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

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## PROPOSED ACTION ON REGULATIONS

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### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

#### CONFLICT-OF-INTEREST CODE

##### AMENDMENT

MULTI-COUNTY: North Fork Kings Groundwater Sustainability Agency

A written comment period has been established commencing on January 17, 2025, and closing on March 3, 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 code 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 code will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest code, 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 code. Any written comments must be received no later than March 3, 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 this code because these are not new programs mandated on local agencies by the code 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 code 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 code shall approve code 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](mailto:bcisneros@fppc.ca.gov).

#### AVAILABILITY OF PROPOSED CONFLICT-OF-INTEREST CODE

Copies of the proposed conflict-of-interest code 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](mailto:bcisneros@fppc.ca.gov).

## TITLE 14. FISH AND GAME COMMISSION

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections **200, 203, 203.1, 219, 265, 325, 331, 332, 460, 1050, 3051, 3452, 3453, 3953, 4334, and 4902** of the Fish and Game Code (FGC) and to implement, interpret or make specific Sections **33, 200, 203, 203.1, 255, 265, 331, 332, 458, 459, 460, 713, 1050, 1570, 1571, 1572, 1573, 1574, 3051, 3452, 3453, 3950, 3953, 4334, 4336, and 4902** of said Code, proposes to **amend Sections 360, 362, 363, 364, 364.1, and 708.5** Title 14, California Code of Regulations, relating to **big game hunting for 2025–2026 seasons and chronic wasting disease testing**.

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

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

### BACKGROUND

#### Big Game Hunting Tags

The Fish and Game Commission (Commission) periodically considers the recommendations of the Department of Fish and Wildlife (Department) regarding amending big game hunting regulations. Considerations include recommendations for adjusting tag quotas, setting hunt periods, modifying area boundaries, authorizing methods of take, among others, to help achieve management goals and objectives for big game species management. To maintain appropriate harvest levels and hunting quality, tags and seasons must be adjusted periodically in response to dynamic environmental, biological, and social conditions.

Current regulations in section 360, 362, 363, and 364 provide definitions, hunting zone descriptions, season opening and closing dates, tag quotas (total number of hunting tags to be made available), and bag and possession limits for deer, bighorn sheep, pronghorn antelope, and elk hunting, respectively. Harvest of a deer, bighorn sheep, pronghorn antelope, or elk is authorized for an individual with a tag for a respective hunt zone or area and season or specific property.

Individuals are awarded general hunting tags for deer, bighorn sheep, pronghorn antelope, and elk through the Department’s Big Game Drawing. Deer

and elk tags are also distributed through: (1) Cooperative Hunting Area “Landowner” tags, and (2) Private Lands Wildlife Habitat Enhancement and Management Area (PLM) tags. Lastly, the Shared Habitat Alliance for Recreational Enhancement (SHARE) Program, also distributes elk tags through a lottery following the Department’s Big Game Drawing.

For all big game species, a limited number of fundraising tags are also available for purchase, usually by auction, via non-governmental organizations that assist the Department with fundraising.

#### Chronic Wasting Disease

Chronic wasting disease (CWD) is a fatal neurological disease caused by prions, posing significant risks to cervid populations in North America. It leads to herd declines, altered age structures, and threatens hunting opportunities due to concerns over disease transmission. With CWD now present in California, focused efforts are needed to manage and mitigate its spread.

The primary purpose of a late-season deer buck hunt is to increase sampling of individuals at highest risk of CWD infection — mature bucks. These animals are more likely to contract and spread CWD due to their behavior, particularly during the rut when they engage in increased social interactions. By targeting these high-risk individuals, the hunt enhances the likelihood of detecting positive cases, which is crucial for effective surveillance and management. The state’s goal is to detect CWD at a 1% prevalence with 95% confidence across five sampling units, and this hunt would significantly contribute to that effort.

Additionally, removing infected bucks reduces environmental prion contamination, slowing transmission and helping maintain healthier deer populations. This targeted hunt complements ongoing surveillance, providing a proactive strategy to detect and manage CWD while supporting conservation and hunting opportunities in California.

Periodic adjustments of tag quotas in response to dynamic environmental and biological conditions are necessary to maintain sustainable populations of elk, provide public hunt opportunities, alleviate conflict, and keep with mandates and management recommendations. Unfortunately, administrative procedures and the Fish and Game Code require the Fish and Game Commission to receive proposed changes to existing regulations prior to the completion of surveys and analyses, thus necessitating a range of numbers. Analyses for all big game species are scheduled for completion by March 2025.

#### Proposed Changes

The proposed changes are as follows:

#### Section 360 Deer

*No changes to subsections (a) through (b).*

**Add subsection (c)(16)** to establish a late season buck hunt in the portion of hunt zone D–7 that is in Madera County and to set a tag quota range of 0–50 tags.

Establishing a late season buck hunt in deer hunt zone D–7, where CWD was recently detected, will serve as a strategic tool to increase sampling of mature bucks, the demographic most likely to be CWD–positive. These animals engage in high levels of social interaction during the breeding season, increasing transmission risk. By targeting this segment of the population, we can better detect CWD cases, aiding early detection and response efforts. This action aligns with objectives identified in *California’s Chronic*

*Wasting Disease Management Plan* (Munk et al. 2024) and public requests for expanded hunting opportunity submitted in *Petition 2021–017* and at Commission meetings.

**Renumber subsections (16) through (44).**

#### Section 362 Nelson Bighorn Sheep

**Amend section 362(a)** to redefine the north and western boundaries for Zone 6 (Sheep Hole Mountains) (Figure 1). The proposed adjusted zone boundaries more accurately reflect the home range of bighorn sheep in this unit, based on recent GPS collar data. It is anticipated that the new boundary will increase hunter opportunity.

