



California Regulatory Notice Register

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AUGUST 19, 2022

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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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AUTHORITY AND REFERENCE

Authority cited: Sections 19420 and 19440, Business and Professions Code (BPC). Reference: Section 19563, BPC.

TITLE 4. HORSE RACING BOARD

**HARNESS RACING RULES
 RULE 1734. WHIPPING.**

**INFORMATIVE DIGEST/POLICY
 STATEMENT OVERVIEW**

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

BPC section 19420 provides that jurisdiction and supervision over meetings in California where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings, is vested in the Board. BPC section 19440 provides that the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of Horse Racing Law. Responsibilities of the Board shall include, but not be limited to, adopting rules and regulations for the protection of the public and control of horse racing and parimutuel wagering.

PROPOSED REGULATORY ACTION

The Board proposes to amend Board Rule 1734, Whipping, to retitle the rule; limit the use of the whip to no more than two times in succession without giving the horse a chance to respond before using the whip again; limit the use of the whip to six times total during a race, excluding showing or waiving the whip; and require a driver to keep a line in each hand through the finish of the race, except to adjust authorized equipment as may be necessary.

Board Rule 1734, in part, requires a driver to keep a line in each hand beginning when the horse is behind the starting gate and until one-eighth of a mile from the finish line, at which point the driver may whip while holding two lines in one hand. Board Rule 1734 also limits the use of the whip to no more than three times in succession without giving the horse a chance to respond.

PUBLIC HEARING

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

The proposed amendment to Board Rule 1734 will retitle the rule. It will limit the use of the whip to no more than two times in succession without giving the horse a chance to respond before using the whip again and six times total during a race, excluding showing or waiving the whip. Additionally, it will require the driver to keep a line in each hand through the finish of the race, except to adjust authorized equipment as may be necessary. These changes will provide for consistency within the Board's rules by aligning the rule with Board Rule 1688, Use of Riding Crop, which has been amended in recent years and reflects the Board's latest efforts to further prevent unnecessary use of the whip and promote animal safety and welfare.

WRITTEN COMMENT PERIOD

Any interested persons, or their authorized representative, may submit written comments about the proposed regulatory action to the Board. The written comment period closes on **October 3, 2022**. The Board must receive all comments by that time. Submit comments to:

ANTICIPATED BENEFIT OF THE
PROPOSED REGULATION

The proposed amendment to Board Rule 1734 will provide for consistency within the Board's rules and help promote the health and welfare of race horses. It will retitle the rule to provide greater context. It will also limit the use of the whip to no more than two times in succession without giving the horse a chance to respond before using the whip again and six times total during a race, excluding showing or waiving the whip. Finally, it will require the driver to keep a line in each hand through the finish of the race, except to adjust authorized equipment as may be necessary. These regulatory actions will align Board Rule 1734 with Board Rule 1688 and, thereby, help prevent unnecessary use of the whip.

CONSISTENCY EVALUATION

Evaluation of Consistency and Compatibility with Existing State Regulations: During the process of developing the amendment, the Board conducted a search for any similar regulation on this topic and has concluded that Board Rule 1734 is the only regulation that addresses the use of the whip in harness racing. Therefore, the proposed regulation is neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE
PROPOSED ACTION

Mandate on local agencies and school districts: none.

Cost or savings to any state agency: none.

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

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

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

The Board has made an initial determination that the proposed amendment to Board Rule 1734 will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed amendment will retitle the rule, limit the use of the whip to no more than two times in succession without giving the horse a chance to respond before using the whip again and six times total during a race, excluding showing or waiving the whip, and require a driver to keep a line in each hand through the finish of the race, except to adjust authorized equipment as may be necessary. This will provide for consistency with Board Rule 1688, which has been amended in recent years to further prevent un-

necessary use of the riding crop in the racing of breeds outside of harness racing.

The following studies/relevant data were relied upon in making the above determination: none.

Cost impact on representative private persons or businesses: none. The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant effect on housing costs: none.

RESULTS OF THE ECONOMIC
IMPACT ANALYSIS

The adoption of the proposed amendment to Board Rule 1734 will not (1) create or eliminate jobs within the state; (2) create new businesses or eliminate existing businesses within the state; (3) result in the expansion of businesses currently doing business with the state; or (4) benefit the health and welfare of California residents, worker safety, or the state's environment. The proposed amendment to Board Rule 1734 will provide for consistency with Board Rule 1688 and, thereby, further prevent unnecessary use of the whip in harness racing.

Effect on small business: none. The proposal to amend Board Rule 1734 does not affect small business because small businesses are not legally required to comply with or enforce the regulation and neither derive a benefit nor incur a detriment from the enforcement of the regulation. The proposed regulation will retitle the rule, limit the use of the whip to no more than two times in succession without giving the horse a chance to respond before using the whip again and six times total during a race, excluding showing or waiving the whip, and require a driver to keep a line in each hand through the finish of the race, except to adjust authorized equipment as may be necessary.

CONSIDERATION OF ALTERNATIVES

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

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

CONTACT PERSONS

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

Rick Pimentel, Analyst
California Horse Racing Board
1010 Hurley Way, Suite 300
Sacramento, CA 95825
Telephone: (916) 274-6043
Fax: (916) 263-6042
E-mail: repimentel@chrb.ca.gov

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

Amanda Drummond, Manager
Regulations, Industry Applications, and
Administrative Hearings
Telephone: (916) 263-6033
Email: amdummond@chrb.ca.gov

AVAILABILITY OF INITIAL
STATEMENT OF REASONS AND TEXT OF
PROPOSED REGULATION

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its offices at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, and the initial statement of reasons. Copies of these documents, or any of the information upon which the proposed rulemaking is based, may be obtained by contacting Rick Pimentel or the alternative contact person at the address, phone number, or email address listed above.

AVAILABILITY OF MODIFIED TEXT

After holding a hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulation substantially as described in this notice. If modifications are made that are sufficiently related to the originally proposed text, the modified text, with changes clearly marked, shall be made available to the public for at least 15 days prior to the date on which the Board adopts the regulation. Requests for copies of any modified regulation should be sent to the attention of Rick Pimentel at the address stated above. The Board will accept written comments on the modified regulation for 15 days after the date on which it is made available.

AVAILABILITY OF FINAL
STATEMENT OF REASONS

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

BOARD WEB ACCESS

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

**TITLE 14. DEPARTMENT OF
CONSERVATION**

CHAPTER 6. DIVISION OF LAND
RESOURCE PROTECTION
ARTICLE 1. CALIFORNIA FARMLAND
CONSERVANCY PROGRAM

The Division of Land Resource Protection ("DLRP"), within the California Department of Conservation ("Department"), proposes to amend Section 3010 of Title 14 of the California Code of Regulations after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Department will hold a virtual public hearing on September 19, 2022, at 10:00 a.m.

Attendees may participate via Microsoft Teams online meeting platform or telephone conferencing. To participate via Microsoft Teams online meeting platform please email Christine Hansen at Christine.Hansen@conservation.ca.gov by 4:00 p.m. on September 16, 2022 to request a link to the meeting or for telephone participation instructions. A link to the meeting and telephone instructions will also be posted with this Notice on the Department's website, no later than 8:00 a.m. the morning of the hearing.

As a reasonable ADA accommodation, limited in person seating may be available at the Department's office, 715 P Street, MS 1900, Sacramento, CA 95814. Attendees must comply with all COVID-19 safety protocols. Please contact Christine Hansen at Christine.Hansen@conservation.ca.gov by 4:00 p.m. on September 16, 2022, if an accommodation is necessary.

