



# California Regulatory Notice Register

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

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## PROPOSED ACTION ON REGULATIONS

*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 proposed/amended conflict-of-interest codes of the following:

#### CONFLICT-OF-INTEREST CODES

##### AMENDMENT

MULTI-COUNTY: Dinuba Unified School District  
Sierra Charter School  
Modesto Irrigation District  
Crescent View South, Inc.

A written comment period has been established commencing on January 31, 2025, and closing on March 17, 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 codes 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 codes will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest codes, 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 codes. Any written comments must be received no later than March 17, 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 codes 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 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](mailto:bcisneros@fppc.ca.gov).

## TITLE 3. DEPARTMENT OF PESTICIDE REGULATION

### ADDITION OF CHITOSAN TO LIST OF ACTIVE INGREDIENTS ALLOWED IN EXEMPTED MINIMUM RISK PESTICIDES DPR REGULATION NUMBER 25–001

The Department of Pesticide Regulation (DPR) proposes to amend Title 3, California Code of Regulations (3 CCR) section 6147(a)(5)(A). This proposal will affect pesticide regulatory program activities pertaining to pesticide registration. In summary, the proposed action will add chitosan to the list of active ingredients permitted in exempted pesticide products. This proposed action will mirror the U.S. Environmental Protection Agency's (U.S. EPA) recent action adding chitosan to Title 40, Code of Federal Regulations (40 CFR) section 152.25(f)(1) that was published in the Federal Register Vol. 87, Number 67364 on November 8, 2022.

### SUBMITTAL OF COMMENTS

Any interested person may present comments in writing about the proposed action to the agency contact person named below. Written comments must be received no later than March 17, 2025. Comments regarding this proposed action may also be transmitted via SmartComment online comment portal at <https://cdpr.commentinput.com?id=Kj4BMJr3H> or by facsimile at 916–324–1491.

A public hearing is not scheduled. However, one will be scheduled if any interested person submits a written request to DPR no later than 15 days prior to the close of the written comment period.<sup>1</sup>

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<sup>1</sup> If you have special accommodation or language needs, please include this in your request for a public hearing. TTY/TDD speech-to-speech users may dial 7–1–1 for the California Relay Service.

## EFFECT ON SMALL BUSINESS

DPR has determined that the proposed regulatory action does not affect small businesses. The proposed regulations will add chitosan to the list of active ingredients permitted in exempted pesticide products. Exempting pesticides that contain chitosan from the requirements of Food and Agricultural Code (FAC) Division 7 means that manufacturers, importers, and dealers of such products will no longer need to obtain a certificate of registration from DPR before selling the products for use in California, which will result in a savings in registration and renewal fees. In addition, such products will no longer be subject to other requirements of FAC Division 7, such as the payment of mill assessment on sales of the products.

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

DPR protects human health and the environment by regulating pesticide sales and use and by fostering reduced-risk pest management. DPR's strict oversight includes product evaluation and registration; state-wide licensing of commercial and private pesticide applicators, pest control businesses, dealers, and advisers; environmental monitoring; and residue testing of fresh produce. This statutory scheme is set forth primarily in FAC Divisions 6 and 7.

Both U.S. EPA and DPR have regulatory authority over the registration, sale, and use of pesticide products in California. With certain limited exceptions that do not pertain to this regulatory action, pesticide products must be registered with U.S. EPA before being registered and authorized for sale in California.

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) authorizes U.S. EPA to exempt certain products from pesticide registration if “the Administrator determines [the pesticide] either: (1) to be adequately regulated by another Federal agency; or (2) to be of a character which is unnecessary to be subject to this Act in order to carry out the purposes of the Act.” (FIFRA 25(b), 7 U.S.C. § 136w(b).) Per this authority, the U.S. EPA has designated certain active ingredients as “minimum risk pesticides” because they pose little or no risk to human health or the environment. Pesticide products containing these active ingredients that meet the additional composition and labeling requirements specified in federal regulation are exempt from regulation under FIFRA. (See 40 CFR § 152.25.)