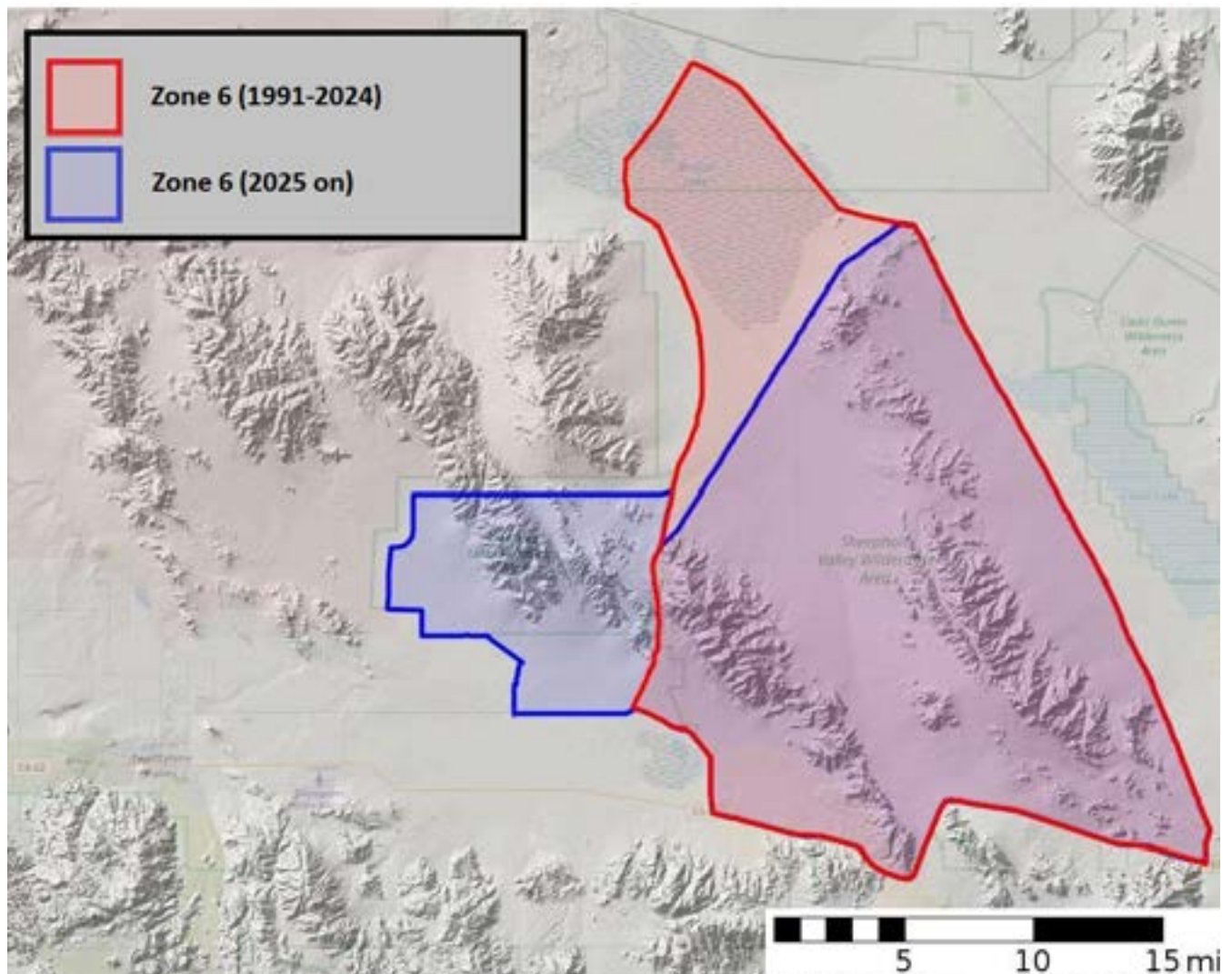


Figure 1. Map of current and proposed Zone 6 boundaries.

**Amend subsection 362(b)(1)** to specify that the Open Zone Fundraising Tag can only be used to hunt in zones that are allocated at least one general public tag. This will ensure that if a Zone is not issued general tags due to biological or environmental concerns,

the Open Zone Fundraising Tag may not be used to harvest in a zone with zero tags allocated.

**Amend subsections 362(b)(1), 362(b)(2), and 362(b)(3)** to correct citations of Fish and Game Code from “subsection” to “subdivision.”



**Amend subsection 362(b)(1)(A)** to include Zone 10 in the Open Fundraising Tag. Zone 10 was created in 2019 but was never incorporated into the Open Zone Fundraising Tag language.

**Amend subsection 362(b)(2)(A) and add subsections 362(b)(2)(B) and (C)** to rename the Marble/Clipper/South Bristol Mountains Fundraising Tag to Single Zone Fundraising Tag 1 and following season information;

**Amend subsection 362(b)(3)(A) and add subsections 362(b)(3)(B) and (C)** to rename the Cady Mountains Fundraising Tag to Single Zone Fundraising Tag 2 and following season information;

During the regulatory change process for the 2022–2023 license year, the Department proposed a quota of zero for the Marble/Clipper/South Bristol Mountains Fundraising Tag. The Wild Sheep Foundation expressed concern at this loss of Department revenue and hunter opportunity. Increasing flexibility in the Fundraising Tags by renaming them to decouple them from specific hunt zones is intended to mitigate that issue in the future. Decoupling from a specific zone also allows managers the ability to assign the fundraising hunting opportunity to hunt zones that hold hunter interest and fundraising value.

**Amend subsection 362(b)(4)(A)** to remove Zone 10 and add subsection 362(b)(4)(D) to add Zone 10.

**Amend subsection 362(b)(4)(C) Zone 7.**

**Amend subsection 362(b)(4)(C) 1.** to create a Period 1 hunt season with the existing summer season dates and **add subsection 362(b)(4)(C)2.** to be the new Period 2 hunt season with new winter season dates. Zone 7 is an extremely difficult area to hunt and has the lowest hunter success rates for any of the Nelson bighorn sheep hunt zones; adding a winter season to this zone is intended to increase hunter opportunity and potentially hunter success. Period 1 and Period 2 are two separate hunts with two separate tag allocations. As such, hunters will have to choose a season (i.e. Period 1 or Period 2) when they apply during the Big Game Drawing.

**Add subsection 362(b)(4)(D) Zone 10.**

**Add subsection 362(b)(4)(D) 1.** to create a Period 1 hunt season with the existing season dates and **add subsection 362(b)(4)(D)2.** to be the new Period 2 hunt season as a late winter season. Zone 10 hosts one of the largest populations of Nelson bighorn sheep in California and by splitting the season in half we can maximize hunter opportunity and experience while reducing crowding. Period 1 and Period 2 are two separate hunts with two separate tag allocations. As such, hunters will have to choose a season (i.e. Period 1 or Period 2) when they apply during the Big Game Drawing.

**Amend Subsection 362(d)** to modify hunt tag quotas to ranges for each hunt zone.

Table 1. Section 362(d)

<i>Nelson Bighorn Sheep Hunt Zones</i>	<i>Tag Allocation 2024</i>	<i>Proposed Tag Allocation 2025</i>
Zone 1 — Marble/Clipper Mountains	1	[0-5]
Zone 2 — Kelso Peak/Old Dad Mountains	2	[0-4]
Zone 3 — Clark/Kingston Mountain Ranges	3	[0-4]
Zone 4 — Orocopia Mountains	1	[0-2]
Zone 5 — San Geronio Wilderness	0	[0-3]
Zone 6 — Sheep Hole Mountains	1	[0-2]
Zone 7 (Period 1) — White Mountains	4	[0-4]
Zone 7 (Period 2) — White Mountains	-	[0-4]
Zone 8 — South Bristol Mountains	1	[0-3]
Zone 9 — Cady Mountains	2	[0-4]
Zone 10 (Period 1) — Newberry, Rodman, Ord Mountains	6	[0-7]
Zone 10 (Period 2) — Newberry, Rodman, Ord Mountains	-	[0-7]
Open Zone Fundraising Tag	1	1
Single Zone Fundraising Tag 1: Zone [1-10] (formerly Marble/Clipper/South Bristol Mountains Fundraising Tag)	0	[0-1]
Single Zone Fundraising Tag 2: Zone [1-10] (formerly Cady Mountains Fundraising Tag)	1	[0-1]
<b>Total:</b>	<b>23</b>	<b>[0-52]</b>

**Amend Subsection 362(e)(4)** to remove a nonfunctioning phone number.

## Section 363 Pronghorn Antelope

**Amend subsection 363(m)** to modify tag quotas for archery-only season and general season pronghorn antelope Period 1 and Period 2 for buck hunts. Tag allocations may need to be adjusted to manage harvest following the completion of population surveys.

