



California Regulatory Notice Register

REGISTER 2024, NUMBER 52-Z

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Dated
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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

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

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: Pioneer Community Energy
Caliber Public Schools

A written comment period has been established commencing on December 27, 2024, and closing on February 10, 2025. Written comments should be directed to the Fair Political Practices Commission, Attention Belen Cisneros, 1102 Q Street, Suite 3050, Sacramento, California 95811.

At the end of the 45-day comment period, the proposed conflict-of-interest will be submitted to the Commission's Executive Director for their review, unless any interested person or their duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest, proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon their own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments, or comments, in writing to the Executive

Director of the Commission, relative to review of the proposed conflict-of-interest. Any written comments must be received no later than February 10, 2025. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses, or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code-reviewing body for the above conflict-of-interest codes shall approve codes as submitted, revise the proposed code, and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict-of-interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict-of-interest should be made to Belen Cisneros, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email bcisneros@fppc.ca.gov.

AVAILABILITY OF PROPOSED CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Belen Cisneros, Fair Political Practices Commission, 1102 Q Street,

Suite 3050, Sacramento, California 95811, or email bcisneros@fppc.ca.gov.

TITLE 5. STUDENT AID COMMISSION

MIDDLE CLASS SCHOLARSHIP PROGRAM

NOTICE IS HEREBY GIVEN that the California Student Aid Commission (Commission) proposes to adopt the proposed regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

A public hearing regarding this proposal is currently not scheduled. However, any interested person or duly authorized representative may request, no later than 15 days before the close of the written comment period that a public hearing be scheduled.

WRITTEN COMMENT PERIOD AND SUBMITTAL OF COMMENTS

Notice is also given that any interested person, or their authorized representative, may submit written comments relevant to the proposed regulatory action to:

California Student Aid Commission
Attention: Synequeen Alasa-as, Legal Services
P.O. Box 419026
Rancho Cordova, CA 95741

Comments may also be submitted by facsimile (FAX) at (916) 464–6411 or by email to Rulemaking@csac.ca.gov. The public comment period for this regulatory action will **begin on Friday, December 27, 2024**. Comments must be **submitted by Monday, February 10, 2025**, to be considered.

AUTHORITY AND REFERENCE

This document presents the California Student Aid Commission's (Commission) proposed regulations to implement the Middle Class Scholarship (MCS) Program, in accordance with the provisions of Education Code Sections 70020–70023 (*Article 22 added by Stats. 2013, Ch. 50, Sec. 2.*). Amended by Stats. 2023, Ch. 50, Sec. 9. (*SB 117 Effective July 10, 2023.*).

Assembly Bill 94, enacted in 2013, established the MCS Program under the administration of the Commission. The MCS was established to provide scholarships for new and continuing undergraduate students with family incomes and assets under the specified ceilings for the academic year who were not already receiving federal, state, or institutional grants

that exceeded 40% of the charged mandatory system-wide tuition/fee amount. The 2021–22 state budget introduced significant changes to the MCS Program. Starting with the 2022–23 academic year, going from a tuition/fee model to a cost of attendance model. The annual appropriation amount for the MCS Program is determined in the Annual Budget Act.

Under the new model, MCS awards are determined based on the difference between the student's cost of attendance and the sum of the following amounts:

- (i) Other federal, state, and institutionally administered student scholarships, grants, or fee waivers.
- (ii) The amount of private grants and scholarships awarded to the student, and institutionally awarded emergency housing funds and other basic needs emergency assistance awarded to the student, including emergency assistance awarded by an institution-based foster youth support program, in excess of the sum of the amounts in clauses (iii) and (iv).
- (iii) Seven thousand eight hundred ninety-eight dollars (\$7,898), reflecting an expected student contribution toward cost of attendance from work earnings or other resources.
- (iv) For dependent students with an annual household income exceeding one hundred thousand dollars (\$100,000), 33 percent of the parents' contribution from adjusted available income, as determined using the federal methodology established by Title IV of the federal Higher Education Act of 1965, as amended (20 U.S.C. Sec. 1087 mm et seq.), and applicable rules and regulations adopted by the Commission.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The proposed regulations were developed by Commission staff to address the required policies, processes, and procedures necessary to administer the MCS Program on behalf of undergraduate students. The regulations would primarily apply to college financial aid administrators. MCS is currently only offered at the University of California (UC), California State Universities (CSU), and select California Community Colleges (CCC) that offer a baccalaureate program.

