 90630  
Attention: Mr. Nick Ta, Project Manager

Comments may also be emailed to [nicholas.ta@dtsc.ca.gov](mailto:nicholas.ta@dtsc.ca.gov). Written comments submitted through email are requested to be transmitted in Microsoft Word format.

#### Response to Comments

After the close of the public comment period, the Department will prepare a Response to Comments document. This document will include all comments received for the Partial CD and provide the Department’s responses.

### ACCEPTANCE OF PETITION TO REVIEW ALLEGED UNDERGROUND REGULATIONS

(Pursuant to title 1, section 270, of the  
California Code of Regulations)

#### OFFICE OF ADMINISTRATIVE LAW

The Office of Administrative Law has accepted for consideration a petition challenging the State Council on Developmental Disabilities’ statement that “[a]ll appointments of Authorized Representatives will be limited to periods not to exceed one year, subject to renewal if requested and approved by the SCDD” contained in the document entitled “STATE COUNCIL ON DEVELOPMENTAL DISABILITIES, Appointment of Authorized Representative.” Please send your comments to:

Kevin D. Hull, Attorney IV  
Office of Administrative Law  
300 Capitol Mall, Suite 1250  
Sacramento, CA 95814

A copy of your comment must also be sent to the petitioner and the agency contact person.

Petitioner:

Marco Coelho  
487 McClatchy Way  
Sacramento, California 95818

Agency contact:

Brian Weisel, Legal Counsel  
State Council on Developmental Disabilities  
1507 21st Street, Suite 210  
Sacramento Ca 95811

Please note the following timelines:

Publication of Petition in Notice Register:  
November 26, 2021

Deadline for Public Comments: December 27,  
2021

Deadline for Agency Response: January 10, 2022

Deadline for Petitioner Rebuttal: No later than 15  
days after receipt of the agency’s response

Deadline for OAL Decision: March 28, 2022

The petition is not being printed for practical reasons or space consideration. However, if you would like to view the attachments, please contact Margaret Molina at (916) 324–6044 or [mmolina@oal.ca.gov](mailto:mmolina@oal.ca.gov).

### DECISION NOT TO PROCEED

Pursuant to Government Code section 11347

#### DEPARTMENT OF CONSUMER AFFAIRS/PROFESSIONAL FIDUCIARIES BUREAU

#### RE: CLIENT NOTIFICATION

Pursuant to Government Code Section 11347, the Professional Fiduciaries Bureau (Bureau) hereby gives notice that it has decided not to proceed with the rulemaking action published in the California Regulatory Notice Register on April 23, 2021, Register 2021, Number 14–Z. The proposed rulemaking concerned Client Notification (OAL Notice Z2021–0413–06).

Any interested person with questions concerning this rulemaking should contact the Bureau at [fiduciary@dca.ca.gov](mailto:fiduciary@dca.ca.gov).

The Bureau will also post this Notice of Decision Not to Proceed on its website at [https://www.fiduciary.ca.gov/laws\\_regs/index.shtml](https://www.fiduciary.ca.gov/laws_regs/index.shtml).

**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.

Department of Cannabis Control  
File # 2021-1005-02  
Quick Response Code Certificate Requirements

In this certificate of compliance, the Department of Cannabis Control makes permanent its emergency regulations which required licensed retailers of cannabis goods to prominently display the Quick Response Code (QR Code) issued by the Department so that it can be viewed and scanned from outside of the licensed premises. Licensed distributor employees and delivery employees of licensed retailers are also required to carry a copy of the QR Code.

Title 04  
Amend: 15039, 15311, 15415  
Filed 11/15/2021  
Effective 11/15/2021  
Agency Contact: Kaila Fayne (916) 465-9120

Department of Food and Agriculture  
File # 2021-1011-01  
Oak Mortality Disease

This certificate of compliance action makes permanent the emergency regulations to add Del Norte County to the regulated area for Oak Mortality Disease (see OAL File Nos. 2020-1026-01 and 2021-0820-02).

Title 03  
Amend: 3700  
Filed 11/17/2021  
Effective 11/17/2021  
Agency Contact: Karen Olmstead (916) 403-6879

State Water Resources Control Board  
File # 2021-1104-01  
FY 2021-22 Water Rights Fees

This emergency action by the State Water Resources Control Board adjusts water rights fees for Fiscal Year (FY) 2021-22. Statute requires that the board adjust

these fees annually to conform to the amounts appropriated by the Legislature for expenditure from the Water Rights Fund for support of water rights program activities. This action shall remain in effect until revised by the board.

Title 23  
Amend: 1062, 1063, 1064, 1066, 1068, 1071, 3833.1  
Filed 11/15/2021  
Effective 11/15/2021  
Agency Contact: Glen Osterhage (916) 341-5032

State Water Resources Control Board  
File # 2021-1104-02  
Emergency Regulation Amending ELAP Fee Schedule

This emergency action by the State Water Resources Control Board amends the fee schedule for the Environmental Laboratory Accreditation Program (ELAP). Under Health and Safety Code section 100829(f)(3), this action is a deemed emergency, exempt from OAL review, and remains in effect until revised by the state board.

Title 22  
Amend: 64802.25  
Filed 11/15/2021  
Effective 11/15/2021  
Agency Contact: Glen Osterhage (916) 341-5032

CalSavers Retirement Savings Board  
File # 2021-1108-06  
CalSavers Retirement Savings Program Regulations Amendments

This action readopts emergency regulations regarding the CalSavers Retirement Savings Program to change the default investment option, clarify the process for enforcing employer compliance, reduce the minimum contribution amounts for non-payroll contributions, and amend the frequency for recurring non-payroll contributions. This is a deemed emergency under Government Code section 100048.