Table 2. Section 363(m)

<i>Hunt Area</i>	<i>Archery-Only Season Buck</i>	<i>Archery-Only Season Doe</i>	<i>General Season Period 1 Buck</i>	<i>General Season Period 1 Doe</i>	<i>General Season Period 1 Apprentice Either-Sex</i>	<i>General Season Period 2 Buck</i>	<i>General Season Period 2 Doe</i>	<i>Fundrais-ing</i>
Zone 1 — Mount Dome	0	0	2 [0-2]	0	N/A	0	0	0
Zone 2 — Clear Lake	1 [0-1]	0	12 [0-12]	0	N/A	0	0	0
Zone 3 — Likely Tables	5 [0-5]	0	5 [0-5]	0	5 [0-5]	5 [0-5]	0	0
Zone 4 — Lassen	5 [0-5]	0	35 [0-35]	0	5 [0-5]	35 [0-35]	0	0
Zone 5 — Big Valley	1 [0-1]	0	5 [0-5]	0	1 [0-1]	0	0	0
Zone 6 — Surprise Valley	1 [0-1]	0	10 [0-10]	0	4 [0-4]	0	0	0
Zones 1-6	0	0	0	0	0	0	0	2

### Section 364 Elk Hunts, Seasons, and Number of Tags

**Add 364(f)(7), 364(f)(8), and 364(f)(9)** to add archery only elk hunts in the Central Coast (364(d)(3)(A)), La Panza (364(d)(2)(A)), and Siskiyou (364(a)(1)(A)) hunt areas to manage increasing populations and provide hunter opportunity. The proposal is also responsive to hunter requests for new hunting opportunities.

**Amend 364(s)(2)(A)** to increase bull tags in the General Methods Tehachapi Hunt (CDFW Region 4). The current tag allocation is 5 bull tags and 10 antlerless tags. The Tehachapi Hunt was established in the 2023 hunting season to mitigate increased abundance of non-native Rocky Mountain elk. These non-native elk were introduced as part of a fenced game farming operation in 1967; elk subsequently escaped the enclosure and have since increased in abundance and expanded their range beyond Tejon Ranch into surrounding communities in Kern County and the Southern Sierras.

Human-elk conflict has exceeded tolerable levels in some areas. Current abundance levels are above objectives outlined in the 2018 Elk Conservation and Management Plan. Observed bull:cow ratios (47mm:100ff) are also above the Elk Conservation and Management Plan objective (25mm:100ff). Continued range expansion may result in non-native Rocky Mountain elk overlapping with endemic tule elk in the Owens Valley, resulting in hybridization between the two subspecies. This presents a threat to genetic integrity of the endemic tule elk population, and it is desirable to prevent hybridization between these subspecies from occurring as described in the 2018 Elk Conservation and Management Plan.

To help address these concerns for the Tejon Elk Management Unit, the Department recommends increasing bull tags and reduce the likelihood of dispersing bulls in the Tehachapi Rocky Mountain General Methods Hunt to help achieve goals and objectives outlined in the 2018 Elk Conservation and Management Plan.

Table 3. Section 364(s)(2)(A)

<b>Section</b>	<b>Hunt</b>	<b>1. Bull Tags</b>	<b>2. Antlerless Tags</b>	<b>3. Either-Sex Tags</b>	<b>4. Spike Tags</b>	<b>5. Season</b>
(2)(A)	Tehachapi	5 [5-10]	10	0	0	Shall open on the first Saturday in September and continue for 30 consecutive days.

**Amend 364(u)(4)(A)** to increase the bull tags in the General Methods Gabilan Hunt. The current tag allocation is 4, the proposal would increase the allocation

to up to 10 bull tags to manage the increasing population and reduce elk conflict.

*Table 4. Section 364(u)(4)(A)*

Section	Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season
(4)(A)	Gabilan	4 [4-10]	6	0	0	Shall open on the second Saturday in November and continue for 23 consecutive days.

**Amend 364(u)(18)** to add new periods and increase the Lake Pillsbury bull and antlerless tag quotas, the first period (u)(18)(A) with 4 antlerless tags, and the second period (u)(18)(B) with 2 bull tags. The proposal would adjust the 2 bull tags to 0 to 4 antlerless tags, and adjust the season accordingly to fit in the hunts without overlap, and add 3 hunt periods (u)(18)(C),

(u)(18)(D), and (u)(18)(E) for Lake Pillsbury. Scott Dam, which creates Lake Pillsbury, will be decommissioned and reduce carrying capacity in the Elk Management Unit (EMU). The proposal is necessary to reduce elk population size as dam removal approaches. The proposal is also responsive to hunter requests for new hunting opportunities.

*Table 5. Section 364(u)(18)(A)*

Section	Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season
(18)(A)	Lake Pillsbury Period 1	0	4 [0-4]	0	0	<u>Shall open on the last Saturday in August and continue for seven consecutive days.</u>
(18)(B)	Lake Pillsbury Period 2	2 0	0 [0-4]	0	0	<u>Shall open on the first Saturday in September and continue for seven consecutive days.</u>
(18)(C)	<u>Lake Pillsbury Period 3</u>	0	[0-4]	0	0	<u>Shall open on the second Saturday in September and continue for seven consecutive days.</u>
(18)(D)	<u>Lake Pillsbury Period 4</u>	[0-2]	0	0	0	<u>Shall open on the fourth Saturday in September and continue for seven consecutive days.</u>
(18)(E)	<u>Lake Pillsbury Period 5</u>	[0-2]	0	0	0	<u>Shall open on the first Saturday in October and continue for seven consecutive days.</u>

**Add 364(w)(7), 364(w)(8), 364(w)(9)** to identify novel archery only elk hunts, tag allocations, and sea-

sons. The proposal is necessary to identify tag allocations and seasons for the proposed archery hunts.

*Table 6. Section 364(w)(7)-(9)*

Section	Hunt	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	5. Season
(7)	<u>Central Coast Archery Only Tule Elk Hunt</u>	[0-5]	[0-5]	0	0	<u>Shall open on September 1 and continue until September 30.</u>
(8)	<u>La Panza Archery Only Tule Elk Hunt</u>	[0-5]	[0-5]	0	0	<u>Shall open on September 1 and continue until September 30.</u>
(9)	<u>Siskiyou Archery Only Roosevelt Elk Hunt</u>	[0-10]	0	0	0	<u>Shall open on the fourth Wednesday in August and continue until the second Tuesday in September.</u>

#### **Section 364.1 Department Administered Shared Habitat Alliance for Recreational Enhancement (SHARE) Elk Hunts**

**Amend 364.1(a)** to extend the SHARE elk hunt season in two conflict zones (364(a)(2)(A) Northwestern

Hunt Zone and 364(c)(1)(A) Mendocino Hunt Zone), as described in Section 555.1. The existing season opens August 15 and continues through January 31. The proposal would extend this season from July 1 to June 30. The proposal is necessary to address in-

tolerable levels of elk conflict in conflict zones. The proposal is also responsive to hunter requests for new hunting opportunities.