The proposed regulations were developed to implement the Commission's MCS Program and to satisfy these amendments to the Education Code. The Commission carried out a search of existing regulations and has determined that the proposed regulations are not inconsistent or incompatible with any existing State regulations.

Finally, the California legislature has given the Commission direct authority to adopt proposed regulations. Education Code Section 70023(g) states: “The commission may adopt regulations it deems necessary for the implementation of this article.”

Objectives and Benefits of the Proposed Regulation

The MCS Program continues to benefit the State and residents of California by reducing students’ total cost of attendance, increase California resident undergraduate enrollment, and supports college affordability at California’s postsecondary education systems. The proposed regulations will particularly benefit the State’s higher education institutions by clarifying how program funds should be processed and administered.

Evaluation of Inconsistency or Incompatibility with Existing State Regulations

After conducting a review of any related regulations in this area, the Commission has determined that no other regulations exist concerning the MCS. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Commission has made the following initial determinations:

Mandate on Local Agencies and School Districts:

None.

Fiscal Impact Estimates:

This proposal does not impose costs on any local agency or school district for which reimbursement would be required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. This proposal does not impose other nondiscretionary costs or savings on local agencies. This proposal does not impose any additional costs or savings to any State agency. This proposal does not result in any cost or savings in federal funding to the state. With respect to potential costs or savings to State agencies, the California Student Aid Commission may incur minor absorbable costs relative to preparing the proposed regulations.

Housing Cost:

None.

Cost Impact on Representative Private Person or Business:

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

Other Business Impacts:

The proposal does not affect small businesses as defined by California Government Code section 11342.610 because the regulations apply to college fi-

nancial administrators and is currently only offered to UC and CSU and select community colleges.

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

The Commission has determined that there will be no significant adverse impact on any California businesses as participation in Middle Class Scholarship Program (MCS) is limited to public institutions: University of California, California State University, and California Community College bachelor programs. No private institutions are eligible to participate in MCS and as such, no private sector businesses, employees, or individuals are required to participate in this program. In fact, the MCS Program is likely to have a positive effect on California businesses because more students in higher education will have an increased ability to pursue college education and increase economic participation in their communities. Students will need to borrow less for their education, freeing up funds for future expenditures such as rent and mortgage payments, cars, and consumer products.

Results of the Economic Impact Analysis:

Impact on Jobs/New Businesses:

The Commission has concluded that this proposal will not:

- a) create jobs within California;
- b) eliminate jobs within California;
- c) create new businesses within California;
- d) eliminate existing businesses within California; and,
- e) expand businesses currently doing business in the State of California.

The proposed regulations’ benefits to the health and welfare of California residents, worker safety, and the state’s environment: The proposed regulations will benefit the health and welfare of California residents, specifically, as stated above (under “Objectives and Benefits of the Proposed Regulation”), reducing students’ total cost of attendance, increasing California resident enrollment, and supporting college affordability at California’s postsecondary education systems. The proposed regulations are not expected to affect worker safety or the state’s environment.

FEDERAL MANDATE

The proposed regulation would only apply within California and specifically to public officials of the Commission. The provisions of the proposed regulations would neither affect nor conflict with any federal regulations, or federal education and programs.

CONSIDERATION OF ALTERNATIVES

The Commission 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. The Commission invites interested parties to submit statements or arguments with respect to alternatives to the proposed regulatory action during the written comment period or at the public hearing.

CONTACT PERSONS

Inquiries concerning the proposed adoption of the regulations and written comments may be directed to:

Synequeen Alasa—as
California Student Aid Commission
11120 International Drive, Suite 100
Rancho Cordova, CA 95670
Telephone: (916) 464–6411
Fax: (916) 464–6411
Email: salasa-as@csac.ca.gov

The back-up contact person for these inquiries is:

Anna Manuel
California Student Aid Commission
11120 International Drive, Suite 100
Rancho Cordova, CA 95670
Telephone: (916) 464–8135
Fax: (916) 464–8135
Email: amanuel@csac.ca.gov

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

The Commission will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office listed at the address above. As of the date this notice is published, the rulemaking file consists of this notice, the proposed text of regulations, the initial statement of reasons, an economic and fiscal analysis, and other reference information upon which the proposed rulemaking is based. Copies may be obtained by making a written request to Synequeen Alasa—as.