FAC section 12803 authorizes DPR, by regulation, to exempt from all or part of the requirements of FAC Division 7, a pesticide exempted pursuant to FIFRA section 25(b). For a substance to be exempt from FAC Division 7, including registration, the Director must

individually evaluate each substance and concur with U.S. EPA's exemption decision. In addition, the Director must exclude from the exempting regulation those specific requirements of FAC Division 7 that "may otherwise be applicable and that are necessary to protect the public health or the environment." FAC section 12803 also states that "Notwithstanding any other provision of law, the Director shall retain authority to regulate any substance exempted pursuant to this section whether registered or not." 3 CCR section 6147 lists pesticide products that are exempt from the requirements of FAC Division 7, including those "minimum risk pesticides" that U.S. EPA has determined pose little to no risk to human health or the environment.

In November 2022, U.S. EPA added chitosan to its list of active ingredients in 40 CFR section 152.25(f)(1) pursuant to FIFRA section 25(b). The U.S. EPA listing also includes chitosan salts that are only formed when chitosan is mixed with the acids listed as active or inert ingredients eligible for use in minimum risk pesticide products. Following U.S. EPA's exemption decision, DPR evaluated chitosan and its salts to determine whether chitosan (including chitosan salts) should be added to the list of active ingredients permitted in exempted pesticide products pursuant to FAC section 12803. DPR concurs with U.S. EPA's decision and DPR's review of the current data supports the listing of chitosan and chitosan salts.

The proposed action will amend 3 CCR section 6147(a)(5)(A), adding chitosan to the list of active ingredients allowed in minimum risk pesticide products exempted from FAC Division 7, including registration. This listing will also include chitosan salts that are only formed when chitosan is mixed with the acids listed as active or inert ingredients eligible for use in minimum risk pesticide products.

The broad objective of the proposed action is to benefit the health and welfare of California residents, worker safety, and the State's environment by increasing alternatives to conventional pesticide products. Adding chitosan to the list of active ingredients will reduce regulatory burden on manufacturers who sell and distribute chitosan products in California. This may lead to increased production of chitosan pesticidal products. In turn, consumers may see lower costs for chitosan-based pesticidal products, and potentially a wider availability of these products.

During the process of developing these proposed regulations, DPR conducted a search of any similar regulations on this topic and has concluded that these proposed regulations are neither inconsistent nor incompatible with existing state regulations. The proposal will not interfere or otherwise impact other state agencies as DPR is the only agency that regulates pesticides within the State.

## IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

DPR determined that the proposed regulatory action does not impose a mandate on local agencies or school districts. DPR also determined that there are no costs to any local agency or school district requiring reimbursement pursuant to Government Code section 17500 et seq. There are no other nondiscretionary costs or savings imposed upon local agencies that are expected to result from the proposed regulatory action.

## COSTS OR SAVINGS TO STATE AGENCIES

DPR determined that no savings or increased costs to any state agency will result from the proposed regulatory action.

DPR determined that the proposed regulatory action will have a negligible impact in net loss of income to DPR from registration and renewal fees, and mill assessment on sales of registered products. Currently, there is only one registered product containing chitosan that would be exempt from FAC Division 7, including registration, under the proposed regulatory action. The application processing fee for registration is \$1,500 and the annual renewal fee is \$2,300. The estimated net income loss from renewal fees would be around \$2,300 in the current year and \$2,300 in each subsequent Fiscal Year. The expected impact on DPR's overall mill assessment fee revenue will be negligible.

## EFFECT ON FEDERAL FUNDING TO THE STATE

DPR determined that no costs or savings in federal funding to the state will result from the proposed action.

## EFFECT ON HOUSING COSTS

DPR made an initial determination that the proposed action will have no effect on housing costs.

## SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESSES

DPR made an initial determination that adoption of this regulation will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

**COST IMPACTS ON REPRESENTATIVE  
PRIVATE PERSONS OR BUSINESSES**

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

**RESULTS OF THE ECONOMIC  
IMPACT ANALYSIS**

Impact on the Creation, Elimination, or Expansion of Jobs/Businesses: DPR determined the proposed regulatory action will not impact the creation or elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business with the State of California. Exempting pesticides that contain chitosan from the requirements of FAC Division 7 means that manufacturers, importers, and dealers of such products will no longer need to obtain a certificate of registration from DPR before selling the products for use in California, which will result in a savings in registration and renewal fees. In addition, such products will no longer be subject to other requirements of FAC Division 7, such as the payment of mill assessment on sales of the products.

The proposed regulations will benefit the health and welfare of California residents, worker safety, and the State's environment by increasing alternatives to conventional pesticide products. Adding chitosan to the list of active ingredients will reduce regulatory burden on manufacturers who sell and distribute chitosan products in California. This may lead to increased production of chitosan pesticidal products. In turn, consumers may see lower costs for chitosan-based pesticidal products, and potentially a wider availability of these products.

**CONSIDERATION OF ALTERNATIVES**

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

**AUTHORITY**

This regulatory action is taken pursuant to the authority vested by FAC section 12803.

**REFERENCE**

This regulatory action is to implement, interpret, or make specific FAC section 12803.

**AVAILABILITY OF STATEMENT  
OF REASONS AND TEXT OF  
PROPOSED REGULATIONS**

DPR prepared an Initial Statement of Reasons and is making available the express terms of the proposed action, all of the information upon which the proposal is based, and a rulemaking file. A copy of the Initial Statement of Reasons and the proposed text of the regulation may be obtained from the agency contact person named in this notice. The information upon which DPR relied in preparing this proposal and the rulemaking file are available for review at the address specified below.

**AVAILABILITY OF CHANGED  
OR MODIFIED TEXT**

After the close of the comment period, DPR may make the regulation permanent if it remains substantially the same as described in the Informative Digest. If DPR does make substantial changes to the regulation, the modified text will be made available for at least 15 days prior to adoption. Requests for the modified text should be addressed to the agency contact person named in this notice. DPR will accept written comments on any changes for 15 days after the modified text is made available.

**AGENCY CONTACT**

Written comments about the proposed regulatory action; requests for a copy of the Initial Statement of Reasons, and the proposed text of the regulation; and inquiries regarding the rulemaking file may be directed to:

Lauren Otani, Regulations Coordinator  
Department of Pesticide Regulation  
1001 I Street, P.O. Box 4015  
Sacramento, California 95812-4015  
916-445-5781

Note: In the event the contact person is unavailable, questions on the substance of the proposed regulatory action may be directed to the following back-up person at the same address as noted below:

Jolynn Mahmoudi-Haeri, Senior Environmental  
Scientist (Supervisory)  
Pesticide Registration Branch  
916-324-3545



This Notice of Proposed Action, the Initial Statement of Reasons, and the proposed text of the regulation are also available on DPR's Internet Home Page <<http://www.cdpr.ca.gov>>. Upon request, the documents can be made available in another language, or an alternate form as a disability-related accommodation.

#### AVAILABILITY OF FINAL STATEMENT OF REASONS

Following its preparation, a copy of the Final Statement of Reasons mandated by Government Code section 11346.9(a) may be obtained from the contact person named above. In addition, the Final Statement of Reasons will be posted on DPR's Internet Home Page and accessed at <<http://www.cdpr.ca.gov>>.