**Amend 364.1(l)(17)** to increase the antlerless tags SHARE tag allotment for the Bear Valley Hunt. There is currently 1 SHARE antlerless tag for Bear Valley. The proposal would add up to 5 antlerless tags (total of 6 tags). The proposal is necessary to add veritable

Table 7. Section 364(l)(17).

Section	(A) Hunts	1. Bull Tags	2. Antlerless Tags	3. Either-Sex Tags	4. Spike Tags	(B) Area
(17)	Bear Valley	2	[0–6]	0	0	The tag shall be valid in the area described in subsection 364(d)(17)(A).

### Section 708.5 Deer Tagging, Reporting, and Testing Requirements

**Add subsection (e)** to define CWD Management Zones (CMZs). Based on the history and current understanding of CWD, it is likely, if not certain, that CWD will be detected in areas outside of the four hunt zones identified in the emergency regulations (D7, X9a, X9b, and X9c). In this proposal, what defines a CMZ is reframed to allow for new CMZs if CWD is detected outside of the currently affected zones to prevent delays in management actions. Adding a definition of a CMZ is necessary to adaptively manage the CWD outbreak in California over time, as target zones for mandatory testing will be variable based on current detections. Adaptive management is a cornerstone of the definition of “credible science” as defined in FGC Section 33.

The defining criteria for inclusion as a CMZ are:

- (1) any deer hunt zones, excluding Zone A, in which a CWD–positive animal has been taken;
- (2) any deer hunt zones, excluding Zone A, within five miles of the location from where a CWD–positive animal was taken; and
- (3) any county within Zone A where a CWD–positive animal was taken, or is within five miles of where a CWD–positive animal was taken.

The specified distance of five miles is necessary to create a biologically reasonable boundary for detections that fall on or near county or hunt zone boundaries. Zone A is too large and must be broken up into counties to create manageable CMZ boundaries.

**Add subsection (f)** to establish a mandatory sampling requirement. Mandatory testing is needed to enhance CWD surveillance within CMZs to determine prevalence and the geographic extent in affected areas, to clearly define the initial outbreak, and is one of the main objectives when responding to initial CWD detections as outlined in California’s Chronic Wasting Disease Management Plan (Munk et al. 2024). Know-

ing the prevalence and geographic distribution of a CWD outbreak informs decision makers and directs management actions. Tests are done on post-mortem samples and the majority of those come from hunter–harvested deer and elk. Hunter–harvested deer from the affected hunt zones is by far the most scalable and accessible source of samples for CWD testing. The Department will also increase its response to and sampling of other mortality sources or take. Enhanced surveillance in the affected populations is the necessary first step to providing better information to hunters, partners, and decision makers following these first, and any future detections, of CWD in California. Knowing the prevalence and geographic extent will allow the Department to make informed decisions on CWD and deer management where CWD is detected.

FGC Section 325 is proposed to be added to the authority section cited for Section 364 and as a reference for Section 364.1 to support the need to reduce elk numbers in certain areas.

**Add subsection (g)** to describe the minimum information that hunters must provide with their sample. This is necessary so that the Department obtains essential information for monitoring the spread of CWD, such as the geographic location of the take, and to ensure the Department can contact hunters if CWD is detected in their harvest.

**Add subsection (h)** to indicate how and where the Department will provide current information on CWD detections in California. This is necessary to ensure hunters have a place to find appropriate and up-to-date information on CWD and the status of their hunt zone to comply with mandatory testing.

### BENEFIT OF THE REGULATIONS

The goals and benefits of the regulations are to help maintain sustainable populations of deer, big-horn sheep, and elk, provide hunting opportunities where feasible, alleviate human–wildlife conflict, and achieve management recommendations in existing unit plans.



## CONSISTENCY AND COMPATIBILITY WITH EXISTING REGULATIONS

The proposed regulations are neither inconsistent nor incompatible with existing state regulations. Section 20, Article IV, of the state Constitution specifies that the Legislature may delegate to the Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to adopt regulations governing deer hunting, bighorn sheep hunting, pronghorn antelope hunting, elk hunting, SHARE elk hunting, and deer tagging, reporting, and testing requirements (California Fish and Game Code Section 200). No other state agency has the authority to adopt regulations governing deer hunting, bighorn sheep hunting, pronghorn antelope hunting, elk hunting, SHARE elk hunting, and deer tagging, reporting, and testing requirements. The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the CCR for any regulations regarding the adoption of deer hunting, bighorn sheep hunting, pronghorn antelope hunting, elk hunting, SHARE elk hunting, and deer tagging, reporting, and testing regulations; therefore, the Commission has concluded that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

## PUBLIC PARTICIPATION

### Comments Submitted by Mail or Email

It is requested, but not required, that written comments be submitted on or before **5:00 p.m. on Thursday, April 3, 2025** at the address given below, or by email to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). Written comments mailed, or emailed to the Commission office, must be received before **12:00 noon on Friday, April 11, 2025**. If you would like copies of any modifications to this proposal, please include your name and mailing address. Mailed comments should be addressed to Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244-2090.

### Meetings

Notice is given that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the **California Natural Resources Headquarters Building, Second Floor, 715 P Street, Sacramento, California**, which will commence at **8:30 a.m. on February 12, 2025** and may continue at **8:30 a.m., on February 13, 2025**. This meeting will also include the opportunity to participate via webinar/teleconference. Instructions for participation in the webinar/teleconference hearing will be posted at [www.fgc.ca.gov](http://www.fgc.ca.gov) in advance of

the meeting or may be obtained by calling 916-653-4899. Please refer to the Commission meeting agenda, which will be available at least 10 days prior to the meeting, for the most current information.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in **Sacramento, California**, which will commence at **8:30 a.m. on April 16, 2025**, and may continue at **8:30 a.m. on April 17, 2025**. The exact location of this meeting has not yet been determined. As soon as this information is available but not less than ten days before the hearing, a continuation notice will be sent to interested and affected parties providing the exact location. The continuation notice will also be published on the Commission's website. This meeting will also include the opportunity to participate via webinar/teleconference. Instructions for participation in the webinar/teleconference hearing will be posted at [www.fgc.ca.gov](http://www.fgc.ca.gov) in advance of the meeting or may be obtained by calling 916-653-4899. Please refer to the Commission meeting agenda, which will be available at least 10 days prior to the meeting, for the most current information.

## AVAILABILITY OF DOCUMENTS

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout format can be accessed through the Commission website at [www.fgc.ca.gov](http://www.fgc.ca.gov). The regulations as well as all related documents upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Melissa Miller-Henson, Executive Director, Fish and Game Commission, 715 P Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above-mentioned documents and inquiries concerning the regulatory process to Melissa Miller-Henson or David Haug at [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov) or at the preceding address or phone number. **Mario Klip, Game Conservation and Wildlife Connectivity Program Manager, Department of Fish and Wildlife, [mario.klip@wildlife.ca.gov](mailto:mario.klip@wildlife.ca.gov)**, has been designated to respond to questions on the substance of the proposed regulations.

## AVAILABILITY OF MODIFIED TEXT

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource

data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 265 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in sections 11343.4, 11346.4, 11346.8 and 11347.1 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

#### IMPACT OF REGULATORY ACTION/ RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

**360 and 708.5:** The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. This proposal is economically neutral to businesses.