These documents may also be viewed and downloaded from the Commission's Web site at <https://www.csac.ca.gov/proposed-regulations-rulemaking-documents>.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Commission may adopt the proposed regulations substantially as described in this notice. If the Commission makes modifications which are sufficiently related to the originally proposed text, it will make the modified text, with changes clearly indicated, available to the public for at least 15 days before the Commission adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Synequeen Alasa—as at the above address. The Commission 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 making a written request to Synequeen Alasa—as at the above address.

WEBSITE ACCESS

Materials regarding this proposal can be found at <https://www.csac.ca.gov/proposed-regulations-rulemaking-documents>.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

HABITAT RESTORATION AND ENHANCEMENT ACT

CONSISTENCY DETERMINATION NUMBER 1653–2024–151–001–R1

Project: Redding Riffle Spawning Habitat Project
Location: Shasta County
Applicant: John Hannon (U.S. Bureau of Reclamation)
Notifier: Jeff Souza (Tehama Environmental Solutions)

Background

Project Location: The Redding Riffle Spawning Habitat Project (Project) is located adjacent to, and within the Sacramento River, upstream of the Sun-

dial Bridge at the Riverfront Park in Redding, Shasta County, California, at a property owned by the City of Redding, Assessor Parcel Numbers (APN) 102–040–021, 102–040–019, and 102–040–018, and affects the Sacramento River. The Sacramento River supports populations of spring–run, winter–run, fall–run, and late fall–run Chinook Salmon (*Oncorhynchus tshawytscha*).

Project Description: The U.S. Bureau of Reclamation (Applicant) proposes to enhance or restore habitat within the Sacramento River to provide a net conservation benefit for spring–run, winter–run, fall–run, and late fall–run Chinook Salmon.

The purpose of the Project is to enhance adult spawning and juvenile rearing habitat. This will be accomplished by the addition of 7,000 cubic yards (cy) of spawning gravel to the Project area, 1,700 cy of spawning gravel will be used to construct the in–river access road, which will be spread in place following construction. The remaining 5,300 cy of spawning gravel will be used to construct the gravel augmentation zone. This area will also be excavated to create “berms” adjacent to the excavations to help retain the smaller spawning gravel as river flows fluctuate. A total of 800 cy of existing riverbed gravel will be excavated and moved to the gravel augmentation zone. A subset of this (up to 330 cy) may be used to construct a water quality control berm that will be moved to the gravel augmentation zone or spread in place in the final stages of the Project.

The Project also aims to restore a spawning area located just downstream of gravel augmentation zone. Currently this spawning habitat can become dewatered, due to lower flows coming from Keswick Dam, which can lead to salmon redds becoming dewatered and possible mortality of state and federally listed salmonids. Restoration activities for this area will include the excavation of an approximately 0.5–acre areas of shallow spawning habitat. This will effectively lower the spawning habitat depth and prevent future redd dewatering.

Project Size: The total area of ground disturbance associated with the Project is approximately 3.33 acres and 60 linear feet. The proposed Project complies with the General 401 Certification for Small Habitat Restoration Projects and associated categorical exemption from the California Environmental Quality Act (Cal. Code Regs., title 14, § 15333).

Project Associated Discharge: Discharge of materials into Waters of the State, as defined by Water Code section 13050 subdivision (e), resulting from the Project include those associated with the following: (1) spawning gravel and (2) native gravel and cobble bed material.

Project Timeframes: Start date: December 2024.

Completion date: December 2025.

Work window: October 15–March 15.

Instream work window: December 15–March 15.