### TITLE 14. DEPARTMENT OF PARKS AND RECREATION

#### UPDATE OF PERSONAL FLOTATION DEVICE TERMINOLOGY

The California Department of Parks and Recreation, Division of Boating and Waterways ("Division" or DBW) proposes to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

#### PUBLIC HEARING

No public hearing on this matter has been scheduled. Anyone wishing a public hearing must submit a request in writing, pursuant to Section 11346.8 of the Government Code, to the California Department of Parks and Recreation ("the Department") at least 15 days before the end of the written comment period. Such request should be addressed to the Department contact person identified in this Notice and should specify the California Boater Card regulations for which the hearing is being requested.

#### WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments, relevant to the proposed regulatory action before the public comment period closes. The deadline to submit comments is **March 17, 2025**. (45-day Notice).

**Comments must satisfy the following requirements:**

- Comment must be in writing, which includes email.
- Comment must identify the proposed regulatory action being addressed.

- Comments must be sent to the rulemaking agency's contact person for the proposed regulatory action.

#### Submit comments to:

***Charley Hesse, Regulations Analyst***

California State Parks

Division of Boating and Waterways

P.O. Box 942896, Floor 12

Sacramento, CA 94296

Email: [charley.hesse@parks.ca.gov](mailto:charley.hesse@parks.ca.gov)

Phone: 916-204-0639

Back-up to:

Charley Hesse: Jedidiah Anderson, Supervisor

Email: [jedidiah.anderson@parks.ca.gov](mailto:jedidiah.anderson@parks.ca.gov)

Phone: 916-708-7948

#### AUTHORITY AND REFERENCE

Harbors and Navigation Code, Division 3, Chapter 5, Article 1, Section 652 authorizes the Division to adopt these proposed regulations. The proposed regulation language clean-up aligns California Code of Regulations (CCR) Title 14, § 6565.5, § 6565.6 and § 6565.7 with Federal Register 79 FR 56491, Published by the United States Coast Guard (USCG) in 2014.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

On April 6, 2023, the United States Coast Guard Boating Safety Division (CG-BSX-2) completed a compliance review of the California State Parks, Division of Boating and Waterways Recreational Boating Safety (RBS) grant program. This compliance review is used to monitor if a state is in compliance with specific elements of applicable federal laws and regulations, including Title 46 U.S.C. Chapter 131 which specifies requirements for the State's RBS grant program. As a result of the April 6, 2023 review, it was identified that language terminology found in Title 14 CCR §6565.5 was out of compliance with 79 FR 56491, which addresses the federal life jacket type code, issued by USCG in 2014.

USCG issued 79 FR 56491 in 2014 to remove references to type codes in its regulations on the carriage and labeling of USCG-approved personal flotation devices (PFDs). As a result, DBW must update Title 14 CCR §§ 6565.5, 6565.6, and 6565.7 to align with federal regulations.

**ANTICIPATED BENEFITS OF THE  
PROPOSED REGULATION:**

Removing references to type codes found in Title 14 CCR §§ 6565.5, 6565.6, and 6565.7 will align state regulations with the Code of Federal Regulations.

Per Federal Register 79 FR 56491 issued by USCG (2014), removing references to type codes found on PFDs will facilitate future incorporation by reference of new industry consensus standards for PFD labeling that more effectively convey safety information, and is a step toward harmonization of USCG regulations with PFD requirements in Canada and in other countries. Specifically, this final rule will enable the Standards Technical Panel (Panel), the panel charged with the new industry consensus standards, to complete development of a standard for wearable PFDs without including unnecessary references to type codes. By paving the way for the Panel to develop a new standard, this final rule supports the efforts of the U.S.–Canada Regulatory Cooperation Council, a bilateral effort coordinated by the Office of Management and Budget (OMB) to develop a “North American Standard for lifejackets.” Additionally, by updating Title 14 CCR §§ 6565.5, 6565.6, and 6565.7, California will be in alignment with federal requirements found in 79 FR 56491 issued by USCG in 2014.

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

The Division has determined that this proposed regulation is not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Division has concluded that these are the only regulations that concern the improper use of PFD Type Codes.