**362:** The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

**363:** The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

**364 and 364.1:** The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of Cali-

fornia businesses to compete with businesses in other states. The proposed action adjusts tag quotas for existing hunts and expands certain hunt opportunities. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

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

**360 and 708.5:** The Commission anticipates no impact on the creation or elimination of jobs within the state, no impact on the creation of new business, the elimination of existing businesses, or the expansion of businesses in California as minor variations in hunting regulations are, by themselves, unlikely to provide a substantial economic stimulus to the state. The Commission does not anticipate direct benefits to the general health and welfare of California residents or to worker safety but anticipates benefits to the environment through the preservation of the deer population.

**362:** The Commission does not anticipate impacts on the creation or elimination of jobs or businesses within the State; no significant impacts to the creation of new business, the elimination of existing businesses, or the expansion of businesses in California are anticipated because the expected economic impacts of the proposed regulations are unlikely to be substantial enough to significantly stimulate demand for goods or services related to bighorn sheep hunting. As previously mentioned, periodic or annual adjustments of tag quotas in response to dynamic environmental, and biological conditions are necessary to maintain sustainable populations of bighorn sheep and hunt opportunities, as well as keeping with mandates and management recommendations. If greater numbers of hunters visit the areas in the state with increased annual opportunities, businesses that provide goods and services to Nelson bighorn sheep hunters could benefit from small increases in sales for that license year. The Commission does not anticipate direct benefits to the general health and welfare of California residents or to worker safety but anticipates benefits to the environment.

**363:** The Commission does not anticipate impacts on the creation or elimination of jobs or businesses within the State; no significant impacts to the creation of new business, the elimination of existing businesses, or the expansion of businesses in California are anticipated because the expected economic impacts of the proposed regulations are unlikely to be substantial enough to significantly stimulate demand for goods or services related to pronghorn antelope hunting. As previously mentioned, periodic or annual ad-

justments of tag quotas in response to dynamic environmental, and biological conditions are necessary to maintain sustainable populations of pronghorn antelope and hunt opportunities, as well as keeping with management recommendations. If greater numbers of hunters visit the areas in the state with increased annual opportunities, businesses that provide goods and services to hunters could benefit from small increases in sales for that license year. The Commission does not anticipate direct benefits to the general health and welfare of California residents or to worker safety but anticipates benefits to the environment.

**364 and 364.1:** The Commission does not anticipate impacts on the creation or elimination of jobs or businesses within the State; no significant impacts to the creation of new business, the elimination of existing businesses, or the expansion of businesses in California are anticipated because the expected economic impacts of the proposed regulations are unlikely to be substantial enough to significantly stimulate demand for goods or services related to elk hunting. As previously mentioned, periodic or annual adjustments of tag quotas in response to dynamic environmental, biological, or social conditions are necessary to maintain hunt opportunities, as well as keeping with management recommendations. If greater numbers of hunters visit the areas in the state with increased annual opportunities, businesses that provide goods and services to elk hunters could benefit from small increases in sales for that license year. The Commission does not anticipate direct benefits to the general health and welfare of California residents or to worker safety but anticipates benefits to the environment.

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

**360 and 708.5:** 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. However, in complying with the reporting requirements for CWD in the CMZs hunters may incur a cost related to the transportation of a deer carcass, head, or lymph nodes to a testing facility. While the Department has limited information and data regarding how far hunters drive to reach a sampling station, meat processor, or taxidermist, the estimated range that a hunter is likely to drive to and from the facility is expected to be between 5 and 100 miles with an average expected driving distance of 52.5 miles. Applying the average California gas price of \$4.678 per gallon to the average expected driving distance of 52.5 miles, with the expectation that most hunters drive a truck or SUV with an average gas mileage of 18 miles per gallon in order to haul their gear and carcass(es), gives an estimated individual cost of \$13.64 in transportation costs for de-

livering a sample to a testing facility, meat processor, or taxidermist.

**362:** The total net number of tags is anticipated to increase from the previous year, so no adverse economic impacts to individuals or to businesses that support bighorn sheep hunts are anticipated. The Commission does not anticipate significant impacts on the representative private persons or businesses.

**363:** The Commission does not anticipate significant impacts on the representative private persons or businesses.

**364:** The Commission does not anticipate significant impacts on the representative private persons or businesses

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

**360 and 708.5:** The Commission anticipates that the proposed regulatory action will require additional expenditures of approximately \$475,900 to maintain the proposed mandatory testing of deer carcasses for CWD. These costs are expected to be absorbed within the Department's existing budget and performed by staff currently operating in the capacities described in Table 1 of the STD 399 Addendum. However, the Department is projected to experience higher deer tag sales that may result in revenue increases (see STD. 399 and Addendum). No other state agencies are anticipated to be affected by the proposed emergency regulatory action.

**362:** No new costs/savings or change to federal funding are anticipated for state agencies. However, the Department is projected to experience higher bighorn sheep tag sales that may result in revenue increases (see STD399 and Addendum).

**363:** No new costs/savings or changes to federal funding are anticipated for state agencies. However, the Department may experience a change in tag sales that may prompt change to Department revenue (see STD399 and Addendum).

**364:** No new costs/savings or changes to federal funding are anticipated for state agencies. However, the Department is projected to experience higher elk tag sales that may result in revenue increases (see STD399 and Addendum).

(e) Nondiscretionary Costs/Savings to Local Agencies:

**All:** None.

(f) Programs Mandated on Local Agencies or School Districts:

**All:** None.

(g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:

**All:** None.

(h) Effect on Housing Costs:

**All:** None.

EFFECT ON SMALL BUSINESS

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

CONSIDERATION OF ALTERNATIVES

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

**TITLE 14. FISH AND GAME  
COMMISSION**

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 200, 205, 219, 265 and 275 of the Fish and Game Code and to implement, interpret or make specific Sections 110, 200, 205, 219, 255, 265, 270 and 275 of said Code, proposes to amend Section 28.30, Title 14, California Code of Regulations, relating to recreational take of barred sand bass.

INFORMATIVE DIGEST/POLICY  
STATEMENT OVERVIEW

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

The barred sand bass fishery is a historic recreational fishery in southern California that is open year-round and managed collectively with kelp bass and spotted sand bass. Current regulations include a five-fish bag limit (in any combination of the three species) and a minimum size limit of 14 inches (35.6 centimeters); these were established in 2013 due to concerns about the status of kelp bass and barred sand bass stocks. While no formal stock assessment exists for barred sand bass, abundance estimates, based on fishery independent data, suggest a severely depressed population in southern California. The presumed decline is likely due to a combination of environmental

conditions, poor recruitment, and fishing pressure on easily targeted spawning aggregations.