Participants will be given instructions on how to provide oral comment once they have accessed the hearing. The hearing will continue on the date noted above until all testimony is submitted, or until 1:00 p.m., whichever is later. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The Department requests, but does not require, that persons who make oral comments at the hearing also submit a written copy of their testimony via email.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department. Comments also may be submitted by e-mail to Christine.Hansen@conservation.ca.gov. The written comment period closes at **5:00 p.m. on October 3, 2022**. The Department will consider only comments received by the Department by that time. Submit comments to:

Christine Hansen
California Department of Conservation
715 P Street, MS 1900
Sacramento, CA 95814
Christine.Hansen@conservation.ca.gov
Re: CFCP Rulemaking Comment

AUTHORITY AND REFERENCE

Public Resources Code section 10240 authorizes the Department to adopt and amend regulations. The proposed amendment to the regulation would implement, interpret, and make specific sections 10231 and 10260 of the Public Resources Code.

**INFORMATIVE DIGEST / POLICY
STATEMENT OVERVIEW**

Summary of Existing Laws and Effect of the Proposed Action

Public Resources Code section 10260 requires that grants under the California Farmland Conservancy Program (CFCP) for the acquisition of interests in real property be supported with a real estate appraisal that establishes the fair market value of the property interest to be acquired. Public Resources Code section 10231 provides for the reimbursement of direct costs incidental to the acquisition of interests in real property under the CFCP. According to section 10260, appraisals must be complete before the Department can disburse grant funds, and the statute allows the Department to conditionally approve grant applica-

tions prior to completion of final appraisals. (Pub. Resources Code, § 10260, subdivision (b).) By contrast, existing section 3010 of Title 14 of the California Code of Regulations requires real estate appraisals be completed prior to the Department acting upon any application for CFCP grant funds.

The proposed action would amend Regulation 3010 to eliminate the requirement that appraisals be completed prior to the Department acting upon a grant application, and instead require that appraisals be completed prior to the disbursement of grant funds, consistent with Public Resources Code section 10260, subdivision (b). The proposed amendment would also delete language that would become superfluous once the appraisal is no longer required at the application stage.

Anticipated Benefits of the Proposed Amendment:

The broad objective of the amendment is to implement the statutory requirement for real estate appraisals in the most efficient, effective, and least burdensome manner to prospective grantees. The specific benefits anticipated from the amendment are: (1) eliminate a current disincentive to applying for CFCP grants and increase program participation and competition for CFCP grants, (2) ensure that the costs of appraisals can be reimbursed as a grant cost, consistent with Public Resources Code section 10231; and (3) reduce the likelihood that appraisals will expire and thus need to be updated or recompleted prior to the closing of grant-funded real estate transactions.

Determination of Inconsistency/Incompatibility with Existing State Regulations:

The Department has determined that this proposed amendment would not render the regulation inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area of law, the Department has concluded that these are the only regulations that concern the timing of the appraisal in the CFCP grant process.

**DISCLOSURES REGARDING THE
PROPOSED ACTION**

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

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

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.

Significant statewide adverse economic impact directly affecting businesses and individuals: None.

Significant effect on housing costs: None.

Results of the Economic Impact Analysis/Assessment

The Department 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 business, or (4) the proposal will eliminate any existing business or result in the expansion of businesses currently doing business within the state. The Department believes the proposed amendment will benefit California residents and the community of eligible grantees by eliminating a disincentive to applying for CFCP grant funds, thus resulting in greater competition for grants and more impactful grant-funded projects. Accordingly, by improving the administration of the CFCP, the Department believes the proposed amendment will have indirect benefits to the health and welfare of California residents and the state’s environment. The Department does not anticipate any benefits to worker safety.

Small Business Determination: The Department has determined that the proposed amendment will affect small businesses. The regulation amends the procedures that must be followed by parties eligible to apply for CFCP grant funds, which include 501(c)(3) nonprofit organizations that are small businesses. The Department does not expect any adverse economic effects on small businesses.

CONSIDERATION OF ALTERNATIVES

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

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

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Christine Hansen
California Department of Conservation
715 P Street, MS 1900
Sacramento, CA 95814
Christine.Hansen@conservation.ca.gov

The backup contact person for these inquires is:

Graham St. Michel
California Department of Conservation
715 P Street, MS 1900
Sacramento, CA 95814
Graham.Stmichel@conservation.ca.gov

Please direct requests for copies of the proposed text of the amendment, the initial statement of reasons, and/or any other information relevant to the rulemaking to the above address.

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

The Department 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 amendment, the initial statement of reasons, and the STD 399. Copies of this information may be obtained by contacting the address, e-mail address, or phone number listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Department may adopt the proposed regulation substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulation as revised. If substantive modifications are made, the Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL
STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting the contact person identified above.

AVAILABILITY OF DOCUMENTS
ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through the Department's website at www.conservation.ca.gov.

**TITLE 15. DEPARTMENT
OF CORRECTIONS AND
REHABILITATION**

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR or department), proposes to amend Sections 3000 and 3075.2 in Title 15, Division 3, Chapter 1, regarding Release Allowances.

PUBLIC COMMENT PERIOD

The public comment period begins on **August 19, 2022** and closes on **October 6, 2022**. Any person may submit written comments by mail addressed to the primary contact person listed below, or by email to rmb@cdcr.ca.gov, before the close of the comment period. For questions regarding the subject matter of the regulations, call the program contact person listed below.

CONTACT PERSONS

Primary Contact

Renee Rodriguez
Telephone: (916) 445-2220
Regulation and Policy Management Branch
P.O. Box 942883
Sacramento, CA 94283-0001

Back-Up

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

Program Contact

Elvira Melendres
Accounting Services Branch
(279) 210-4065

PUBLIC HEARING

Date and Time: **October 6, 2022**
10:00 a.m. to 11:00 a.m.

Place: Department of Corrections and
Rehabilitation
Conference Room 128N
1515 S Street — North Building
Sacramento, CA 95811

AUTHORITY AND REFERENCE

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

Penal Code (PC) Section 5000 provides that commencing July 1, 2005, any reference to Department of Corrections in this or any code, refers to the CDCR, Division of Adult Operations. **PC Section 5050** provides that commencing July 1, 2005, any reference to the Director of Corrections in this or any other code, refers to the Secretary of the CDCR. As of that date, the office of the Director of Corrections is abolished.

PC Section 5054 provides that commencing July 1, 2005, the supervision, management, and control of the State prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR. **PC Section 5055** provides that commencing July 1, 2005, all powers and duties previously granted to and imposed upon the Department of Corrections shall be exercised by the Secretary of the CDCR. **PC Section 5058** authorizes the Director to prescribe and amend rules and regulations for the administration of prisons and for the administration of the parole of persons. **PC Section 5058.3** authorizes the Director to certify in a written statement filed with Office of Administrative Law that operational needs of the department require adoption, amendment, or repeal of regulation on an emergency basis.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

The department proposes to amend Sections 3000 and 3075.2 of the California Code of Regulations (CCR), Title 15, Division 3 regarding the Release Allowances.