Title 10  
Adopt: 10008  
Amend: 10000, 10005, 10006, 10007  
Filed 11/17/2021  
Effective 11/24/2021  
Agency Contact: Eric Lawyer (916) 653-1748

Secretary of State  
File # 2021-1104-03  
Statewide Voter Registration System and Conditional Voter Registration

This emergency rulemaking action by the California Secretary of State readopts changes to the reason

codes for vote-by-mail ballots, provisional ballots, and conditional voter registration provisional ballots originally made in emergency matter 2020-0925-03E and readopted in emergency matter 2021-0728-01EE.

Title 02  
Amend: 19092, 19094, 20026  
Filed 11/15/2021  
Effective 11/15/2021  
Agency Contact:  
Robbie Anderson (916) 216-6488

Fair Political Practices Commission  
File # 2021-1013-04  
CARS — CAL-ACCESS Replacement Systems  
Regulations

This action amends, adopts, and repeals regulations concerning campaign and lobbyist disclosure and reporting requirements. The Office of Administrative Law's (OAL's) review of Fair Political Practices Commission (FPPC) regulations is limited to the provisions of the Administrative Procedure Act as it existed on June 4, 1974, when voters adopted the California Political Reform Act. (*Fair Political Practices Commission v. Office of Administrative Law, Linda Stockdale Brewer*, (April 27, 1992, C010924 [non-published opinion].) Thus, OAL's review is limited to determining if the regulations comply with "the form and style prescribed by the Secretary of State. If the department approves the regulation or order of repeal for filing, it shall endorse on the certified copy thereof its approval for filing and shall transmit such copy to the Secretary of State." (Former Government Code, section 11380.2, repealed by Statutes 1979, chapter 567, Section 2.)

Title 02  
Adopt: 18422.5, 18465.1  
Amend: 18402.1, 18406, 18410, 18465, 18601, 18611, 18613, 18616, 18616.4  
Repeal: 18422.5  
Filed 11/10/2021  
Effective 12/10/2021  
Agency Contact: Kevin Cornwall (916) 445-4812

Contractors State License Board  
File # 2021-0929-02  
Assessment of Civil Penalties

This action by the Contractors State License Board amends civil penalties that shall be assessed for violations of the Contractors State License Law to conform with changes made by Assembly Bill 569 (Statutes 2021, chapter 94).

Title 16  
Amend: 884  
Filed 11/10/2021  
Agency Contact: Betsy Figueria (916) 255-3369

Contractors State License Board  
File # 2021-0929-03  
Blanket Performance and Payment Bond  
Requirements and Application

These changes without regulatory effect conform Contractors State Licensing Board (Board) regulations to superseding amendments made to governing statutes by Senate Bill 1479 (Chapter 634, Statutes of 2016). The action also makes other non-substantive changes to the Board's regulations to correct grammar and punctuation issues, to update a Reference citation note, and to make a related form easier to use.

Title 16  
Amend: 858.1, 858.2  
Filed 11/10/2021  
Agency Contact: Betsy Figueria (916) 255-3369

California Horse Racing Board  
File # 2021-0930-01  
Entries and Workouts

This rulemaking action requires horses to be examined and evaluated for fitness prior to workouts and being entered to race.

Title 04  
Amend: 1581.1, 1878  
Filed 11/10/2021  
Effective 01/01/2022  
Agency Contact: Zachary Voss (916) 263-6036

State Water Resources Control Board  
File # 2021-0929-05  
Revisions to Salt and Nitrate Control Program Basin  
Plan Amendments

This action amends the Water Quality Control Plan for the Central Valley Region. On December 10, 2020, the Central Valley Regional Water Quality Control Board adopted Resolution Number R5-2020-0057 to amend the Central Valley-Wide Salt and Nitrate Control Program. On June 1, 2021, the State Water Resources Control Board approved the amendments under Resolution Number 2021-0019. This action is submitted to the Office of Administrative Law for review pursuant to Government Code section 11353.

Title 23  
Amend: 3949.16  
Filed 11/10/2021  
Effective 11/10/2021  
Agency Contact: Jennifer Fuller (916) 464-4646



State Water Resources Control Board  
 File # 2021-1001-02  
 Bacteria TMDL for the Beaches in Pillar Point  
 Harbor and Venice Beach

On February 10, 2021, the San Francisco Bay Regional Water Quality Control Board adopted Resolution R2-2021-0002, amending the Water Quality Control Plan for the San Francisco Bay Region (Basin Plan) by establishing a total maximum daily load (TMDL) for bacteria at the beaches in Pillar Point Harbor and Venice Beach on the San Mateo Coast. The State Water Resources Control Board approved the Basin Plan amendment in Resolution Number 2021-0026 on July 20, 2021.

Title 23  
 Adopt: 3919.22  
 Filed 11/15/2021  
 Effective 11/15/2021  
 Agency Contact: Barbara Baginska (510) 622-2474

State Water Resources Control Board  
 File # 2021-1005-03  
 Reconsideration of the Santa Monica Bay Debris  
 TMDL and Machado Lake Trash TMDL

On March 14, 2019, the Los Angeles Regional Water Quality Control Board adopted Resolution Number R19-004 to amend the Water Quality Control Plan to reconsider the Total Maximum Daily Load (TMDL) for Trash in Machado Lake and the Total Maximum Daily Load for Debris in Nearshore/Offshore Santa Monica Bay (Basin Plan Amendment). The Basin Plan Amendment was approved by the State Water Resources Control Board under Resolution Number 2020-0001 on January 21, 2020.