In consultation with fishing industry representatives, fishery researchers, and stakeholders, and with guidance from the Commission's Marine Resources Committee (MRC), the Department proposes modifications to Title 14, Section 28.30. Proposed language in 28.30, intended to limit take and possession of barred sand bass, includes a range of options for a sub-bag and possession limit for barred sand bass within the overall five-fish combined limit for kelp bass, barred sand bass and spotted sand bass, to be decided through the Commission public noticing process. The options are a range of bag and possession limits of 0–5 barred sand bass, varying seasonally, with a sunset provision ending June 1, 2028. This sunset provision allows for conservation of barred sand bass while the Department works with stakeholders on further reviewing data and developing models to evaluate potential future regulations that will help increase and sustain the barred sand bass population and support public fishing opportunities. The proposed regulation amendment is intended to reduce the overall number of barred sand bass taken by the fishery, specifically during the spawning months when barred sand bass are most vulnerable to fishing.

The proposed changes are as follows:

Subsection 28.30(b) is proposed to be amended to specify bag limit changes to one species, barred sand bass, within the salt water basses complex. This amendment is necessary to further protect barred sand bass spawning aggregations.

Add subsection (c)(1) which would create a limit within the spawning season on barred sand bass (June 1 through August 31) and (c)(2) which would create a limit during all other months. The square brackets indicate a range within which a final number will be determined by the Commission. Add subsection (d) which would provide for a sunset provision for subsection (c), repealing it as of June 1, 2028.

The subsections would read as follows:

(c) Barred Sand Bass Limit: Notwithstanding subsection (b);

- (1) From June 1–August 31 a maximum of [0–5] barred sand bass may be taken or possessed.
- (2) From September 1–May 31 a maximum of [1–5] barred sand bass may be taken or possessed.

(d) Sunset Provision: Subsection (c) shall remain in effect until June 1, 2028, and as of that date is repealed.

## BENEFIT OF THE REGULATIONS

The Commission anticipates benefits to the State's environment by sustainably managing California's ocean resources. The barred sand bass population would benefit from reduced fishing effort during their spawning season when they are most susceptible to fishing, which ultimately supports a more sustainable fishery in the long term. The adoption of scientifically based limits provides for the maintenance of sufficient populations of barred sand bass to ensure their continued existence for the environment and for the businesses that rely on recreational barred sand bass fishing.

## CONSISTENCY AND COMPATIBILITY WITH EXISTING REGULATIONS

Article IV, Section 20 of the State Constitution specifies that the Legislature may delegate to the Commission such powers related to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated authority to the Commission to promulgate recreational fishing regulations (Fish and Game Code sections 200 and 205). Commission staff has searched the California Code of Regulations and has found no other state regulations that address the recreational take of barred sand bass. The Commission has reviewed its own regulations and finds that the proposed regulations are consistent with other recreational fishing regulations in Title 14, CCR, and therefore finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulation.

## PUBLIC PARTICIPATION

### Comments Submitted by Mail or Email

It is requested, but not required, that written comments be submitted on or before **5:00 p.m. on Thursday, April 3, 2025** at the address given below, or by email to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). Written comments mailed, or emailed to the Commission office, must be received before 12:00 noon on **Friday, April 10, 2025**. If you would like copies of any modifications to this proposal, please include your name and mailing address. Mailed comments should be addressed to Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244–2090.

### Meetings

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the California Natural Resources Headquarters Building, Second Floor, 715 P Street Sacramento, California, which will commence at **8:30 a.m. on Wednesday, February 12,**

**2025** and may continue at **8:00 a.m. on Thursday, February 13, 2025**. This meeting will also include the opportunity to participate via webinar/teleconference. Instructions for participation in the webinar/teleconference hearing will be posted at [www.fgc.ca.gov](http://www.fgc.ca.gov) in advance of the meeting or may be obtained by calling 916–653–4899. Please refer to the Commission meeting agenda, which will be available at least 10 days prior to the meeting, for the most current information.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in Sacramento, California, which will commence at **8:30 a.m. on Wednesday, April 16, 2025** and may continue at **8:30 a.m., on Thursday, April 17, 2025**. The exact location of this meeting has not yet been determined. As soon as this information is available but not less than ten days before the hearing, a continuation notice will be sent to interested and affected parties providing the exact location. The continuation notice will also be published on the Commission's website. This meeting will also include the opportunity to participate via webinar/teleconference. Instructions for participation in the webinar/teleconference hearing will be posted at [www.fgc.ca.gov](http://www.fgc.ca.gov) in advance of the meeting or may be obtained by calling 916–653–4899. Please refer to the Commission meeting agenda, which will be available at least 10 days prior to the meeting, for the most current information.

## AVAILABILITY OF DOCUMENTS

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation in underline and strikeout format can be accessed through the Commission website at [www.fgc.ca.gov](http://www.fgc.ca.gov). The regulations as well as all related documents upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Melissa Miller–Henson, Executive Director, Fish and Game Commission, 715 P Street, Box 944209, Sacramento, California 94244–2090, phone (916) 653–4899. Please direct requests for the above–mentioned documents and inquiries concerning the regulatory process to Melissa Miller–Henson or David Haug at [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov) or at the preceding address or phone number. **Armand Barilotti, Environmental Scientist, Department of Fish and Wildlife, [armand.barilotti@wildlife.ca.gov](mailto:armand.barilotti@wildlife.ca.gov), has been designated to respond to questions on the substance of the proposed regulations.**

## AVAILABILITY OF MODIFIED TEXT

If the regulations adopted by the Commission differ from but are sufficiently related to the action pro-

posed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 265 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in sections 11343.4, 11346.4, 11346.8 and 11347.1 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

#### IMPACT OF REGULATORY ACTION/ RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The Commission anticipates that the impact of the proposed regulations on the entirety of marine sport fishing activity is not expected to be sufficient to significantly impact sport fishing expenditures to businesses within the state.

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

The Commission does not anticipate any significant impacts on the creation or elimination of jobs, the creation of new businesses, the elimination of existing businesses, or the expansion of businesses in California. Sport fish-related businesses may have to adjust to changes in the composition of recreational fishing

opportunities, but these changes are not expected to be substantial due to the fishery being kept open and from the sufficient substitutability of kelp bass as an alternative species.

The Commission anticipates benefits of the regulation to the health and welfare of California residents. Providing sustainable fishing opportunities encourages recreation, which can have a positive impact on the health and welfare of California residents.

The Commission does not anticipate benefits to worker safety from the proposed regulations.

The Commission anticipates benefits of the regulation to state's environment including preserving fishing opportunity, along with the continuation of the reasonable and sustainable management of barred sand bass resources.

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

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

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

(e) Nondiscretionary Costs/Savings to Local Agencies:

None.

(f) Programs Mandated on Local Agencies or School Districts:

None.

(g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code:

None.

(h) Effect on Housing Costs:

None.

#### EFFECT ON SMALL BUSINESS

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

#### CONSIDERATION OF ALTERNATIVES

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



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

## TITLE 16. ARCHITECTS BOARD

### EXAMINATION ELIGIBILITY

**NOTICE IS HEREBY GIVEN** that the California Architects 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 email to the addresses listed under “Contact Person” in this Notice, must be **received by the Board at its office no later than by Monday, March 3, 2025**, or must be received by the Board at the hearing, should one be scheduled.

### AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 5526 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC section 5550, the Board is considering amending section 116 of title 16 of the California Code of Regulations (CCR).