This action will:

Amend provisions governing the distribution of release allowances to eligible releasees (inmates and exonerated persons). The proposed regulations:

- Establish new definition for exonerated person to distinguish exonerated persons from inmates or parolees.
- Replace the term “exonerated inmates” with the term “exonerated persons” pursuant to Penal Code section 3007.05(j).
- Establish new language to allow eligible releasees to choose whether to receive their release allowance by debit card or check.
- Update CDCR Form 102 (Rev. 03/22) to document releasees’ choice of debit card or check.

DOCUMENTS INCORPORATED
BY REFERENCE

CDCR Form 102 (Rev. 03/22) Release Statement.

SPECIFIC BENEFITS ANTICIPATED BY THE
PROPOSED REGULATIONS

The department anticipates that these regulations will allow the eligible releasees to choose whether to receive their release allowance, by debit card or check. Providing releasees with this choice will bring the department into compliance with federal regulations, while minimizing the effect on operations, maintaining the needed internal controls, and complying with the disbursement processes within the department, and preserving many of the safeguards and efficiencies currently in place.

EVALUATION OF INCONSISTENCY/
INCOMPATIBILITY WITH EXISTING
LAWS AND REGULATIONS

Pursuant to Government Code 11346.5(a)(3)(D), the department has determined the proposed regulations are not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the department has concluded that these are the only regulations that concern governing the distribution of release allowances to eligible releasees (inmates and exonerated persons).

LOCAL MANDATES

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

FISCAL IMPACT STATEMENT

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

EFFECT ON HOUSING COSTS

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

COST IMPACTS ON REPRESENTATIVE
PRIVATE PERSONS OR BUSINESSES

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

SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESS

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

EFFECT ON SMALL BUSINESSES

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

RESULTS OF THE ECONOMIC
IMPACT ASSESSMENT

The department has determined that the proposed regulation will have no effect on the creation of new, or the elimination of existing, jobs or businesses with-

in California, or effect the expansion of businesses currently doing business in California. The department has determined that the proposed regulation will have no effect on worker safety or the state's environment. The proposed regulations may directly impact the vendor that provides the debit card service for the department by a reduction in the number of debit cards issued if large numbers of eligible releasees choose the check option.

CONSIDERATION OF ALTERNATIVES

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed regulatory action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. Interested persons are invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

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

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the department may adopt the proposed regulations substantially as described in this Notice. If the department makes modifications, which are sufficiently related to the originally proposed text, it will make the modified text, with the changes clearly indicated,

available to the public for at least 15 days before the department adopts, amends or repeals the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The department will accept written comments on the modified regulations for at least 15 days after the date on which they are made available.

TITLE 16. VETERINARY MEDICAL BOARD

CIVIL PENALTIES FOR CITATIONS 16 CCR § 2043

The Veterinary Medical Board (Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

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

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or e-mail to the addresses listed under "Contact Person" in this Notice, must be **received by the Board at its office no later than Tuesday, October 4, 2022, by 5:00 p.m.** or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by sections 125.9, 4808 and 4875.4 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC sections 12.5, 125.9, 148, 4826, 4846.5, 4875.2 and 4875.4, the Board is considering amending section 2043 of Article 5.5 of Division 20 of Title 16 of the California Code of Regulations (16 CCR).

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

BPC section 4800.1 mandates that the protection of the public shall be the highest priority of the Board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount. BPC section 4808 authorizes the Board, in accordance with the Administrative Procedure Act (Government Code section 11400 et seq.), to adopt, amend, or repeal such rules and regulations as may be reasonably necessary to enable it to carry into effect the provisions of the Veterinary Medicine Practice Act (Practice Act) (BPC section 4800, et seq.).

16 CCR section 2043 hinders the Board’s ability to fulfill its consumer protection mandate by unnecessarily limiting its citation and fine authority to violations occurring “while engaged in the practice.” Many violations occur outside of actual practice, but the current language forces the Board to either close cases with clear violations and take no action or pursue disciplinary action.

This proposed regulatory action is intended to address that problem by removing this limiting language from existing regulation and thereby enhancing the Board’s enforcement mechanisms and consumer protection by incentivizing compliance for less egregious violations.

This regulatory proposal will amend 16 CCR section 2043 to allow the Board to utilize citations and administrative fines in line with their intended purpose: as an enforcement tool to incentivize compliance when violations warrant more than an educational letter but do not rise to the level of formal discipline. It eliminates the Board’s self-imposed limitation to violations by striking the language “while engaged in the practice of veterinary medicine” from the current regulation which will allow the Board to exercise the broader authority provided in BPC section 125.9 to issue citations for any violations of the Practice Act.

The proposal would also make minor grammatical and other technical clean-up changes to 16 CCR section 2043’s introduction and subdivision (e) to help ensure greater comprehension of the Board’s regulations and ensure consistency with how the monetary fine is represented in other subdivisions of this section.

ANTICIPATED BENEFITS OF PROPOSAL

This regulatory proposal will enhance consumer protection by allowing the Board to issue citations for minor violations instead of limiting the Board’s options to either closing cases with no action when clear violations occurred or pursuing formal discipline. Ci-

tations are less time-consuming and less costly for the Board and impacted licensees, and citations provide a more appropriate level of enforcement action for minor violations occurring outside the actual practice of veterinary medicine.

This regulatory proposal benefits the health, safety and welfare of California residents and their animals, because it strengthens the Board enforcement mechanisms and allows the Board to resolve less egregious violations in a more effective and efficient manner.

This regulatory proposal may improve worker safety as it would allow the Board to issue citations and fines for less egregious violations, many of which were created to promote worker safety, such as specific radiation safety protocols, equipment, and training.

This regulatory proposal does not affect the state’s environment.

CONSISTENCY AND COMPATIBILITY WITH
EXISTING STATE REGULATIONS

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

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: The Board anticipates annual workload and costs related to issuing approximately 50 additional citations per year, 5 appeals per year, and 2 cases per year requiring formal discipline with total costs of approximately \$37,582 per year and up to \$375,820 over a ten-year period.

The Board estimates citation and fine revenues of approximately \$37,500 per year and up to \$375,000 over a ten-year period.

The proposed regulations do not result in costs or savings in federal funding to the state. Please see the Initial Statement of Reasons for further information.

Nondiscretionary Costs/Savings to Local Agencies: None. While the Board provides licensure and regulates local animal hospitals, the Board does not anticipate issuing citations to these entities. As a result, the proposed regulations are not anticipated to result in a fiscal impact to local agencies.

Local Mandate: None

Cost to any Local Agency or School District for which Government Code Sections 17500–17630 Require Reimbursement: None

Business Impact Estimates: The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse

economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The following facts/relevant data were relied on in making the above determination:

- The regulations will only impact a small number of licensed veterinarians, registered veterinary technicians, and veterinary assistant–controlled substances permit holders for minor violations of the Practice Act as follows. There are approximately 15,400 veterinarians, 10,200 registered veterinary technicians, 9,000 veterinary assistant–controlled substance permit holders, and 4,200 premises registrations. The Board receives roughly 1,300 enforcement complaints and 160 conviction notifications per year. This proposal would only impact a small amount of those licensees who have had a complaint filed against them and the Board found minor violations that warrant more action than an educational letter but less action than formal discipline. The Board does not anticipate the creation or elimination of businesses as a result of the proposal.
- The Board anticipates approximately 50 additional citations will be issued per year as a result of the proposed regulations with an average fine amount of \$750 per citation, which would result in costs of approximately \$37,500 per year and up to \$375,000 over a ten–year period.
- The Board further anticipates approximately 5 individuals receiving a citation will appeal the action and 2 individuals will proceed with formal disciplinary action. The Board does not have a cost estimate related to an individual appealing a citation or proceeding with formal discipline at this time. Please see the Initial Statement of Reasons for further information.