**DISCLOSURES REGARDING THE  
PROPOSED ACTION**

*The Division has made the following initial determinations:*

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

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

Other non–discretionary cost or savings imposed on local agencies: None.

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

Cost impacts on a representative private person or businesses: The Division is not aware of any cost im-

pacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Statewide adverse economic impact directly affecting businesses and individuals: The Division has initially determined that 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.

Significant effect on housing costs: None.

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

The Division concludes that it is: (1) unlikely the proposed action will eliminate any jobs, (2) unlikely the proposed action may create an unknown number of jobs, (3) unlikely the proposal will create new businesses, (4) unlikely that the proposal will eliminate any existing businesses, and (5) unlikely that the proposal will expand existing businesses.

Benefits of the Proposed Action: The administrative and technical updates and alignment of PFD labeling with federal standards will ultimately benefit the health and welfare of California residents, as well as affect worker safety, for individuals who are required to wear PFDs in their sailing and boating activities. The proposed regulations are not expected to affect the state’s environment.

**SMALL BUSINESS DETERMINATION**

The Division has determined that the proposed regulations may affect small businesses.

**CONSIDERATION OF ALTERNATIVES**

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

There are no alternatives to aligning the proposed regulations with federal requirements.



#### CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Charley Hesse, Regulations Analyst  
California State Parks  
Division of Boating and Waterways  
P.O. Box 942896, Floor 12  
Sacramento, CA 94296  
Email: [charley.hesse@parks.ca.gov](mailto:charley.hesse@parks.ca.gov)  
Phone: 916–204–0639

Back-up to Charley Hesse:

Jedidiah Anderson, Supervisor  
Email: [jedidiah.anderson@parks.ca.gov](mailto:jedidiah.anderson@parks.ca.gov)  
Phone: 916–708–7948

Please direct requests for copies of the Proposed Text (the “express terms”) of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based, to Charley Hesse at the above address.

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

The Division will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office located at 715 P Street, 12th Floor, Sacramento, CA 95814. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the Proposed Text of the Regulations, the Economic and Fiscal Impact Statement (STD 399) and the Initial Statement of Reasons. Copies may be obtained by contacting Charley Hesse at the address or phone number listed above.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Division may adopt the proposed regulations substantially as described in this Notice. If the Division makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Division adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Charley Hesse at the address indicated above. The Division will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Charley Hesse at the above address.

#### AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at [www.dbw.ca.gov](http://www.dbw.ca.gov).

### TITLE 14. NATIVE AMERICAN HERITAGE COMMISSION

#### CALNAGPRA MEDIATION AND DISPUTE RESOLUTION: ADOPTION OF SECTIONS 29001–29015

The Native American Heritage Commission (“Commission”) proposes to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

#### PUBLIC HEARING

The Commission will hold a public hearing starting at 11:00 a.m. on April 25, 2025, at 525 Algodones Road in Winterhaven, California. During the hearing, any person may present statements or arguments, either orally or in writing, that are relevant to the proposed action described in the Informative Digest. There will also be an opportunity to participate via webinar or teleconference. The Commission requests but does not require, that those who make oral comments also submit a written copy of their testimony at the hearing.

#### WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments relevant to the proposed regulatory action to:

Native American Heritage Commission  
Attention: Chairman Reggie Pagaling  
1550 Harbor Boulevard, Suite 100  
West Sacramento, Ca 95691

Comments may also be submitted by email to: [tribal.consultation@nahc.ca.gov](mailto:tribal.consultation@nahc.ca.gov).

The written comment period closes on May 2, 2025. The Commission will consider only timely received

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

## AUTHORITY AND REFERENCE

Health and Safety Code section 8016(d)(8) authorizes the Commission to adopt this proposed regulation. The proposed regulation implements, interprets, and makes specific section 8016(d) of the Health and Safety Code.

## INFORMATIVE DIGEST

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

This rulemaking action clarifies and makes specific the mediation and dispute resolution process contained within section 8016(d) of the Health and Safety Code.