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Currently, Board regulations 16 CCR section 116 describes the method by which candidates obtain eligibility for the National Council of Architectural Registration Boards (NCARB) Architect Registration Examination (ARE) and the Board’s California Supplemental Examination (CSE). The existing regulation states that candidates must document five years of experience to become eligible for the ARE, and candidates must document eight years of experience and

complete the ARE before becoming eligible to take the CSE. 16 CCR 116 was last amended in 2014, when the requirement was added to possess an NCARB Record to obtain ARE eligibility. The current regulation conflicts with NCARB’s standard for ARE eligibility that only requires a high school diploma or equivalent.

This proposal will require an application be submitted to the Board to remove the experience requirement in order for a candidate to become eligible to take the ARE. Additionally, the proposal will remove the eight-year experience and ARE completion requirements to be eligible for the CSE. In addition to meeting the NCARB standard for ARE eligibility, this proposal will potentially reduce unnecessary delays in licensure for candidates by allowing them to test when they are ready, rather than by way of an arbitrary linear progression.

This regulatory proposal will amend 16 CCR section 116. The amendments to the regulations through this proposed rulemaking are as follows:

Amend 16 CCR section 116(a) to remove the reference to multiple possible requirements for ARE eligibility and clarify that an application with a fee needs to be submitted to become eligible for the examination. Allowing candidates to be eligible for an examination by submitting an application without the requirements of needing additional years of experience may reduce delays in licensure.

Remove 16 CCR section 116(a)(1–3) as they describe methods required to meet the experience requirement for ARE eligibility, which are now obsolete.

Amend 16 CCR section 116(b)(1) to remove numeric paragraph structure, remove the experience and ARE examination requirement to take the CSE, and clarify that candidates must submit applications with fees to the Board.

Remove 16 CCR section 116(b)(2) as it describes the method required to meet CSE eligibility, which are now obsolete.

### Anticipated Benefits of Proposal

This proposal would align with national standards to facilitate examination eligibility and therefore, licensure. The proposed amendments would also reduce unnecessary delays while simultaneously simplifying the process.

This regulatory proposal does not affect worker safety, or the state’s environment.

### Evaluation of 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.

DISCLOSURES REGARDING THIS  
PROPOSED ACTION

FISCAL IMPACT ESTIMATES

**Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:** None. The proposed regulations do not result in a fiscal impact to the state. This proposal clarifies how candidates obtain examination eligibility. The Board does not anticipate additional workload or costs resulting from the proposed regulations.

The proposed regulations do not result in costs or savings in federal funding to the state.

**Nondiscretionary Costs/Savings to Local Agencies:** None.

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

**Mandate Imposed on Local Agencies or School Districts:** None.

**Significant Effect on Housing Costs:** 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 rulemaking file includes the facts, evidence, documents, testimony, and/or other evidence that supports this determination. The Board has not considered proposed alternatives that would lessen any adverse economic impact on business and invites individuals to submit such proposals.

**Cost Impact on Representative Private Person or Business**

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.

RESULTS OF ECONOMIC IMPACT  
ASSESSMENT/ANALYSIS:

**Impact on Jobs/Businesses**

The Board has determined that this regulatory proposal will not impact on the following:

- 1) Creation or elimination of jobs within California,
- 2) Creation of new businesses or elimination of existing businesses within California, or
- 3) Expansion of businesses currently doing business within the state.

**Benefits of Regulation**

The Board has determined that aligning the scheduling of examinations and reporting results in California with established national standards will streamline the licensure process. This alignment is expected to significantly benefit the health and welfare of California residents by allowing qualified professionals to enter the workforce more efficiently and meet the high standards of care required in our communities.

This regulatory proposal does not affect worker safety because it does not involve worker safety.

This regulatory proposal does not affect the state's environment because it does not involve the environment.

**Business Reporting Requirements**

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

**Effect on Small Business**

The Board has determined that the proposed regulations will not affect small businesses. Although small businesses owned by candidates of the Board may be impacted, any costs of compliance are a result of current law.

CONSIDERATION OF ALTERNATIVES

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

Any interested person may submit written comments relevant to the above determinations at the Board's office at 2420 Del Paso Road, Suite 105, Sacramento, California 95834 during the written comment period, or at the hearing if one is scheduled or requested.

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 2420 Del Paso Road, Suite 105, 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 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, 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 comments or oral testimony 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: Timothy Rodda  
Address: 2420 Del Paso Road, Suite 105  
Sacramento, CA 95834  
Telephone Number: (279) 895-1246  
Email Address: [timothy.rodga@dca.ca.gov](mailto:timothy.rodga@dca.ca.gov)

The backup contact person is:

Name: Laura Zuniga  
Address: 2420 Del Paso Road, Suite 105  
Sacramento, CA 95834  
Telephone Number: (916) 471-0760  
Email Address: [laura.zuniga@dca.ca.gov](mailto:laura.zuniga@dca.ca.gov)

AVAILABILITY OF DOCUMENTS  
ON THE INTERNET:

Materials regarding this proposal can be found at [https://www.cab.ca.gov/resrcs/laws\\_regs/prop\\_reg.shtml](https://www.cab.ca.gov/resrcs/laws_regs/prop_reg.shtml).

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board's website at [https://www.cab.ca.gov/resrcs/laws\\_regs/prop\\_reg.shtml](https://www.cab.ca.gov/resrcs/laws_regs/prop_reg.shtml).

**GENERAL PUBLIC INTEREST**

**DEPARTMENT OF FISH AND  
WILDLIFE**

**PROPOSED RESEARCH ON FULLY  
PROTECTED SPECIES  
RESEARCH ON CALIFORNIA RIDGWAY'S  
RAIL AND CALIFORNIA BLACK RAIL**

The Department of Fish and Wildlife (Department) received a proposal from Danika Tsao, requesting authorization to take California Ridgway's rail (*Rallus obsoletus obsoletus*), formerly known as California clapper rail, and California black rail (*Laterallus jamaicensis coturniculus*) ('rails'), Fully Protected birds, for scientific research purposes consistent with conservation and recovery of the species. The California Ridgway's rail is listed as Endangered under the California Endangered Species Act and Endangered under the federal Endangered Species Act, and the California black rail is listed as Threatened under the California Endangered Species Act.

Danika Tsao is planning to conduct surveys throughout the range of the rails in the Bay Area, in accordance with a standard protocol approved by the Department and the U.S. Fish and Wildlife Service (Service). The proposed research activities consist of searching for vocalizing individuals of the rails and employing broadcasts of recorded, species-specific vocalizations to determine distribution and status of local populations. Danika Tsao and other qualified researchers would collect data by interpreting calls received from marsh birds that respond to broadcast vocalizations and by observing individual rails. There would be no attempt to capture individual rails or to approach nests of the rails, unless specifically approved by the Department. If any rails are found dead, they will be salvaged and donated to a scientific institution

open to the public, as designated by the Department and the Service. No adverse effects on individual rails or rail populations are expected.

The Department intends to issue a Memorandum of Understanding to Danika Tsao that would authorize qualified professional wildlife researchers, under specified conditions, to carry out the proposed activities. The applicants are also required to have a valid federal recovery permit for the Ridgway's rail.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected bird species after a 30-day notice period has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 3511 for take of Fully Protected birds, it will issue the authorization on or after February 17, 2025, for an initial and renewable term of up to, but not to exceed five years. Contact: Justin Garcia, [Justin.Garcia@wildlife.ca.gov](mailto:Justin.Garcia@wildlife.ca.gov), (916) 207-4957.