Cost Impact on Representative Private Person or Business: The Board anticipates approximately 50 additional citations will be issued per year as a result of the proposed regulations with an average fine amount of \$750 per citation, which would result in costs of approximately \$37,500 per year and up to \$375,000 over a ten–year period. The Board further anticipates approximately 5 individuals receiving a citation will appeal the action and 2 individuals will proceed with formal disciplinary action. The Board does not have a cost estimate related to an individual appealing a citation or proceeding with formal discipline at this time.

Effect on Small Business: The Board has determined that the proposed regulations will not affect small businesses. The regulations will only impact a small number of licensed veterinarians, registered veterinary technicians, and veterinary assistant–controlled substances permit holders for minor viola-

tions of the Practice Act as described in the Business Impact Estimates section above.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses: The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses, or the elimination of jobs or existing businesses, or the expansion of businesses in the State of California because the proposed regulation will only impact a small number of licensees who commit minor violations of the Practice Act. In those cases, the licensees may be required to pay administrative fines, pursuant to 16 CCR section 2043. However, the fines assessed would be far less than the cost associated with defending disciplinary actions. While disciplinary actions may eliminate existing businesses, this proposal provides an alternative enforcement mechanism in the form of a citation and fine.

Benefits of Regulation: The Board has determined that this regulatory proposal will have the following benefits to health and welfare of California residents, and worker safety:

- This regulatory proposal benefits the health and welfare of California residents and their animals, because it strengthens the Board’s enforcement mechanisms, which will lead to more swift, effective, and efficient action. It will also incentivize compliance for minor violations of the Practice Act.
- This regulatory proposal may improve worker safety as it would allow the Board to issue citations and fines for less egregious violations, many of which were created to promote worker safety, such as specific radiation safety protocols, equipment, and training. It will also incentivize premises owners and managing licensees to follow the proper safety protocols that may take place while not engaged in the practice of veterinary medicine, including radiation education and training requirements for workers.

This regulatory proposal does not affect the state’s environment because it focuses on a specific enforcement mechanism for minor violations of the Practice Act.

Business Reporting Requirements: The regulatory action does not require businesses to file a report with the Board.

Significant Effect on Housing Costs: None.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must deter-

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

Any interested person may submit comments to the Board in writing relevant to the above determinations at 1747 North Market Boulevard, Suite 230, Sacramento, California 95834.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board at 1747 North Market Boulevard, Suite 30, Sacramento, California 95834.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described in this Notice, 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, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the person designated in this Notice as the Contact Person and will be mailed to those persons who submit written, or provide oral testimony if a hearing is requested, related to this proposal or who have requested notification of any changes to the proposal.

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

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

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Person named below or by accessing the website listed below.

CONTACT PERSONS

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

Name: Jeffrey Olguin
Address: Veterinary Medical Board
1747 North Market Boulevard, Suite 230
Sacramento, CA 95834
Telephone Number: 916-282-6893
Fax Number: 916-928-6849
E-Mail Address: jeffrey.olguin@dca.ca.gov

The backup contact person is:

Name: Timothy Rodda
Address: Veterinary Medical Board
1747 North Market Boulevard, Suite 230
Sacramento, CA 95834
Telephone Number: 916-318-6369
Fax Number: 916-928-6849
E-Mail Address: timothy.rodde@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Actions, the Initial Statement of Reasons, and the text of the regulations can be accessed through the Board's website at https://www.vmb.ca.gov/laws_regs/proposed_regs.shtml.

TITLE 16. CALIFORNIA BOARD OF ACCOUNTANCY

CONTINUING EDUCATION — TECHNICAL SUBJECTS, NANO AND BLENDED LEARNING, AND EXCEPTIONS AND EXTENSIONS

NOTICE IS HEREBY GIVEN that the California Board of Accountancy (CBA or Board) is proposing to take the action described in the Informative Digest,

after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

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

WRITTEN COMMENT PERIOD

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under *Contact Person* in this Notice, must be received by the CBA at its office no later than **5:00 p.m. on Tuesday, October 4, 2022**, or must be received by the CBA at the hearing, if a hearing is held. The CBA, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference:

Pursuant to the authority vested by sections 5010 and 5027 of the Business and Professions Code¹ (BPC) and to implement, interpret, or make specific sections 5026, 5027, 5028 and 5100 of the BPC, the CBA is considering changes to Division 1 of Title 16 of the California Code of Regulations² (CCR), as described herein.

INFORMATIVE DIGEST

A. *Informative Digest*

The CBA is a board within the Department of Consumer Affairs (DCA) responsible for regulation of the public accounting practice in California. The CBA proposes to amend sections 87, 88, 88.1, 88.2, 89, and 90 of title 16 of the CCR relating continuing education (CE).

¹ Unless otherwise specified, all sections refer to the Business and Professions Code.

² Unless otherwise specified, all California Code of Regulations sections refer to title 16.

The California Legislature has “determined it is in the public interest to require that certified public accountants and public accountants licensed under provisions of this chapter comply with CE requirements adopted by the board as a prerequisite to the renewal of public accountancy licenses.” (BPC section 5026.) To that end, the CBA is required to prescribe, amend, and repeal regulations related to various areas and requirements associated with CE, including basic requirements, number of hours required for license renewal, subject areas and matters, learning methodologies, provider requirements, and documentation. (BPC section 5027.) Further, the CBA may make exceptions from the CE requirements for certain licensees not engaged in the practice of accounting.

This proposal seeks to update and modernize the CBA’s CE requirements to include three new learning methodologies, add four technical subject areas for a wider variety of technical subject areas for which a licensee may earn CE credit, allow CE to be earned in increments, and include CE requirements that were inadvertently omitted from the CBA’s 2014 CE rulemaking. These proposed amendments will provide increased CE opportunities in a wider variety of technical subject areas to maintain or improve the competency of licensees in providing public accounting services to the benefit of California consumers.

B. *Policy Statement Overview/Anticipated Benefits of Proposal*

The California Legislature established the CBA with the regulation of the accounting profession, with an express purpose to protect consumers. This is reflected in the CBA’s mission statement: “To protect consumers by ensuring only qualified licensees practice public accountancy in accordance with established professional standards.”

Ensuring that licensees have access to a variety of quality CE that enhances or maintains their currency of knowledge supports the Legislature’s mandate and CBA’s consumer protection mission. The proposed amendments are anticipated to further the CBA’s consumer protection mandate by providing its licensees with increased flexibility in completing their CE by providing three additional learning methodologies, four additional subject areas, the opportunity to earn incremental CE credit, and include CE requirements that were inadvertently omitted from the CBA’s 2014 CE rulemaking. Further, the proposed amendments will help licensees understand that, if they qualify for an extension of time to complete their CE pursuant to CCR section 90(d), they will only need to complete four hours of Fraud CE as indicated in section 87(e), instead of eight hours.