Water Quality Certification Background: Because the Project’s primary purpose is habitat restoration intended to improve the quality of waters in California and improve fish spawning habitat, the Central Valley Regional Water Quality Control Board (Regional Water Board) issued a Notice of Applicability (NOA) for Coverage under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects SB12006GN (Order) Waste Discharge Identification (WDID) Number 5A45CR00665 for the Project. The NOA describes the Project and requires the Applicant to comply with terms of the Order. Additionally, the Applicant has provided a supplemental document that sets forth measures to avoid and minimize impacts to aquatic species.

Receiving Water: Sacramento River.

Filled or Excavated Area: Permanent area impacted: 2.6 acres.

Length temporarily impacted: 0 linear feet.

Temporary area impacted: 0.73 acres maximum.

Length permanently impacted: 60 linear feet.

Discharge Volume: 7,000 cy of spawning gravel and 910 cy of native gravel and cobble bed materials.

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

Noticing: On November 20, 2024, the Director of the California Department of Fish and Wildlife (CDFW) received a notice from the Applicant requesting a determination pursuant to Fish and Game Code section 1653 that the NOA, NOI, and related species protection measures are consistent with the Habitat Restoration and Enhancement Act (HREA) with respect to the Project.

Pursuant to Fish and Game Code section 1653 subdivision (c), CDFW filed an initial notice with the Office of Administrative Law on November 20, 2024, for publishing in the General Public Interest section of the California Regulatory Notice Register (Cal. Reg. Notice File Number Z–2024–1120–03) on December 6, 2024. Upon approval, CDFW will file a final notice pursuant to Fish and Game Code section 1653 subdivision (f).

Determination

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

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

Avoidance and Minimization Measures

The avoidance and minimization measures for Project, as required by Fish and Game Code section 1653, subdivision (b)(4), were included in an attachment to the NOI. The specific avoidance and minimization requirements are found in the addendum titled: Request to Approve Habitat Restoration or Enhancement Project, in the section titled Species Protection Measures Incorporated into the Project Design: (beginning on page 7), of the addendum.

Monitoring and Reporting

As required by Fish and Game Code section 1653, subdivision (g), the Applicant included a copy of the monitoring and reporting plan. The Applicant's Monitoring and Reporting Plan provides a timeline for restoration, performance standards, and monitoring parameters and protocols. Specific requirements of the plan are found in an attachment to the NOI titled: Request to Approve Habitat Restoration or Enhancement Project in the section titled, Monitoring Plan (beginning on page 118).

Notice of Completion

Coverage under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects requires the Applicant to submit a Notice of Completion (NOC) no later than 30 days after the project has been completed. A complete NOC includes at a minimum:

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

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

Project Authorization

Pursuant to Fish and Game Code section 1654, CDFW's approval of a habitat restoration or enhancement project pursuant to section 1652 or 1653 shall be in lieu of any other permit, agreement, license, or other approval issued by the department, including, but not limited to, those issued pursuant to Chapter 6 (commencing with section 1600) and Chapter 10 (commencing with section 1900) of this Division and Chapter 1.5 (commencing with section 2050) of Division 3. Additionally, Applicant must adhere to all measures contained in the approved NOA and comply with other conditions described in the NOI.

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

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

UPDATED NOTICE OF PROPOSED UPDATED PUBLIC HEALTH GOAL FOR N–NITROSODIMETHYLAMINE (NDMA) IN DRINKING WATER, 45–DAY COMMENT PERIOD, AND PUBLIC WORKSHOP

This announcement includes an updated date of January 24, 2025, for the public workshop.

The Office of Environmental Health Hazard Assessment (OEHHA) is announcing a proposed updated Public Health Goal (PHG) for N–nitrosodimethylamine (NDMA) in drinking water, the availability of a draft technical support document, a 45–day public comment period, and a hybrid public workshop on January 24, 2025.

The California Safe Drinking Water Act of 1996¹ requires OEHHA to develop PHGs based exclusively on public health considerations.² 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. NDMA is a known carcinogen. For carcinogens, health-protective water concentrations are determined for both cancer and noncancer effects, and the lowest (most health-protective) value is selected as the PHG. PHGs published by OEHHA are considered by the State Water Resources Control Board in setting drinking water regulatory standards (Maximum Contaminant Levels, or MCLs) for California.³

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 draft technical support document, available for download, presents the scientific information available on the cancer and noncancer toxicity of NDMA. The proposed updated PHG for NDMA of 0.0005 parts per billion (ppb) is based on bile duct, liver cell, and mesenchymal tumors in male rats administered NDMA orally.