Health and Safety Code section 8016(d) provides for mediation and resolution of disputes that arise between tribes and institutions that are subject solely to the California Native American Graves Protection and Repatriation Act ("CalNAGPRA"). Health and Safety Code section 8016(d)(8) requires the Commission to adopt mediation procedures, and these draft regulations will bring the Commission in compliance with statute.

The regulations proposed in this rulemaking action would create a process for conducting the mediation of disputes arising solely under CalNAGPRA. Additionally, the proposed regulations would establish mediator qualifications, set forth the process by which mediation is conducted, and provide for the integration of restorative justice principles in both mediation and agreed upon outcomes. The proposed regulations would also establish procedures for Commission resolution of disputes that remain resolved after mediation.

### *Objectives and Anticipated Benefits of the Proposed Regulation*

The broad objective of these regulations is to ensure that when an institution is subject only to CalNAGPRA and not federal law, that there is an avenue for the resolution of disputes concerning the repatriation of human remains and associated cultural items. An anticipated benefit of these regulations is a shift in the adversarial dynamic that has long existed in California's history of repatriation. These regulations will allow for dispute resolution in the form of mutually beneficial solutions as opposed to factually challenging enforcement and civil litigation. Simply put, these regulations will empower Tribes and Institutions to collaboratively navigate conflict that historically have prolonged repatriation outcomes. As a result, the pro-

posed regulation will enhance the prevention of discrimination and promote fairness and social equity.

### *Evaluation of Inconsistency/Incompatibility with Existing State Regulations*

The Commission determined that these proposed regulations are not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Commission has concluded that these are the only regulations that concern the mediation and resolution of disputes arising solely under the California Native American Graves Protection and Repatriation Act.

## DISCLOSURES REGARDING THE PROPOSED ACTION

### *The Commission has made the following initial determinations:*

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: The Commission may incur nominal costs that may be absorbed within its existing resources.

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

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

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

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

Significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states: None.

Significant effect on housing costs: None.

Small Business Determination: None. This rulemaking seeks to clarify the mediation and dispute resolution process in section 8016(d) of the Health and Safety Code. It aims to establish a structured mediation process for CalNAGPRA disputes, define mediator qualifications, and incorporate restorative justice principles. The regulations will also outline procedures for the Commission to address unresolved disputes.

## RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

The Commission concludes that the proposed regulation provides statutory implementation language and makes specific existing statute but does not include any required fiscal impacts.

The Commission concludes that it is (1) unlikely that the proposal will eliminate any jobs for me-

diators, (2) likely that the proposal will create an unknown number of jobs for mediators, (3) unlikely that the proposal will create an unknown number of new businesses providing mediation (4) unlikely that the proposal will eliminate any existing businesses, and (5) unlikely that the proposed regulations will result in the expansion of businesses currently doing business within the state.

**Benefits of the Proposed Action:** The proposed regulation will not directly enhance the health and welfare of California residents, worker safety, and the state's environment.

The anticipated benefit of these regulations is a shift in the adversarial dynamic that has long existed in California's history of repatriation. These regulations will allow for dispute resolution in the form of mutually beneficial solutions as opposed to factually challenging enforcement and civil litigation. Simply put, these regulations will empower Tribes and Institutions to navigate conflict that historically has prolonged repatriation outcomes collaboratively. As a result, the proposed regulation will enhance the prevention of discrimination and promote fairness and social equity.

#### CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), 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.

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

#### CONTACT PERSONS

Inquiries concerning the proposed action may be directed to:

Michelle Carr, Chief Counsel  
Native American Heritage Commission  
1550 Harbor Boulevard, Suite 100  
West Sacramento, CA 95691  
Telephone: (916) 268-1439  
Email: [michelle.carr@nahc.ca.gov](mailto:michelle.carr@nahc.ca.gov)

The backup contact person for this proposed action is:

Mario Pallari, Staff Counsel  
Native American Heritage Commission  
1550 Harbor Boulevard, Suite 100  
West Sacramento, CA 95691  
Telephone: (916) 710-0901  
Email: [mario.pallari@nahc.ca.gov](mailto:mario.pallari@nahc.ca.gov)

Please direct requests for copies of the proposed text (the "express terms") of the regulation, the Initial Statement of Reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Michelle Carr using the contact information above.