C. Consistency and Compatibility with Existing State Regulations

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

INCORPORATION BY REFERENCE

- None.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: No federal funding is impacted by this proposal. The cost to the State is insignificant as the requirement that licensees completing CE must have a minimum of 80 hours remains unchanged. This proposal expands CE options for licensees and does not impact the number of CE hours required. The CBA currently reviews all renewal applications to ensure licensees have met the 80 hour CE requirement. When the CBA reviews information for CE it will continue to focus on the completion of 80 hours per licensee.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

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

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

The following studies/relevant data were relied upon in making the above determination:

This regulatory proposal does not change the number of CE hours licensees are required to complete nor does it limit the CE methods of delivery that licensees can use to meet the 80-hour CE requirement. In fact, it provides greater flexibility for licensees to select methods of delivery that may be less expensive and more convenient for their respective needs. Further, businesses that offer qualifying CE courses are not compelled to develop any of the new delivery methods proposed; however, course providers that do endeavor to develop CE courses using the new delivery methods may have increased sources of revenue.

Cost Impact on Representative Private Person or Business: The CBA is not aware of any cost impacts that a representative private person or business would

necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The CBA has determined that the proposed regulations would not affect small businesses. Licensees must already complete 80 hours of qualified CE and this proposal simply provides additional alternatives to completing the required hours. Further, businesses that offer qualifying CE courses are not compelled to develop or use any of the proposed learning methodologies.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS:

Impact on Jobs/Businesses:

The CBA has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California because the number of required education hours is not changing.

Business Reporting Requirements

The regulatory action does not require businesses to file a report with the Board.

Benefits of Regulation:

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

This regulatory proposal would update the CE requirements and approved methodologies, improving access to CE for licensees and modernizing the subject matters available for approved CE. This will generally improve the welfare of California residents by ensuring a high level of competency in the CBA’s licensee population, which in turn will improve the level of service offered to the public by those licensees. This proposal will not directly affect the health of California residents.

This regulatory proposal does not affect worker safety because it has nothing to do with worker safety.

This regulatory proposal does not affect the state’s environment because it has nothing to do with the environment.

CONSIDERATION OF ALTERNATIVES

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

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

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

**INITIAL STATEMENT OF
REASONS AND INFORMATION**

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the CBA at 2450 Venture Oaks Way, Suite 300, Sacramento, California 95833.

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

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

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

CONTACT PERSON

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

Name: Sarah Benedict
Address: 2450 Venture Oaks Way, Suite 300
Sacramento, CA 95833
Telephone Number: 916-561-4367
Fax Number: 916-263-3673
E-Mail Address: Regulations@cba.ca.gov

The backup contact person is:

Name: Michelle Center
Address: 2450 Venture Oaks Way, Suite 300
Sacramento, CA 95833
Telephone Number: 916-561-4376
Fax Number: 916-263-3673
E-Mail Address: Regulations@cba.ca.gov

Website Access: Materials regarding this proposal can be found at: <https://www.dca.ca.gov/cba/about-cba/pending-regs.shtml>.

GENERAL PUBLIC INTEREST

**DEPARTMENT OF
DEVELOPMENTAL SERVICES**

**PROPOSED RENEWAL OF HOME
AND COMMUNITY BASED SERVICES
(HCBS) 1915(c) WAIVER FOR THE
DEVELOPMENTALLY DISABLED**

It is the Department of Developmental Services' intent to seek renewal for the 1915(c) HCBS Waiver from the federal Centers for Medicare and Medicaid Services (CMS). This notice is to inform interested parties of the plan to submit the renewal by October 1, 2022 and allow the opportunity for feedback prior to submission.

A copy of the waiver can be found at <https://www.dds.ca.gov/initiatives/hcbs/>, or by visiting your local regional center.

Public comments will be considered through September 18, 2022. Comments or requests to review a hardcopy of the application can be submitted via email at federal.programs@dds.ca.gov or in writing to:

Department of Developmental Services
Federal Programs Division
Attention: Gloria Contreras-Chipman
1215 O Street MS 7-40
Sacramento, California 95814

**DEPARTMENT OF
DEVELOPMENTAL SERVICES**

**PROPOSED AMENDMENTS TO HOME
AND COMMUNITY BASED SERVICES
(HCBS) 1915(c) WAIVER FOR THE
DEVELOPMENTALLY DISABLED**

This notice provides information of public interest that the Department of Health Care Services (DHCS) intends to submit a Home and Community Based Services Waiver (HCBS) amendment for federal approval. This is an amendment to the California Medicaid 1915(c) Developmental Disabilities Waiver to implement rate changes funded in the 2022-23 budget act and informed by the 2019 service provider rate study.

Under the Lanterman Developmental Disabilities Services Act (Lanterman Act), Welfare & Institutions (W&I) Code section 4500 et seq., people with developmental disabilities, as defined in W&I Code section 4512(a), are eligible to receive services and supports that meet their individual needs and choices. The Department of Developmental Services (DDS) administers the Lanterman Act.

Pursuant to Welfare and Institutions Code Section 4519.8, the Department of Developmental Services (DDS) submitted a rate study to the Legislature in March 2019. The rate study included proposed rate models and payment methodologies for services. The rate models were developed for specific services that include specific assumptions related to the various costs associated with delivering each service, including direct care worker wages, benefits, and ‘productivity’ (i.e., billable time); staffing ratios; mileage; facility expenses; and agency program support and administration. The rate study covered services with rates established under the median rate, cost statement, the Alternative Residential Model, as well as rates set in statute or regulation.

The California Budget Act of 2022 (SB–154) provided funding to begin the second phase of implementation of the rate models as described in the 2019 Rate Study in order to address the sustainability, quality, and transparency of community–based services for individuals with developmental disabilities. This proposed HCBS Waiver amendment provides rate increases effective January 1, 2023 for specified service providers as described in Appendix I of the proposed amendment. These changes will not result in any rate decreases.

The aggregate fiscal impact of this amendment is estimated to be \$188,531,000 in waiver year 5.

Full implementation of the rate models will occur by July 1, 2025. Subsequent HCBS waiver amendments will be submitted to address these changes.

All proposed HCBS Waiver amendments are subject to approval by the Centers for Medicare and Medicaid Services (CMS).

DHCS plans to submit the proposed waiver amendment to CMS by October 1, 2022 for a proposed effective date of January 1, 2023.

A copy of the proposed waiver amendment will be posted at <https://www.dds.ca.gov/initiatives/hcbs/>. You may also request a copy of the proposed amendment by writing to the mailing or email addresses listed below, or by visiting your local regional center.

Comments will be accepted for 30 days from the release date. Any written comments concerning this notice, or the proposed waiver amendment may be sent to:

Department of Developmental Services
Federal Programs Division
Attention: Jonathan Hill
1215 O Street
Sacramento, California 95814

Comments may also be e–mailed to federal.programs@dds.ca.gov. Please indicate ‘HCBS Waiver’ in the subject line or message.

A copy of submitted public comments may be requested in writing at the mailing or email addresses above.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF EXTENSION OF WRITTEN COMMENT PERIOD

On February 11, 2022, the Office of the State Fire Marshal (OSFM) published a Notice of Proposed Rulemaking concerning the Regulations Relating to Flame Retardant Chemicals, Fabrics, and Application Concerns (California Regulatory Notice Register 2022, Number 6–Z, February 11, 2022, page 130.)

The initial written comment period deadline for this action ended March 29, 2022.

The Department is now extending the written comment deadline to August 19, 2022, through September 4, 2022.

After the initial 45 Day Public Comment period, the OSFM added detailed descriptions of the program applications to the Initial Statement of Reasons (ISOR). There are no changes to the fee amounts or technical content of the program application forms.