Any interested person or their authorized representative may submit public comments relevant to the proposed PHG from December 6, 2024 to January 20, 2025. 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>.

Hard-copy comments may be mailed 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 January 20, 2025, to be considered.

OEHHA will hold a hybrid public workshop on January 24, 2025 from 1:00 to 4:00 p.m. Pacific Time. The workshop will be held at the California Environmental Protection Agency Headquarters Building, 1001 I Street, Klamath room, Sacramento, California, 95814, and will also be available online. Additional information about the workshop and the link for registration can be found on the OEHHA website at <https://oehha.ca.gov/water>.

If you have special accommodation or language access needs, please contact Allison Lensing (Allison.Lensing@oehha.ca.gov) by January 06, 2025. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

Pursuant to Health and Safety Code section 57003, the public workshop is provided to enable a dialogue between OEHHA scientists and the public to discuss the scientific basis of the proposed PHGs, and to receive comments. After the closure of the comment period, OEHHA will submit the draft risk assessment for external scientific peer review.⁴

Following the public workshop, public comment period and external scientific peer review, OEHHA will evaluate the comments, revise the document as appropriate, and make it available for an additional 30-day public comment period. The final technical support document will be posted on the OEHHA website.

OEHHA is subject to the California Public Records Act and other laws that require the release of certain information upon request. Your written and oral comments, attachments, and associated contact information such as your name, screen name, address, and email address may be available to third parties.

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 should be sent 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

AVAILABILITY OF INDEX OF PRECEDENTIAL DECISIONS

BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS

NOTICE OF INDEX OF PRECEDENTIAL DECISIONS (GOVERNMENT CODE SECTION 11425.60 SUBDIVISION (C))

NOTICE IS HEREBY GIVEN that the Board of Vocational Nursing and Psychiatric Technicians (Board), pursuant to the requirements of section 11425.60 of the Government Code, maintains an index of its precedential decisions. The index and the text of the precedential decisions can be viewed on the Board's website at https://dv-bvnpt.int.dca.ca.gov/about_us/precedential_decisions.shtml and may also be reviewed in the public lobby at the Board's offices at the address listed above during normal business hours. The index is available to the public by email subscription, upon request. A request for subscription may be made by using the index subscription feature on the Board's website or by email at bvnpt@dca.ca.gov.

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,

⁴ Health and Safety Code section 116365(c)(3)(D).

Archives, 1020 O Street, Sacramento, CA 95814, (916) 653–7715. Please have the agency name and the date filed (see below) when making a request.

California Health Benefit Exchange

File # 2024–1204–01

Eligibility, Enrollment, and Appeals Process for the Individual Exchange

This emergency action amends eligibility, enrollment, and appeals processes for the Individual Exchange to align with changes in federal law and guidance and to establish a process to automatically enroll a consumer in a Qualified Health Plan when moving to a different coverage area. This action is exempt from the Administrative Procedure Act pursuant to Government Code section 100504(a)(6).

Title 10

Amend: 6408, 6410, 6474, 6476, 6478, 6484, 6496, 6504, 6602

Filed 12/16/2024

Effective 12/16/2024

Agency Contact:

Jameson Mitchell (916) 954–3372

Department of Resources Recycling and Recovery

File # 2024–1203–01

SB 1215 Battery–Embedded Products

This emergency rulemaking action by the California Department of Resources Recycling and Recovery amends regulations to establish a process for Covered Electronic Waste recyclers to submit payment claims for covered battery–embedded products. This action also modifies application requirements for collectors, recyclers, and dual entities and creates a process for electronic submission of payment claims, notices, reports, and other documents.