Title 23  
 Amend: 3939.43, 3939.30  
 Filed 11/17/2021  
 Effective 11/17/2021  
 Agency Contact: Jun Zhu (916) 576-6691

Veterinary Medical Board  
 File # 2021-0609-02  
 Animal Physical Rehabilitation

In this action, the Veterinary Medical Board adopts a regulation defining Animal Physical Rehabilitation and specifying when it can be provided by veterinarians, Registered Veterinary Technicians, and Veterinary Assistants.

Title 16  
 Adopt: 2038.5  
 Filed 11/15/2021  
 Effective 01/01/2022  
 Agency Contact: Justin Sotelo (916) 515-5238

**CCR CHANGES FILED WITH THE  
 SECRETARY OF STATE WITHIN  
 July 1, 2021 to September 30, 2021**

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

- Title 02**
- 07/07/2021 ADOPT: 83.5, 83.6, 87
  - 07/07/2021 ADOPT: 83.5, 83.6, 87
  - 07/12/2021 ADOPT: 20910, 20960, 20961, 20962, 20980, 20981, 20982, 20983, 20984, 20985, 20990, 20991, 20992, 20993
  - 07/26/2021 AMEND: 20110, 20111, 20114, 20122
  - 08/03/2021 AMEND: 45100, 45127, 45128
  - 08/04/2021 AMEND: 1700
  - 08/05/2021 AMEND: 19092, 19094, 20026
  - 08/13/2021 AMEND: 1860.2, 1860.3, 1860.4, 1860.5, 1860.6, 1860.15, 1860.16, 1860.20
  - 08/16/2021 ADOPT: 18450.6, 18450.7, 18450.8 AMEND: 18435.5, 18450.11
  - 08/16/2021 AMEND: 1181.2, 1181.3, 1181.4, 1183.1, 1183.7, 1183.17, 1185.2, 1185.3, 1185.4, 1187.9
  - 08/18/2021 AMEND: 20136
  - 08/31/2021 AMEND: 59800
  - 09/13/2021 AMEND: 234 REPEAL: 234
  - 09/14/2021 REPEAL: 59840
  - 09/28/2021 REPEAL: 56700

- Title 03**
- 07/14/2021 ADOPT: 10000, 10001, 10100, 10101, 10102, 10103, 10104, 10105, 10200, 10201, 10202, 10203, 10204, 10205, 10206, 10207, 10208, 10209, 10210, 10300, 10301, 10302, 10303, 10400, 10401, 10402, 10403, 10404, 10405, 10406, 10407, 10408, 10409, 10410, 10411, 10412, 10500, 10501, 10502, 10503, 10504, 10505, 10506, 10600, 10601, 10602, 10603, 10700, 10701, 10702, 10703, 10704, 10705, 10706, 10707, 10708, 10709, 10710, 10711, 10712, 10713
  - 07/15/2021 AMEND: 3591.12
  - 08/12/2021 AMEND: 3280
  - 08/30/2021 AMEND: 3700

**CALIFORNIA REGULATORY NOTICE REGISTER 2021, VOLUME NUMBER 48-Z**

08/31/2021 AMEND: 752, 753, 753.1, 760.4, 820.55, 830.3, 830.4, 831, 831.1, 831.2, 1302.1, 1302.2, 1302.3 REPEAL: 830.1

09/20/2021 ADOPT: 3591.29

09/21/2021 ADOPT: 4901, 4902

09/27/2021 AMEND: 6170, 6170.5, 6216

09/29/2021 AMEND: 3591.11

**Title 03, 04**

07/14/2021 AMEND: 8000 (renumbered to 16000), 8100 (renumbered to 16100), 8101 (renumbered to 16101), 8102 (renumbered to 16102), 8103 (renumbered to 16103), 8104 (renumbered to 16104), 8105 (renumbered to 16105), 8106 (renumbered to 16106), 8107 (renumbered to 16107), 8108 (renumbered to 16108), 8109 (renumbered to 16109), 8110 (renumbered to 16110), 8112 (renumbered to 16112), 8113 (renumbered to 16113), 8114 (renumbered to 16114), 8115 (renumbered to 16115), 8200 (renumbered to 16200), 8201 (renumbered to 16201), 8202 (renumbered to 16202), 8203 (renumbered to 16203), 8204 (renumbered to 16204), 8205 (renumbered to 16205), 8206 (renumbered to 16206), 8207 (renumbered to 16207), 8208 (renumbered to 16208), 8209 (renumbered to 16209), 8210 (renumbered to 16210), 8211 (renumbered to 16211), 8212 (renumbered to 16212), 8213 (renumbered to 16213), 8214 (renumbered to 16214), 8215 (renumbered to 16215), 8216 (renumbered to 16216), 8300 (renumbered to 16300), 8301 (renumbered to 16301), 8302 (renumbered to 16302), 8303 (renumbered to 16303), 8304 (renumbered to 16304), 8305 (renumbered to 16305), 8306 (renumbered to 16306), 8307 (renumbered to 16307), 8308 (renumbered to 16308), 8400 (renumbered to 16400), 8401 (renumbered to 16401), 8402 (renumbered to 16402), 8403 (renumbered to 16403), 8404 (renumbered to 16404), 8405 (renumbered to 16405), 8406 (renumbered to 16406), 8407 (renumbered to 16407), 8408 (renumbered to 16408), 8409 (renumbered to 16409), 8410 (renumbered to 16410), 8411 (renumbered to 16411), 8500 (renumbered to 16500), 8501 (renumbered to 16501), 8600 (renumbered to 16600), 8601 (renumbered to 16601), 8602 (renumbered to 16602), 8603 (renumbered to 16603), 8604 (renumbered to 16604), 8605 (renumbered to 16605), 8606 (renumbered to 16606), 8607 (renumbered to 16607), 8608 (renumbered to 16608), 8609 (renumbered to 16609) REPEAL: 8111, 8407