The Notice of Extension of the Written Comment Period, Addendum to the Initial Statement of Reasons, and Express Text of Regulations for this rulemaking can be accessed on the Office of the State Fire Marshal website: <http://osfm.fire.ca.gov/divisions/code-development-and-analysis/title-19-development/> under the tab titled: (FR) Flame Retardant Chemicals and Fabrics

Please submit all written comments or questions to:

Eireann Flannery
CAL FIRE/Office of the State Fire Marshal
715 P Street, Suite 900
Sacramento, CA 95814
Title19Regulations@fire.ca.gov
Phone: (916) 531–7650

**DEPARTMENT OF FISH AND
WILDLIFE**

FISH AND GAME CODE SECTION 1653
CONSISTENCY DETERMINATION
REQUEST FOR
UPPER SOUTH FORK EEL RIVER
INSTREAM LARGE WOOD HABITAT
ENHANCEMENT PROJECT
(TRACKING NUMBER:
1653-2022-097-001-R1)
MENDOCINO COUNTY

California Department of Fish and Wildlife (CDFW) received a Request to Approve on 8/4/2022, that Trout Unlimited proposes to carry out a habitat restoration or enhancement project pursuant to Fish and Game Code section 1653. The proposed project involves installing 115 pieces of large wood within one mile of instream habitat to create habitat features. The proposed project will be carried out on the Upper South Fork Eel River, west of the town of Branscombe, Mendocino, California.

On 6/8/2022, the North Coast Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) to comply with the terms of, and obtain coverage under, the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Upper South Fork Eel River Instream Large Wood Habitat Enhancement Project. The Regional Water Board determined that the Project, as described in the NOI, was categorically exempt from California Environmental Quality Act (CEQA) review (section 15333 — Small Habitat Restoration Projects) and met the eligibility requirements for coverage under the General 401 Order. The Regional Water Board issued a Notice of Applicability (WDID Number 1B22078WNME; ECM PIN Number CW-881674) for coverage under the General 401 Order on 8/3/2022.

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

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

**DEPARTMENT OF FISH AND
WILDLIFE**

FISH AND GAME CODE SECTION 1653
CONSISTENCY DETERMINATION
REQUEST FOR
UPPER SUGAR CREEK ACCELERATED
WOOD RECRUITMENT PROJECT — PHASE II
(TRACKING NUMBER:
1653-2022-098-001-R1)
SISKIYOU COUNTY

California Department of Fish and Wildlife (CDFW) received a Request to Approve on 8/5/2022, that the Scott River Watershed Council proposes to carry out a habitat restoration or enhancement project pursuant to Fish and Game Code section 1653. The proposed project builds upon Phase I of the project and will install an additional 7 wood structures in the stream. The proposed project will be carried out on the Upper Sugar Creek, Scott Valley, Siskiyou, California.

On 7/13/2022, the North Coast Regional Water Quality Control Board (Regional Water Board) received a request to amend the Notice of Applicability issued 9/21/2021 for coverage under the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Upper Sugar Creek Accelerated Wood Recruitment Project. The Regional Water Board determined that the Project, as described in the amendment request, was categorically exempt from California Environmental Quality Act (CEQA) review (section 15333 — Small Habitat Restoration Projects) and met the eligibility requirements for coverage under the General 401 Order. The Regional Water Board issued an Amendment to the Notice of Applicability (WDID Number 1A21191WNSI; ECM PIN Number CW-876225) for coverage under the General 401 Order on 8/3/2022.

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

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

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

ANNOUNCEMENT OF AVAILABILITY OF
A SECOND DRAFT TECHNICAL SUPPORT
DOCUMENT FOR PROPOSED PUBLIC
HEALTH GOALS FOR HALOACETIC ACIDS
IN DRINKING WATER

The Office of Environmental Health Hazard Assessment (OEHHA) of the California Environmental Protection Agency is announcing the release of a second draft document for public review describing proposed Public Health Goals (PHGs) for the five regulated haloacetic acids (HAAs) found in drinking water as a result of disinfection methods: monochloroacetic acid (MCA), dichloroacetic acid (DCA), trichloroacetic acid (TCA), monobromoacetic acid (MBA), and dibromoacetic acid (DBA).

A PHG is the level of a drinking water contaminant at which adverse health effects are not expected to occur from a lifetime of exposure. The California Safe Drinking Water Act of 1996¹ requires OEHHA to develop PHGs based exclusively on public health considerations.² PHGs published by OEHHA are considered by the State Water Resources Control Board in setting drinking water standards (Maximum Contaminant Levels, or MCLs) for California.³

The technical support document, posted on the OEHHA website (<https://oehha.ca.gov/water>), presents the scientific information available on the toxicity of the HAAs and the calculation of the proposed PHGs. The proposed PHGs of 0.2 parts per billion (ppb) for DCA, 0.1 ppb for TCA, and 0.03 ppb for DBA are based on carcinogenicity and are set at a level of risk of one additional cancer case per one million persons exposed over a 70-year lifetime. The proposed PHGs of 53 ppb for MCA and 25 ppb for MBA are based on noncancer health effects. The draft document also presents health-protective drinking water concentrations for noncancer health effects for DCA, TCA, and DBA.

The draft technical support document was released for a 90-day public comment period in January 2020 and underwent an external scientific peer review that was completed September 2020. The draft technical support document has been revised per public and peer review comments and is being released for a second public comment that begins August 19, 2022 and ends September 18, 2022.

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

² Health and Safety Code, section 116365(c).

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

The public is encouraged to submit written comments via OEHHA's website, rather than in paper form. Comments may be submitted electronically through the following link: <https://oehha.ca.gov/comments>.

Hardcopy comments may be mailed, faxed, or hand-delivered to the address below. Any written comments concerning this draft PHG document, regardless of the form or method of transmission, must be received by the PHG program by September 18, 2022, to be considered.

Following the public comment period, OEHHA will evaluate all the comments received and revise the document as appropriate. The final document will be posted on the OEHHA website along with responses to the external peer review comments and to major comments received during the two public comment periods.

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

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

PETITION DECISIONS

**DEPARTMENT OF RESOURCES
RECYCLING & RECOVERY**

August 4, 2022
Leonard Lang
1713 Mimosa Lane
Euless, TX 76039

Via email: lang@recyclingandregulation.com

Dear Mr. Lang:

Thank you for your letter of July 5, 2022, petitioning for the amendment of regulations promulgated and enforced by the Department of Resources Recycling and Recovery (Department). This Petition is being tracked by the Department as **Petition for Rulemaking Number 2022-07-05**. The Department has accepted your petition for rulemaking under Government Code sections 11340.6 and 11340.7. The Department is granting the petition.

Senate Bill Number 63 (Strickland), Chapter 21, Statutes of 2009, (Legislation) created the Department of Resources Recycling and Recovery by merging the

statutory duties and functions of the Integrated Waste Management Board with the administration of the Division of Recycling.

Your petition requests the Department to amend its regulations to remove any mention of the Department of Conservation and replace with the Department of Resources Recycling and Recovery in Department regulations to reflect the change introduced by this Legislation.

While this is not strictly necessary for the efficacy of these regulations as the name, Department of Conservation, is superseded by the senate bill signed into law, the Department agrees that this will enhance clarity for any interested person referencing the Department's regulations.

The Department is granting your petition to the extent that these changes can be accomplished by a publishing conducted pursuant to Section 100 of Title 1 of the California Code of Regulations.