Title 14

Amend: 18660.5, 18660.6, 18660.7, 18660.10, 18660.11, 18660.12, 18660.13, 18660.14, 18660.15, 18660.16, 18660.17, 18660.18, 18660.19, 18660.21, 18660.22, 18660.30, 18660.35, 18660.36, 18660.37, 18660.38, 18660.41, and 18660.49

Filed 12/13/2024

Effective 01/01/2025

Agency Contact: Kris Chisholm (916) 322–2404

Department of State Hospitals

File # 2024–1202–03

Contraband Disposition

This emergency rulemaking action by the Department of State Hospitals adopts two new regulations. One to define specific terms regarding contraband items and another to prescribe the methods to dispose of contraband seized on hospital grounds based on the characteristics of the contraband seized. This action is

a deemed emergency pursuant to Welfare and Institutions Code section 7295(k).

Title 09

Adopt: 4354, 4354.1

Filed 12/12/2024

Effective 12/12/2024

Agency Contact: Anna Libonati (916) 654–2478

Department of Insurance

File # 2024–1113–01

Catastrophe Modeling and Ratemaking

In this file–and–print action, the Department of Insurance is adopting and amending regulations regarding rate application and variance request requirements for insurers, which are part of the regulations implementing Proposition 103. Specifically, these regulations will, amongst other things, (1) permit insurers to use forward–looking catastrophe models in their rate calculations, (2) change the rate–making formula, and (3) create a procedure to allow the public to investigate these models. This action is exempt from the Administrative Procedure Act pursuant to Government Code section 11340.9, subdivision (g), and was submitted to the Office of Administrative Law only for filing with the Secretary of State and printing in the California Code of Regulations.

Title 10

Adopt: 2644.4.5, 2644.4.8, 2648.5

Amend: 2644.4, 2644.5, 2644.8, 2644.27

Filed 12/12/2024

Effective 12/12/2024

Agency Contact: George Teekell (415) 538–4390

Division of Workers’ Compensation

File # 2024–1031–01

Workers’ Compensation — Official Medical Fee Schedule — Pharmaceutical

This regulatory action is submitted as exempt from the Administrative Procedure Act as fixing a rate, price or tariff, pursuant to Government Code section 11340.9(g). This action amends and adopts multiple sections of title 13 of the California Code of Regulations relating to medical fee schedules.

Title 08

Adopt: 9789.40.1, 9789.40.2, 9789.40.3, 9789.40.4, 9789.40.5, 9789.40.6, 9789.40.7

Amend: 9789.12.1, 9789.13.2, 9789.13.3, 9789.40, 9789.111

Filed 12/11/2024

Effective 07/01/2025

Agency Contact:

Jacqueline Schauer (510) 286–0563

Fair Political Practices Commission
File # 2024–1122–06
Contributions to a Candidate

In this rulemaking action the Fair Political Practices Commission amends its regulations regarding the carryover of campaign contributions.

Title 02
Amend: 18537.1
Filed 12/11/2024
Effective 01/10/2025
Agency Contact:
Amanda Apostol (916) 322–5660

Fair Political Practices Commission
File # 2024–1122–07
Public Generally

This action amends regulations to enable the “public generally” exception to conflict-of-interest regulations to be applied to specified circumstances applicable to a government entity that manages an airport or harbor.

Title 02
Amend: 18703
Filed 12/17/2024
Effective 01/16/2025
Agency Contact:
Amanda Apostol (916) 322–5660

Board of Accountancy
File # 2024–1115–01
Peer Review Reporting Form

This action without regulatory effect by the California Board of Accountancy amends the revision date of “Form PR–1” (Peer Review Reporting Form) which is incorporated by reference within title 16 sections 43 and 45 of the California Code of Regulations to correspond with the most recent amendments to the document. Additionally, this action amends said document by replacing references made to the term “substandard” with the term “fail” as well as minor formatting adjustments.

Title 16
Amend: 43, 45
Filed 12/11/2024
Agency Contact: Diana Godines (279) 226–4599

California Film Commission
File # 2024–1031–03
California Film & Television Tax Credit Program 4.0

This rulemaking action by the California Film Commission adopts regulations to implement the California Film and Television Tax Credit Program 4.0 pursuant to Revenue and Taxation Code, section 17053.98.1 and 23698.1.

ant to Revenue and Taxation Code, section 17053.98.1 and 23698.1.