**Title 04**

07/06/2021 ADOPT: 5000, 5180

07/19/2021 ADOPT: 10092.15 AMEND: 10092.1, 10092.2, 10092.3, 10092.4, 10092.5, 10092.6, 10092.7, 10092.8, 10092.9, 10092.10, 10092.11, 10092.12, 10092.13, 10092.14

07/26/2021 AMEND: 1843.2

07/29/2021 ADOPT: 147

07/29/2021 AMEND: 10310, 10317, 10325, 10327, 10328

08/02/2021 AMEND: 15037.1, 15037.2, 16410, 16411, 17123.1, 17123.2

08/12/2021 AMEND: 1891.1

08/25/2021 AMEND: 10091.1, 10091.8, 10091.9, 10091.11

08/30/2021 AMEND: 1688

08/30/2021 AMEND: 10031, 10032, 10033, 10034, 10035, 10036

09/07/2021 AMEND: 10093.1

09/07/2021 AMEND: 1433

09/20/2021 AMEND: 1845

09/23/2021 ADOPT: 1866.4

09/23/2021 AMEND: 1632

09/23/2021 ADOPT: 5231

09/27/2021 ADOPT: 15000.1, 15000.2, 15000.3, 15000.4, 15000.5, 15000.6, 15000.7, 15001.1, 15001.2, 15001.3, 15001.4, 15002.1, 15041.2, 15041.3, 15041.4, 15041.5, 15041.6, 15041.7, 15042.1, 15047.1, 15047.2, 15047.3, 15048.1, 15048.2, 15048.3, 15048.4, 15048.5, 15049.1, 15049.2, 16307, 16308, 16309, 16310, 16311, 17202.1, 17211.1, 17217, 17218, 17219, 17220, 17221, 17227, 17398, 17399, 17400, 17800, 17801, 17801.1, 17801.5, 17802, 17803, 17804, 17805, 17806, 17807, 17808, 17809, 17813, 17814, 17815, 17816, 17817, 17900, 17901, 17902, 17903, 17904, and 17905 AMEND: 15000, 15001, 15002, 15003, 15004, 15005, 15006, 15007, 15007.1, 15009, 15010, 15011, 15012, 15013, 15014, 15015, 15017, 15018, 15020, 15021, 15023, 15024, 15024.1, 15025, 15027, 15034, 15035, 15036, 15037, 15038, 15040, 15040.1, 15041, 15041.1, 15042, 15043, 15044, 15045, 15046, 15047, 15048, 15049, 15050, 15051, 15052, 15054, 15300, 15301, 15302, 15303, 15304, 15305, 15306, 15307, 15308, 15309, 15312, 15313, 15314, 15315, 15402, 15405, 15406, 15407, 15408, 15410, 15411, 15413, 15414, 15418, 15420, 15427, 15500, 15600, 15601, 15602, 15604, 15700, 15702, 15703, 15704, 15705, 15706, 15709, 15710, 15711, 15713, 15714, 15717, 15718, 15719, 15720, 15721, 15722, 15723, 15724, 15725, 15726, 15727, 15728, 15729, 15730, 15731, 15732, 15733, 15734, 15735, 15736, 15737, 15738, 16000, 16100, 16101, 16102, 16103, 16104, 16105, 16108, 16109,