The Department has the authority to adopt, amend, and repeal regulations related to the Act pursuant to Public Resources Code sections 14530.5 and 14536. In accordance with Government Code section 11340.7(d), a copy of this letter is being transmitted to the Office of Administrative Law for publication in the California Regulatory Notice Register. The agency contact person on this matter and the person from whom a copy of the petition may be obtained is Craig Castleton, Regulations Unit, 1001 I Street, MS-24B, Sacramento, California 95814, regulations@calrecycle.ca.gov, (916) 322-0879.

Please direct any further communications regarding this petition or other petitions for rulemaking to the Regulations Unit at regulations@calrecycle.ca.gov.

Thank you for bringing this issue to my attention and for suggesting a solution.

Sincerely,

/s/

Rachel Wagoner
Director

**DEPARTMENT OF RESOURCES
RECYCLING AND RECOVERY**

August 8, 2022

Leonard Lang
1713 Mimosa Lane
Eules, TX 76039

Via email: lang@recyclingandregulation.com

Dear Mr. Lang:

Thank you for your letter of July 8, 2022, petitioning for the amendment of regulations relating to the Beverage Container Recycling Program. This Petition is being tracked by the Department of Resources Recycling and Recovery (Department) as **Petition for**

Rulemaking Number 2022-07-08A. The Department has accepted your petition for rulemaking under Government Code sections 11340.6 and 11340.7. The Department is denying the petition.

The Beverage Container Recycling and Litter Reduction Act (Act) (Pub. Res. Code, Div. 12.1, commencing with §14500) requires recycling centers submit claims using the Division of Recycling Integrated Information System (DORIIS) or other system designated by the Department for reporting. (Pub. Res. Code § 14553(b).) The Department's regulations require recycling centers to submit claims to a processor in a specified format. (Cal. Code Regs., title 14, § 2530.) Claims may be submitted electronically. (Cal. Code Regs., title 14, § 2090(b).)

Your petition requests the adoption of procedures to ensure there is an adequate backup system for recycling centers and processors to make claims for reclaimed material when it is not possible to electronically submit claims.

When DORIIS is down and electronic submission of claims is not possible, paper forms may be used to submit claims by recycling centers and processors, pursuant to section 2530 of Title 14 of the California Code of Regulations. The current regulations already allow for this process and a rulemaking is not necessary.

The Department has the authority to adopt, amend, and repeal regulations related to the Act pursuant to Public Resources Code sections 14530.5 and 14536. In accordance with Government Code section 11340.7(d), a copy of this letter is being transmitted to the Office of Administrative Law for publication in the California Regulatory Notice Register. The agency contact person on this matter and the person from whom a copy of the petition may be obtained is Craig Castleton, Regulations Unit, 1001 I Street, MS-24B, Sacramento, California 95814, regulations@calrecycle.ca.gov, (916) 322-0879.

Please direct any further communications regarding this petition or other petitions for rulemaking to the Regulations Unit at regulations@calrecycle.ca.gov.

Sincerely,

/s/

Rachel Machi Wagoner
Director

**DEPARTMENT OF RESOURCES
RECYCLING AND RECOVERY**

August 8, 2022

Leonard Lang
1713 Mimosa Lane
Eules, TX 76039

Via email: lang@recyclingandregulation.com

Dear Mr. Lang:

Thank you for your letter of July 8, 2022, petitioning for the amendment of regulations relating to the Beverage Container Recycling Program. This Petition is being tracked by the Department of Resources Recycling and Recovery (Department) as **Petition for Rulemaking Number 2022-07-08B**. The Department has accepted your petition for rulemaking under Government Code sections 11340.6 and 11340.7. The Department is denying the petition.

The Beverage Container Recycling and Litter Reduction Act (Act) (Pub. Res. Code, Div. 12.1, commencing with § 14500) authorizes the Department to establish and implement an auditing system to ensure compliance with the Act. (Pub. Res. Code § 14552.)

Your petition requests the adoption of procedures in regulation to establish standards for auditing. Further, you suggest using the “Yellow Book” and various sections of the Auditing Manual for the Board of Equalization as examples or standards to adopt.

First, the Yellow Book standards apply to financial and performance audits of government agencies. The participants subject to audit by the Department are private entities. Thus, the Yellow Book standards are inappropriate to Department audits.

Additionally, the Department notes that subdivision (e) of section 11340.9 of the Government Code specifically exempts “criteria or guidelines to be used by the staff of an agency in performing an audit, investigation, examination, or inspection...” from needing to be promulgated pursuant to the Administrative Procedures Act. For these reasons, the Department denies your petition.

The Department has the authority to adopt, amend, and repeal regulations related to the Act pursuant to Public Resources Code sections 14530.5 and 14536. In accordance with Government Code section 11340.7(d), a copy of this letter is being transmitted to the Office of Administrative Law for publication in the California Regulatory Notice Register. The agency contact person on this matter and the person from whom a copy of the petition may be obtained is Craig Castleton, Regulations Unit, 1001 I Street, MS-24B, Sacramento, California 95814, regulations@calrecycle.ca.gov, (916) 322-0879.

Please direct any further communications regarding this petition or other petitions for rulemaking to the Regulations Unit at regulations@calrecycle.ca.gov.

Sincerely,

/s/
Rachel Machi Wagoner
Director

**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 Corrections and Rehabilitation
File # 2022-0627-02
Inmate Credit Earning

In this action, the Department of Corrections and Rehabilitation makes permanent, without change, emergency amendments to regulations concerning inmate credit earning.

Title 15
Amend: 3043, 3043.2, 3043.3, 3043.4, 3043.5, 3043.6, 3044, 3045.1, 3043.7 (renumbered to 3044.1), 3043.8 (renumbered to 3044.2), 3046 (unchanged—shown for reference), 3047 (renumbered to 3046.1)
Filed 08/08/2022
Effective 08/08/2022
Agency Contact: Josh Jugum (916) 445-2266

California Pollution Control Financing Authority
File # 2022-0725-06
California Capital Access Program for Small Business

This emergency action removes the recapture mechanism that recycles contributions supporting future loan enrollments in the Capital Access Loan Program (CalCAP) for Small Business. This emergency is deemed pursuant to Health and Safety Code section 44520(b).

Title 04
Amend: 8070, 8072, 8073
Filed 08/04/2022
Effective 08/04/2022
Agency Contact: Kamika McGill (916) 653-0289

Department of Social Services
File # 2022-0729-01
CCL Adult and Senior Care Facilities: Infection
Control Requirements

This emergency readopt action by the Department of Social Services (CDSS) adopts and amends requirements for licensed community care facilities to have a specific infection control plan to be included in their plan of operation that will be approved by the Community Care Licensing (CCL) Division of CDSS. The infection control plan shall include training requirements, designated staff lead for infection control, and documentation requirements.

Title 22, MPP
Adopt: 81095.5, 82095.5, 85092.7, 85095.5, 87470, 87895.5
Amend: 80022, 80065, 80092, 81001, 81022, 81065, 81092.7, 82001, 82022, 82065, 82092.7, 85022, 85075.1, 85090 renumbered to 85096, 85090.1 renumbered to 85096.1, 85090.2 renumbered to 85096.2, 85091 renumbered 85097, 85091.1 renumbered to 85097.1, 85091.2 renumbered to 85097.2, 85091.3 renumbered to 85097.3, 85091.4 renumbered to 85097.4, 85092 renumbered to 85098, 85093 renumbered to 85099, 87101, 87208, 87411, 87465, 87629, 87822, and 87865
Repeal: 80092.7
Filed 08/08/2022
Effective 08/08/2022
Agency Contact: Everardo Vaca (916) 657-2363

California Tax Credit Allocation Committee
File # 2022-0727-01
CTCAC Regulations Implementing Federal and State LIHTC Laws

The California Tax Credit Allocation Committee's (CTCAC) request that the Office of Administrative Law (OAL) file with the Secretary of State and print in the California Code of Regulations amendments to the Low-Income Housing Tax Credit Program (LIHTC) is granted. Pursuant to Health and Safety Code section 50199.17(a), these amendments are exempt from the rulemaking requirements of the Administrative Procedure Act so long as the CTCAC has complied with Health and Safety Code section 50199.17(b). CTCAC has certified to OAL that it complied with Health and Safety Code section 50199.17(b) in adopting these amendments.