## DECISION NOT TO PROCEED

### COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

RE: NOTICE OF PROPOSED  
RULEMAKING CONCERNING PEACE  
OFFICER CERTIFICATES

Pursuant to Government Code section 11347, the Commission on Peace Officer Standards and Training (POST) hereby gives notice that it has decided not to proceed with the rulemaking action published in the California Regulatory Notice Register on July 12, 2024, Register 2024, Number 28–Z. The proposed rulemaking concerned Peace Officer Certificates. (OAL Notice Z–2024–0628–01.)

Any interested person with questions concerning this rulemaking should contact Katelynn Poulos at either (916) 227–4870 or by email at: [katelynn.poulos@post.ca.gov](mailto:katelynn.poulos@post.ca.gov).

The Commission will also post this Notice of Decision Not to Proceed on its website.

## SUMMARY OF REGULATORY ACTIONS

### REGULATIONS FILED WITH THE SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653–7715. Please have the agency name and the date filed (see below) when making a request.

California Department of Tax and Fee  
Administration  
File # 2024–1121–01  
Cannabis Excise Tax Regulations

This timely Certificate of Compliance action makes permanent, with minor amendments, emergency regulations that (1) prescribe procedures for return, remittance, and collection of excess cannabis tax, (2) clarify when and how a cannabis retailer may file a claim for a cannabis excise tax credit, and (3) establish requirements and procedures regarding retention of a portion of cannabis excise taxes as vendor compensation. In addition, this action adopts regulations that further specify recordkeeping requirements for cannabis retailers, clarify applicability, and establish provisions regarding responsible person liability.

Title 18  
Adopt: 3800, 3820  
Amend: 3501, 3700, 3703, 3800 [renumbered to 3801], 3805, 3810  
Filed 01/08/2025  
Effective 01/08/2025  
Agency Contact: Kim DeArte (916) 309–5227

Department of Corrections and Rehabilitation  
File # 2024–1125–03  
Milestone Completion Credit Schedule

This Certificate of Compliance action makes permanent the emergency regulatory changes adopted in OAL File Number 2024–0808–02EON, which amended section 3043.3 to revise the Milestone Completion Credit Schedule (MCCS), which is incorporated by reference in subsection 3043.3(d), and to update the references to the form within 3043.3.

Title 15  
Amend: 3043.3  
Filed 01/08/2025  
Effective 01/08/2025  
Agency Contact: Sarah Pollock (279) 223–2308

Department of Justice  
File # 2024–1127–02  
Custodian of Records

This action without regulatory effect by the Department of Justice (“Department”) amends form BCIA 8016CUS, “Request for Live Scan Service (Custodian of Records),” that is incorporated by reference in Section 999.601 of Title 11 of the California Code of Regulations.

Specifically, the amendments add a third gender option on the form that applicants can select, “Nonbinary/Unspecified,” in addition to the two gender options currently available to choose from, “Male” and “Female.”

Title 11  
Amend: 999.601  
Filed 01/08/2025  
Agency Contact:  
Marlon Martinez (213) 269–6437

Department of Health Care Access and Information  
File # 2024–1211–01  
Hospital Financial Assistance

This action without regulatory effect amends existing regulations which are inconsistent with and superseded by changed California statute. Specifically, this action repeals the defined terms “Charity Care” and “Discount Payment” from existing regulation as they are now defined in statute. Additionally, this action amends existing program eligibility application disclaimers regarding applicable financial information to conform with superseding statute.

Title 22  
Amend: 96051, 96051.8  
Filed 01/02/2025  
Agency Contact:  
Melissa Ferkovich (279) 220–2079

Commission on Peace Officer Standards and Training  
File # 2024–1125–02  
Amend Commission Regulations 1005, 1007, 1008, 1059/WSTB

This rulemaking action by the Commission on Peace Officer Standards and Training amends Work Sample Test Battery Proctor Manual (WSTB) and the Post Basic Courses Test Management and Security Protocols documents, which are incorporated by reference. This action also makes corresponding amendments to regulations to reflect the new revision dates of these documents.

Title 11  
Amend: 1005, 1007, 1008, 1059  
Filed 01/08/2025  
Effective 04/01/2025  
Agency Contact: Anita Finner (916) 227–3901

Department of Corrections and Rehabilitation  
File # 2024–1122–05  
Computer Voice Stress Analyzer Examinations

This regular rulemaking action by the California Department of Corrections and Rehabilitation amends sections 3000 and 3293 of the California Code of Regulations by repealing provisions regarding the use of Computer Voice Stress Analyzers.

Title 15  
Amend: 3000, 3293  
Filed 01/08/2025  
Effective 04/01/2025  
Agency Contact: Estevan Garcia (279) 223–2318

Department of Education  
File # 2024–1119–01  
Eligibility and Priority

In this rulemaking action, the Department of Education amends its preschool program regulations to update the enrollment priorities, application requirements, eligibility requirements, and recertification of eligibility. It also amends provisions related to a family’s right to voluntarily request changes, determinations of reimbursable amounts, and report data.

Title 05  
Adopt: 17732.1, 17749.1, 17751.1, 17752.5, 17753.1, 17774.5  
Amend: 17700, 17729, 17734, 17737, 17746, 17747, 17748, 17749, 17750, 17751, 17752, 17753, 17754, 17755, 17756, 17757, 17758, 17762, 17763, 17766, 17767, 17768, 17769, 17770, 17771, 17772, 17773, 17774, 17782, 17812, 17822  
Filed 01/06/2025  
Effective 01/06/2025  
Agency Contact: Lori Adame (916) 319–0860

Department of Motor Vehicles  
File # 2024–1121–02  
Federal Release Identification Cards

This regular rulemaking action by the Department of Motor Vehicles adds federal release identification cards issued by the Federal Bureau of Prisons to the list of documents that may be used to establish legal presence in the United States for purposes of obtaining a driver’s license or identification card.

Title 13  
Amend: 15.00  
Filed 01/07/2025  
Effective 04/01/2025  
Agency Contact: Randi Calkins (916) 282–7294

Department of Water Resources  
File # 2024–1118–01  
MWELo Amendments

This action by the Department of Water Resources amends the Department’s model water efficient landscape ordinance (MWELo), which is required on a triennial basis pursuant to Government Code section 65596.5.

Title 23  
Adopt: 490.2, 491.1, 491.2, 491.3, 491.4, 493.2.1, 493.2.2, 493.3, 493.4, 493.5, 493.6  
Amend: 490, 490.1, 491, 492, 493, 493.1, 493.2, 494, 495, Appendix A, Appendix B, Appendix C  
Repeal: 492.1, 492.2, 492.3, 492.4, 492.5, 492.6, 492.7, 492.8, 492.9, 492.10, 492.11, 492.12, 493.13, 492.14, 492.15, 492.16, 492.17, 492.18, Appendix D  
Filed 01/02/2025  
Effective 01/02/2025  
Agency Contact: Ryan Bailey (916) 873–4669

**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](https://oal.ca.gov).