**CALIFORNIA REGULATORY NOTICE REGISTER 2021, VOLUME NUMBER 48-Z**

16110, 16112, 16113, 16114, 16115, 16201, 16202, 16209, 16300, 16301, 16302, 16303, 16304, 16305, 16306, 16410, 16411, 17006, 17009, 17117, 17123.1, 17123.2, 17124, 17126, 17127, 17128, 17203, 17204, 17205, 17206, 17207, 17208, 17209, 17210, 17211, 17212, 17213, 17214, 17215, 17216, 17217, 17218, 17219, 17220, 17221, 17223, 17225, 17226, 17300, 17301, 17302, 17303, 17304, 17305, 17401, 17402, 17403, 17404, 17405, 17406, 17407, 17408, 17409, 17410, 17411, and 17412 REPEAL: 15007.2, 15008, 15010.1, 15010.2, 15010.3, 15022, 15026, 15028, 15030, 15031, 15032, 15033, 15052.1, 15053, 15310, 15426, 15501, 15502, 15503, 15504, 15505, 15506, 15506.1, 15507, 15715, 15739, 15800, 15801, 15802, 15803, 15804, 15805, 15806, 15807, 15808, 15809, 15810, 15811, 15812, 15813, 15814, 15815, 15900, 15901, 15902, 15903, 15904, 15905, 16106, 16107, 16200, 16203, 16204, 16205, 16206, 16207, 16208, 16210, 16211, 16212, 16213, 16214, 16215, 16216, 16400, 16401, 16402, 16403, 16404, 16405, 16406, 16408, 16409, 16500, 16501, 16600, 16601, 16602, 16603, 16604, 16605, 16606, 16607, 16608, 16609, 17000, 17001, 17002, 17003, 17004, 17005, 17100, 17101, 17102, 17103, 17104, 17105, 17106, 17107, 17108, 17109, 17110, 17111, 17113, 17114, 17115, 17116, 17118, 17119, 17120, 17121, 17122, 17123, 17125, 17200, 17201, 17202, 17217, 17218, 17219, 17220, 17221, 17222, 17224, 17400, 17500, 17501, 17502, 17503, 17504, 17505, 17506, 17507, 17508, 17509, and 17510	08/06/2021	ADOPT: 202, 205, 227, 228, 229, 230.1 REPEAL: 231, 232, 232.01, 232.02, 232.03, 232.04, 232.05, 232.06, 232.07, 232.08, 232.09, 232.10, 232.11, 232.12, 232.20, 232.21, 232.22, 232.23, 232.23, 232.24, 232.25, 232.26, 232.27, 232.28, 232.30, 232.31, 232.32, 232.33, 232.34, 232.35, 232.36, 232.37, 232.40, 232.41, 232.42, 232.43, 232.44, 232.45, 232.46, 232.47, 232.48, 232.49, 232.50, 232.52, 232.53, 232.60, 232.61, 232.62, 232.63, 232.64, 232.70
	08/09/2021	AMEND: 230.2
	09/30/2021	ADOPT: 36.7, 46.2
		<b>Title 10</b>
	07/14/2021	AMEND: 2050.1, 2052.4, 2056, 2057, 2058, 2059, 2061.1, 2061.4, 2061.5, 2062, 2063, 2063.1, 2063.2, 2063.3, 2064, 2065, 2066, 2066.1, 2066.3, 2067, 2068, 2069, 2073, 2074, 2077, 2077.1, 2079, 2080, 2081, 2082, 2084, 2087, 2088.1, 2088.2, 2088.3, 2090, 2091, 2092, 2094, 2094.2, 2095, 2096, 2097, 2098, 2100, 2101.1, 2101.2, 2101.3, 2102, 2103, 2104, 2110, 2112, 2113, 2114, 2114.3, 2114.5, 2114.7, 2120, 2121, 2123, 2124, 2131, 2172, 2199.2.1, 2199.2.3, 2199.2.4, 2199.3.3, 2199.3.6, 2199.4.3, 2202, 2216, 2218.6, 2218.10, 2218.82, 2219, 2220.7, 2220.11, 2220.52, 2222.15, 2222.16, 2232.15, 2232.18, 2232.32, 2232.38, 2232.56, 2236.3, 2240, 2240.15, 2241.3, 2241.5, 2241.7, 2241.9, 2242.1, 2278.58, 2279, 2303.15, 2303.16, 2305, 2309.3, 2309.6, 2309.7, 2309.10, 2309.12, 2309.13, 2309.14, 2321, 2325, 2327.1, 2601.01, 2603.05, 2603.10, 2603.12, 2603.13, 2603.14, 2603.17, 2603.18, 2603.20, 2604.03, 2605.01, 2607.03, 2607.04, 2608.01, 2608.02, 2608.03, 2608.05, 2608.06, 2609.03, 2610.01, 2610.03, 2614, 2614.5, 2614.8, 2614.9, 2614.13, 2614.14, 2614.17, 2614.24, 2632.5, 2632.13, 2632.13.1, 2632.14.3, 2632.19, 2643.3, 2643.6, 2644.4, 2644.8, 2644.12, 2644.16, 2644.25, 2644.27, 2646.1, 2646.2, 2646.4, 2654.1, 2655.1, 2655.6, 2655.8, 2656.2, 2661.1, 2670.4, 2670.8, 2670.17, 2670.18, 2670.19, 2670.20, 2680.2, 2680.4, 2680.11, 2680.12, 2682.9, 2682.10, 2682.19, 2682.20, 2682.21, 2682.22, 2683.9, 2683.18, 2683.19, 2683.20, 2683.22, 2689.4, 2689.8, 2689.22, 2690.1, 2691.5, 2691.6, 2691.13, 2691.14, 2691.17, 2695.2, 2695.3, 2695.6, 2695.7, 2695.8, 2695.9, 2695.26, 2696.5, 2696.6, 2696.8, 2697.3, 2697.8, 2698.52, 2698.55, 2698.58, 2698.59, 2698.65, 2698.67, 2698.82, 2698.85, 2698.86, 2698.97.1, 2698.98.1
09/30/2021	AMEND: 7313, 7316	
		<b>Title 05</b>
08/25/2021	AMEND: 80300	
09/03/2021	ADOPT: 55270, 55270.1, 55270.2, 55270.3, 55270.4, 55270.5, 55270.6, 55270.7, 55270.8, 55270.9, 55270.10, 55270.11, 55270.12, 55270.13 AMEND: 55002.5, 55040, 55062, 58161	
09/03/2021	AMEND: 58003.1, 58009	
09/21/2021	ADOPT: 30739, 30740, 30741 AMEND: 30730, 30731, 30732, 30733, 30734, 30735, 30736, 30737, 30738	
09/21/2021	ADOPT: 30045, 30046, 30047, 30048, 30049	
09/22/2021	ADOPT: 4630.5	
		<b>Title 07</b>
07/29/2021	ADOPT: 217.37 AMEND: 202, 217, 217.5, 217.10, 217.15, 217.20, 217.25, 217.30, 217.40, 217.45	
		<b>Title 08</b>
07/29/2021	AMEND: 9792.23.8	08/05/2021 ADOPT: 1620.01, 1620.02, 1620.03, 1620.05, 1620.06, 1620.07, 1620.08, 1620.10, 1620.11,

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1620.12, 1620.13, 1620.14, 1620.15, 1620.16, 1620.17, 1620.19, 1620.21, 1620.22, 1620.25, 1620.27, 1620.28, 1620.29 AMEND: 1404, 1408, 1409, 1409.1, 1411, 1422, 1422.4, 1422.4.5, 1422.5, 1422.5.1, 1422.6.2, 1422.7.1, 1422.9, 1422.10, 1422.12, 1423, 1424, 1425, 1426, 1437, 1550, 1552

08/09/2021 AMEND: 2318.6, 2353.1

08/10/2021 AMEND: 2318.6, 2353.1, 2354

09/07/2021 AMEND: 6520, 6522, 6524, 6526, 6528, 6530, 6532, 6534, 6538, 6542, 6550

09/14/2021 ADOPT: 10.131.7, 10.135.1, 10.140.1, 10.140.6, 10.141.1, 10.166.1, and 10.3301.1 AMEND: 10.112, 10.141, 10.151, 10.3000, 10.3100, and 10.3402