Title 04
Amend: 10305, 10315, 10317, 10322, 10325, 10326, 10327, 10328, 10330, 10337
Filed 08/08/2022
Effective 07/20/2022
Agency Contact: Anthony Zeto (916) 214-6581

New Motor Vehicle Board
File # 2022-0719-05
Conflict-of-Interest Code

OAL filed this regulation with the Secretary of State and will publish the regulation in the California Code of Regulations.

Title 13
Amend: 599
Filed 08/09/2022
Effective 09/08/2022
Agency Contact:
Danielle R. Phomsopha (916) 327-3129

Board of Registered Nursing
File # 2022-0627-01
Requirements for Clinical Practice Experience for
Nurse Practitioner

In this action for non-substantive changes to the CCR, the Board of Registered Nursing requests that subsections within 16 CCR 1486 be moved and renumbered. The Board also requests that portions of the text be deleted.

Title 16
Amend: 1486
Filed 08/08/2022
Agency Contact: Marissa Clark (916) 574-7438

California Coastal Commission
File # 2022-0701-03
Annual Increases to Permit Fees & Major Public
Works Threshold

This action by the California Coastal Commission makes changes without regulatory effect to adjust the threshold amount to qualify as a major public works or energy project and the fees for permit applications and other filings.

Title 14
Amend: 13012; 13055
Filed 08/10/2022
Agency Contact: Claire Wilkens (760) 419-8607

Board of Behavioral Sciences
File # 2022-0624-01
Continuing Education and Additional Coursework

This rulemaking action by the Board of Behavioral Sciences amends and repeals regulations regard-

ing continuing education and additional coursework requirements.

Title 16
 Adopt: 1810.5
 Amend: 1807, 1807.2, 1810, 1887, 1887.1, 1887.2, 1887.3, 1887.4.0, 1887.4.1, 1887.4.2, 1887.4.3, 1887.11.0
 Repeal: 1810.1, 1810.2, 1887.4, 1887.7, 1887.8, 1887.9, 1887.10, 1887.11, 1887.15
 Filed 08/08/2022
 Effective 07/01/2023
 Agency Contact: Christy Berger (916) 574-7995

Board of Pharmacy
 File # 2022-0622-03
 Notification of Temporary Closure

The action requires pharmacies to notify the Board of Pharmacy of temporary closures.

Title 16
 Adopt: 1708.1
 Filed 08/04/2022
 Effective 10/01/2022
 Agency Contact: Lori Martinez (916) 518-3078

Commission on Peace Officer Standards and Training
 File # 2022-0622-05
 POSAAB & Commission Regulations — SB 2

Penal Code section 13509.6 (added by Stats. 2021, chapter 409, §9) established the Peace Officer Standards Accountability Advisory Board (POSAAB or the “Board”). The Board is required to hold public meetings to review the findings after an investigation made by the Peace Officer Standards Accountability Division (the “Division”) and to make a recommendation to the Commission on Peace Officer Standards and Training (the “Commission” or “POST”). The Commission is required to review the recommendation made by the Board based on whether there is evidence that reasonably supports the Board’s conclusion that misconduct has been established and, if action is to be taken against an officer’s certification, return the determination to the Division to commence formal proceedings consistent with the Administrative Procedure Act. In this regular rulemaking, POST is adopting regulations establishing and specifying the Commission’s process for reviewing the recommendation by the Board, including hearing procedures.

Title 11
 Adopt: 1212
 Filed 08/04/2022
 Effective 10/01/2022
 Agency Contact: Michelle Weiler (916) 227-4870

Commission on Peace Officer Standards and Training
 File # 2022-0629-03
 Senate Bill 2 Amendments: Peace Officer Employment Status
 Notification and Certification

In this regular rulemaking, the Commission on Peace Officer Standards and Training is amending regulations regarding conditions for continuing employment as a peace officer. These requirements pertain to obtaining a Proof of Eligibility under specified circumstances.

Title 11
 Amend: 1012
 Filed 08/10/2022
 Effective 10/01/2022
 Agency Contact: Michelle Weiler (916) 227-4870

Office of Emergency Services
 File # 2022-0621-02
 Telecommunication Outages

This action amends regulations requiring telecommunication service providers to provide notifications of community isolation outages. Specifically, it reduces the threshold reporting requirement from 50 percent to 25 percent of a carrier’s coverage area in a single zip code and it requires providers to post public outage maps on their internet website.

Title 19
 Amend: 2480.2, 2480.3
 Filed 08/03/2022
 Effective 10/01/2022
 Agency Contact: Beth Abdallah (916) 952-9449

California Architects Board
 File # 2022-0622-01
 Requirements — Approved Extension Certificate Program

The California Architects Board in this resubmittal (2021-1227-03S) is making changes to the landscape architect extension certificate program to require a program to provide instruction on current California statutes and regulations covering the environment, landscape architecture, and water conservation. Additionally, this action establishes an application process for a program to apply for Board approval for a certificate program. Approval requires submittal of a self-evaluation report followed by a site visit and/or review of the program seeking approval. The Board can approve an application for a six-year term or provisionally approve for a two-year term. If the Board denies an application there is an appeal process.

Title 16
Amend: 2620.5
Filed 08/04/2022
Effective 10/01/2022
Agency Contact: Kourtney Nation (916) 575-7237

Department of Justice
File # 2022-0623-02
Racial and Identity Profiling Act of 2015

This rulemaking by the California Department of Justice makes amendments to regulations implementing California's Racial and Identity Profiling Act of 2015, relating to the collection and reporting of stop data pursuant to Government Code section 12525.5.

Title 11
Amend: 999.224, 999.225; 999.226, 999.227, 999.228
Filed 08/05/2022
Effective 08/05/2022
Agency Contact: Marlon Martinez (213) 269-6437

Office of Environmental Health Hazard Assessment
File # 2022-0622-06
Proposition 65 Clear and Reasonable Warnings — Cannabis and THC

The Office of Environmental Health Hazard Assessment ("OEHHA") is the lead agency that implements the Safe Drinking Water and Toxic Enforcement Act of 1986 (Health and Safety Code section 25249.5 et seq.) (the "Act"). The Act requires that businesses provide a clear and reasonable warning before they cause an exposure to a chemical listed as known to the state to cause cancer or reproductive toxicity. (Health & Safety Code §25249.6.) In this regular

rulemaking, OEHHA is adopting safe harbor warnings to address the methods of transmission and the content of warnings for exposure to cannabis smoke and delta-9-tetrahydrocannabinol.

Title 27
Adopt: 25607.38, 25607.39, 25607.40, 25607.41, 25607.42, 25607.43, 25607.44, 25607.45, 25607.46, 25607.47
Filed 08/04/2022
Effective 10/01/2022
Agency Contact: Monet Vela (916) 323-2517

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

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