Title 10
Adopt: 5550, 5551, 5552, 5553, 5553.1, 5553.2, 5553.3, 5554, 5554.1, 5554.2, 5555, 5556
Filed 12/17/2024
Effective 04/01/2025
Agency Contact: Hedvig Marx (323) 817–4115

Department of Pesticide Regulation
File # 2024–1029–01
Statewide Notification of Agricultural Use of Restricted Materials

This rulemaking action by the Department of Pesticide Regulation (Department) requires all agricultural use notices of intent (NOIs) to be electronically submitted to County Agricultural Commissioners (CACs) via [CalAgPermits.org](https://www.calagpermits.org), unless the CAC grants an exemption from the electronic submission requirement. This rulemaking action also requires all NOIs for soil fumigations to be electronically submitted to CACs via [CalAgPermits.org](https://www.calagpermits.org) and will require specific information from NOIs for the use of restricted materials requiring a permit for the production of an agricultural commodity to be electronically submitted to the Department via [CalAgPermits.org](https://www.calagpermits.org). This rulemaking action also requires the Department to make NOI information it receives, as well as pesticide product name(s) and active ingredient(s), available to the public and provide status updates regarding its pesticide notification system and the process of providing information to the public.

Title 03
Amend: 6000, 6424, 6428, 6432, 6434
Filed 12/13/2024
Effective 02/24/2025
Agency Contact: Lauren Otani (916) 445–5781

Secretary of State
File # 2024–1030–01
Voter Registration Affidavits

This regular rulemaking action by the California Secretary of State amends regulations prescribing the form of paper voter registration affidavits.

Title 02
Adopt: 19050
Repeal: 19050, 19050.5, 19050.6, 19050.7, 19050.8, 19052, 19053, 19055, 19056, 19059, 20050, 20051
Filed 12/11/2024
Effective 04/01/2025
Agency Contact:
Robbie Anderson (916) 216–6488

State Personnel Board
File # 2024–1028–01
Hearings and Appeals

In this regular rulemaking the State Personnel Board (the “Board”) is adopting and amending regulations pertaining to proceedings conducted by the Board and its designees. Specifically, these regulations concern (1) documents introduced into evidence in electronic and in-person proceedings, (2) subpoenas for hearings conducted by electronic means, and (3) law and motion hearings.

Title 02
Adopt: 58.12
Amend: 58.12 [renumbered to 58.13], 58.13 [renumbered to 58.14], 59.3, 60.1, 60.2
Filed 12/12/2024
Effective 12/12/2024
Agency Contact:
Michelle La Grandeur (916) 651–2740

State Teachers Retirement System
File # 2024–1114–01
Updates to Penalties and Interest Regulations

The rulemaking action amends and adopts sections in title 5 of the California Code of Regulations regarding penalties and interest imposed for late and unacceptable reporting by employers. Specifically, the proposed amendments specify additional scenarios under which employers may avoid being subject to penalties and interest and provide clarification that interest will be charged on outstanding invoices for balances not paid in full within 30 days of the invoice date.

Title 05
Adopt: 27010
Amend: 27003, 27004, 27007, 27008
Filed 12/18/2024
Effective 04/01/2024
Agency Contact: Sal Sanchez (916) 414–1984

Board of State and Community Corrections
File # 2024–1122–04
Minimum Standards for Training and Local
Detention Facilities

This rulemaking action amends 1028 of Title 15, of the California Code of Regulations (CCR) pursuant to Penal Code, section 6048. The amendments provide that the facility administrator shall develop and implement policies regarding the administration of cardiopulmonary resuscitation (CPR) on a nonresponsive

person without obtaining approval from supervisors or medical staff.

Title 15
Amend: 1028
Filed 12/16/2024
Effective 04/01/2025
Agency Contact:
Amanda Ferreira (916) 324–2878

Office of the State Fire Marshal

File # 2024–1031–04

Aboveground Petroleum Storage Act (APSA)

This rulemaking action by the Office of the State Fire Marshal adopts regulations to implement the Aboveground Petroleum Storage Act element of the Unified Program as required by Health and Safety Code, section 25270.4.1.

Title 19
Adopt: 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616
Filed 12/17/2024
Effective 12/17/2024
Agency Contact:
Jennifer Lorenzo (916) 247–0159

**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.