09/27/2021 ADOPT: 2239.10

09/29/2021 AMEND: 2318.6, 2353.1, 2354

09/30/2021 AMEND: 10002

**Title 11**

07/01/2021 AMEND: 1005

07/26/2021 AMEND: 1081

08/30/2021 AMEND: 31.26

08/30/2021 AMEND: 31.25

09/15/2021 ADOPT: 5485, 5486, 5487, 5488, 5489, 5490, 5491, 5492

**Title 13**

07/22/2021 AMEND: 1151.41151.4

07/26/2021 AMEND: 1153

08/12/2021 AMEND: 1159

08/26/2021 AMEND: 2222, 2224

09/29/2021 ADOPT: 586.5 AMEND: 556

09/29/2021 AMEND: 550, 551.8, 551.12, 553.40, 558, 586, 590

**Title 14**

07/01/2021 AMEND: 27.80, 28.65

07/13/2021 AMEND: 7.40

07/14/2021 ADOPT: 3940.5 AMEND: 3940, 3941, 3942, 3943, 3944, 3945, 3946, 3947, 3948

07/16/2021 AMEND: 106.5

08/02/2021 AMEND: 7.40

08/05/2021 AMEND: 1052, 1052.4

08/09/2021 AMEND: 13012, 13055

09/13/2021 ADOPT: 29000, 29001, 29100, 29101, 29102, 29103, 29200, 29201, 29300, 29301, 29302

09/20/2021 AMEND: 29.80, 29.85, 701

09/23/2021 AMEND: 791.7, 793, 870.17

**Title 15**

07/20/2021 AMEND: 3124

07/27/2021 AMEND: 8000, 8001, 8004, 8004.1, 8004.2, 8004.3, 8004.4, 8005, 8006, 8007, 8008, 8104, 8107, 8115, 8116, 8116.1, 8117, 8118, 8119, 8119.1, 8201

07/27/2021 AMEND: 8200, 8205

07/28/2021 ADOPT: 3270.3

08/09/2021 AMEND: 8006

08/23/2021 REPEAL: 8111, 8112

09/27/2021 ADOPT: 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063

**Title 16**

07/13/2021 AMEND: 1020.4

07/14/2021 AMEND: 4402

07/23/2021 ADOPT: 900, 965.2 AMEND: 998

08/04/2021 ADOPT: 4259 AMEND: 4256, 4258

08/06/2021 REPEAL: 1399.407, 1399.407.1, 1399.407.2, 1399.407.3

08/10/2021 ADOPT: 1396.8

08/11/2021 REPEAL: 112

08/16/2021 AMEND: 1104

08/17/2021 AMEND: 1399.370, 1399.372

08/20/2021 ADOPT: 4255

08/25/2021 ADOPT: 1399.659.1, 1399.659.2 AMEND: 1399.659

08/26/2021 REPEAL: 443, 444

09/02/2021 ADOPT: 1399.469.4, 1399.469.5, 1399.469.6

09/10/2021 AMEND: 321

09/24/2021 AMEND: 2578, 2579

09/27/2021 ADOPT: 1109

09/27/2021 ADOPT: 1815.8, 1820.3, 1821.1, 1821.2, 1821.3, 1833.05, 1833.1.5, 1834, 1869, 1869.3, 1870.3, 1870.5, 1871 AMEND: 1820, 1820.5, 1821, 1833, 1833.1, 1833.2, 1870 REPEAL: 1822, 1870.1

09/30/2021 ADOPT: 825.5

**Title 16, 04**

07/14/2021 AMEND: 5000 (renumbered to 15000), 5001 (renumbered to 15001), 5002 (renumbered to 15002), 5003 (renumbered to 15003), 5004 (renumbered to 15004), 5005 (renumbered to 15005), 5006 (renumbered to 15006), 5007 (renumbered to 15007), 5007.1 (renumbered to 15007.1), 5007.2 (renumbered to 15007.2), 5008 (renumbered to 15008), 5009 (renumbered to 15009), 5010 (renumbered to 15010), 5010.1 (renumbered to 15010.1), 5010.2 (renumbered to 15010.2), 5010.3 (renumbered to 15010.3), 5011 (renumbered to 15011), 5012 (renumbered to 15012), 5013 (renumbered to 15013), 5014 (renumbered to 15014), 5015 (renumbered to 15015), 5017 (renumbered to 15017), 5018 (renumbered to 15018), 5019 (renumbered to 15019), 5020 (renumbered to

15020), 5021 (renumbered to 15021), 5022 (renumbered to 15022), 5023 (renumbered to 15023), 5024 (renumbered to 15024), 5024.1 (renumbered to 15024.1), 5025 (renumbered to 15025), 5026 (renumbered to 15026), 5027 (renumbered to 15027), 5028 (renumbered to 15028), 5030 (renumbered to 15030), 5031 (renumbered to 15031), 5032 (renumbered to 15032), 5033 (renumbered to 15033), 5034 (renumbered to 15034), 5035 (renumbered to 15035), 5036 (renumbered to 15036), 5037 (renumbered to 15037), 5037.1 (renumbered to 15037.1), 5037.2 (renumbered to 15037.2), 5038 (renumbered to 15038), 5039 (renumbered to 15039), 5040 (renumbered to 15040), 5040.1 (renumbered to 15040.1), 5041 (renumbered to 15041), 5041.1 (renumbered to 15041.1), 5042 (renumbered to 15042), 5043 (renumbered to 15043), 5044 (renumbered to 15044), 5045 (renumbered to 15045), 5046 (renumbered to 15046), 5047 (renumbered to 15047), 5048 (renumbered to 15048), 5049 (renumbered to 15049), 5050 (renumbered to 15050), 5051 (renumbered to 15051), 5052 (renumbered to 15052), 5052.1 (renumbered to 15052.1), 5053 (renumbered to 15053), 5054 (renumbered to 15054), 5300 (renumbered to 15300), 5301 (renumbered to 15301), 5302 (renumbered to 15302), 5303 (renumbered to 15303), 5303.1 (renumbered to 15303.1), 5304 (renumbered to 15304), 5305 (renumbered to 15305), 5305.1 (renumbered to 15305.1), 5306 (renumbered to 15306), 5307 (renumbered to 15307), 5307.1 (renumbered to 15307.1), 5307.2 (renumbered to 15307.2), 5308 (renumbered to 15308), 5309 (renumbered to 15309), 5310 (renumbered to 15310), 5311 (renumbered to 15311), 5312 (renumbered to 15312), 5313 (renumbered to 15313), 5314 (renumbered to 15314), 5315 (renumbered to 15315), 5400 (renumbered to 15400), 5402 (renumbered to 15402), 5403 (renumbered to 15403), 5403.1 (renumbered to 15403.1), 5404 (renumbered to 15404), 5405 (renumbered to 15405), 5406 (renumbered to 15406), 5407 (renumbered to 15407), 5408 (renumbered to 15408), 5409 (renumbered to 15409), 5410 (renumbered to 15410), 5411 (renumbered to 15411), 5412 (renumbered to 15412), 5413 (renumbered to 15413), 5414 (renumbered to 15414), 5415 (renumbered to 15415), 5415.1 (renumbered to 15415.1), 5416 (renumbered to 15416), 5417 (renumbered to 15417), 5418 (renumbered to 15418), 5419 (renumbered to 15419), 5420 (renumbered to 15420), 5421 (renumbered to 15421), 5422

(renumbered to 15422), 5423 (renumbered to 15423), 5424 (renumbered to 15424), 5426 (renumbered to 15426), 5427 (renumbered to 15427), 5500 (renumbered to 15500), 5501 (renumbered to 15501), 5502 (renumbered to 15502), 5503 (renumbered to 15503), 5504 (renumbered to 15504), 5505 (renumbered to 15505), 5506 (renumbered to 15506), 5506.1 (renumbered to 15506.1), 5507 (renumbered to 15507), 5600 (renumbered to 15600), 5601 (renumbered to 15601), 5602 (renumbered to 15602), 5603 (renumbered to 15603), 5604 (renumbered to 15604), 5700 (renumbered to 15700), 5701 (renumbered to 15701), 5702 (renumbered to 15702), 5703 (renumbered to 15703), 5704 (renumbered to 15704), 5705 (renumbered to 15705), 5706 (renumbered to 15706), 5707 (renumbered to 15707), 5708 (renumbered to 15708), 5709 (renumbered to 15709), 5710 (renumbered to 15710), 5711 (renumbered to 15711), 5712 (renumbered to 15712), 5713 (renumbered to 15713), 5714 (renumbered to 15714), 5715 (renumbered to 15715), 5717 (renumbered to 15717), 5718 (renumbered to 15718), 5719 (renumbered to 15719), 5720 (renumbered to 15720), 5721 (renumbered to 15721), 5722 (renumbered to 15722), 5723 (renumbered to 15723), 5724 (renumbered to 15724), 5725 (renumbered to 15725), 5726 (renumbered to 15726), 5727 (renumbered to 15727), 5728 (renumbered to 15728), 5729 (renumbered to 15729), 5730 (renumbered to 15730), 5731 (renumbered to 15731), 5732 (renumbered to 15732), 5733 (renumbered to 15733), 5734 (renumbered to 15734), 5735 (renumbered to 15735), 5736 (renumbered to 15736), 5737 (renumbered to 15737), 5738 (renumbered to 15738), 5739 (renumbered to 15739), 5800 (renumbered to 15800), 5801 (renumbered to 15801), 5802 (renumbered to 15802), 5803 (renumbered to 15803), 5804 (renumbered to 15804), 5805 (renumbered to 15805), 5806 (renumbered to 15806), 5807 (renumbered to 15807), 5808 (renumbered to 15808), 5809 (renumbered to 15809), 5810 (renumbered to 15810), 5811 (renumbered to 15811), 5812 (renumbered to 15812), 5813 (renumbered to 15813), 5814 (renumbered to 15814), 5815 (renumbered to 15815), 5900 (renumbered to 15900), 5901 (renumbered to 15901), 5902 (renumbered to 15902), 5903 (renumbered to 15903), 5904 (renumbered to 15904), 5905 (renumbered to 15905) REPEAL: 5016

**Title 17**

07/01/2021

AMEND: Subchapter 3, 52170

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07/01/2021 ADOPT: 22000, 22005, 22015, 22020, 22025, 22030, 22035, 22040, 22045, 22050, 22055, 22060, 22065, 22070, 22075, 22080, 22085, 22090, 22095, 22100, 22105, 22110, 22115, 22120, 22125, 22130, 22135, 22140, 22145, 22150, 22155, 22160, 22165, 22170, 22175, 22180, 22185, 22190, 22195, 22200, 22205, 22210, 22215, 22220, 22225, 22230, 22235, 22240, 22245, 22250, 22255, 22260, 22265, 22267, 22270

09/27/2021 AMEND: 60201, 60210

**Title 17, 04**

07/14/2021 AMEND: 40100 (renumbered to 17000), 40101 (renumbered to 17001), 40102 (renumbered to 17002), 40105 (renumbered to 17003), 40115 (renumbered to 17004), 40116 (renumbered to 17005), 40118 (renumbered to 17006), 40120 (renumbered to 17009), 40126 (renumbered to 17100), 40128 (renumbered to 17101), 40129 (renumbered to 17102), 40130 (renumbered to 17103), 40131 (renumbered to 17104), 40132 (renumbered to 17105), 40133 (renumbered to 17106), 40135 (renumbered to 17107), 40137 (renumbered to 17108), 40150 (renumbered to 17109), 40152 (renumbered to 17110), 40155 (renumbered to 17111), 40159 (renumbered to 17113), 40162 (renumbered to 17114), 40165 (renumbered to 17115), 40167 (renumbered to 17116), 40175 (renumbered to 17117), 40177 (renumbered to 17118), 40178 (renumbered to 17119), 40179 (renumbered to 17120), 40180 (renumbered to 17121), 40182 (renumbered to 17122), 40184 (renumbered to 17123), 40186 (renumbered to 17123.1), 40187 (renumbered to 17123.2), 40190 (renumbered to 17124), 40191 (renumbered to 17125), 40192 (renumbered to 17126), 40194 (renumbered to 17127), 40196 (renumbered to 17128), 40200 (renumbered to 17200), 40205 (renumbered to 17201), 40207 (renumbered to 17202), 40220 (renumbered to 17203), 40222 (renumbered to 17204), 40223 (renumbered to 17205), 40225 (renumbered to 17206), 40230 (renumbered to 17207), 40235 (renumbered to 17208), 40240 (renumbered to 17209), 40243 (renumbered to 17210), 40246 (renumbered to 17211), 40248 (renumbered to 17212), 40250 (renumbered to 17213), 40253 (renumbered to

17214), 40255 (renumbered to 17215), 40258 (renumbered to 17216), 40270 (renumbered to 17217), 40272 (renumbered to 17218), 40275 (renumbered to 17219), 40277 (renumbered to 17220), 40280 (renumbered to 17221), 40282 (renumbered to 17222), 40290 (renumbered to 17223), 40292 (renumbered to 17224), 40295 (renumbered to 17225), 40297 (renumbered to 17226), 40300 (renumbered to 17300), 40305 (renumbered to 17301), 40306 (renumbered to 17302), 40308 (renumbered to 17303), 40315 (renumbered to 17304), 40330 (renumbered to 17305), 40400 (renumbered to 17400), 40401 (renumbered to 17401), 40403 (renumbered to 17402), 40404 (renumbered to 17403), 40405 (renumbered to 17404), 40406 (renumbered to 17405), 40408 (renumbered to 17406), 40409 (renumbered to 17407), 40410 (renumbered to 17408), 40411 (renumbered to 17409), 40412 (renumbered to 17410), 40415 (renumbered to 17411), 40417 (renumbered to 17412), 40500 (renumbered to 17500), 40505 (renumbered to 17501), 40510 (renumbered to 17502), 40512 (renumbered to 17503), 40513 (renumbered to 17504), 40515 (renumbered to 17505), 40517 (renumbered to 17506), 40525 (renumbered to 17507), 40550 (renumbered to 17508), 40551 (renumbered to 17509), 40570 (renumbered to 17510) REPEAL: 40156

**Title 18**

07/13/2021 AMEND: 1685.5

08/04/2021 ADOPT: 19285, 19286, 19288

09/07/2021 AMEND: 1602.5

**Title 19**

07/13/2021 ADOPT: 2480.1, 2480.2, 2480.3

**Title 20**

07/12/2021 AMEND: 3201, 3202, 3204, 3205, 3206, 3207, 3208, 1240

07/12/2021 AMEND: 1602, 1604, 1605.1, 1605.3, 1606, 1607

09/08/2021 AMEND: 1602, 1604, 1605.3, 1606, 1607

09/30/2021 AMEND: 3201

**Title 22**

08/16/2021 AMEND: 97018, 97040

09/07/2021 AMEND: 66271.50

**Title 22, MPP**

09/14/2021 ADOPT: 86006, 86008, 86011, 86012, 86017, 86019, 86019.1, 86019.2, 86021, 86024, 86025, 86027, 86029, 86031, 86034, 86035, 86040, 86042, 86046, 86052, 86053, 86054, 86055, 86055.1, 86056, 86058, 86059, 86062, 86063, 86069, 86071, 86086, 86100, 86126, 86168, 86176, 86200 AMEND: 80000, 80001, 86000, 86001, 86005, 86010, 86018, 86020, 86022, 86028, 86036, 86044, 86045, 86064, 86065, 86066, 86068.3, 86088, 86161, 86068.1, 86068.2, 86068.4, 86070, 86072, 86073, 86074, 86075, 86078, 86087, 86024

**Title 23**

07/12/2021 ADOPT: 877, 877.1, 877.2, 877.3, 877.4, 877.5, 877.6, 878, 878.1, 879, 879.1, 879.2  
 08/19/2021 ADOPT: 876.1, 878.2 AMEND: 877.1, 878, 878.1, 879, 879.1, 879.2  
 08/30/2021 ADOPT: 875, 875.1, 875.2, 875.3, 875.4, 875.5, 875.6, 875.7, 875.8, 875.9

09/01/2021 AMEND: 3983  
 09/09/2021 ADOPT: 3929.18  
 09/21/2021 ADOPT: 3979.13  
 09/22/2021 ADOPT: 3959.10

**Title 27**

09/22/2021 ADOPT: 28500  
 07/06/2021 AMEND: 25705  
 07/06/2021 AMEND: 25705  
 07/13/2021 AMEND: 27000

**Title 28**

09/22/2021 ADOPT: 1300.63.4