#### AVAILABILITY OF DOCUMENTS

##### *Availability of 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 at the above address. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the proposed text of the regulations, the Initial Statement of Reasons, and the documents relied upon. Copies may be obtained by contacting Michelle Carr using the contact information above.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and 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 the 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 text to the attention of Michelle Carr using the contact information above. The Commission will accept written comments on the modified text for 15 days after the date on which it is made available.

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Michelle Carr using the contact information above.

#### AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of this Notice, the proposed text of the regulation, and the Initial Statement of Reasons

can be accessed on the Commission’s website at [www.nahc.ca.gov](http://www.nahc.ca.gov).

## **TITLE 14. STATE MINING AND GEOLOGY BOARD**

### **DESIGNATION OF MINERAL LANDS IN THE GREATER SACRAMENTO AREA PRODUCTION–CONSUMPTION REGION, NATURAL RESOURCES**

**NOTICE IS HEREBY GIVEN** that the State Mining and Geology Board (Board or SMGB) proposes to adopt the regulation described below after considering all comments, objections, or recommendations regarding the proposed action.

#### **PROPOSED REGULATORY ACTION**

The Board proposes to designate certain mineral resource sectors within geographical areas to be of regional significance. Designation is the formal recognition by the Board of lands containing mineral resources of regional economic significance that are needed to meet the demands of the future. The Board proposes to add new proposed regulations which would add Section 3550.18 to Title 14, Article 2, of the California Code of Regulations (CCR), and provide a description of the locations of mineral resources areas designated to be of regional significance within the Greater Sacramento Area Production–Consumption Region (GSA), Sacramento County.

#### **WRITTEN COMMENT PERIOD AND PUBLIC HEARING**

Public Resources Code (PRC) section 2791 requires the Board to seek the recommendations of concerned federal, state, and local agencies, educational institutions, civic and public interest organizations, and private organizations and individuals in the identification of areas of statewide and regional significance. Any person, or his or her authorized representative, may submit written statements, arguments, or comments related to the proposed regulatory action to the Board. Comments may be submitted by email [smgbregulations@conservation.ca.gov](mailto:smgbregulations@conservation.ca.gov) or by mail to:

State Mining and Geology Board  
Attention: Greater Sacramento Area P–C Region  
715 P Street, MS 19–09  
Sacramento, CA 95814

**The written comment period opens January 31, 2025, and closes on March 28, 2025.**

#### **Public Hearing**

Pursuant to Government Code Section 11346.8, the Board scheduled a public hearing in person and virtually for the time and place stated below to receive oral or written comments regarding the proposed regulatory action:

**March 27, 2025  
1:00 p.m. to 4:00 p.m.**

SMGB  
715 P Street, Second Floor  
Conference Room 2–201  
Sacramento, CA 95814

#### **Use this link to join the Public Hearing virtually via Microsoft Teams**

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_ZDIINzIzYzgtNTMzMzMi00MzQ1LTljNjltMzYwOGlwNTNIYTI4%40thread.v2/0?context=%7b%22Tid%22%3a%224c5988ae-5a00-40e8-b065-a017f9c99494%22%2c%22Oid%22%3a%22cae3ec8e-f8d0-4951-8dea-87fc3083f293%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZDIINzIzYzgtNTMzMzMi00MzQ1LTljNjltMzYwOGlwNTNIYTI4%40thread.v2/0?context=%7b%22Tid%22%3a%224c5988ae-5a00-40e8-b065-a017f9c99494%22%2c%22Oid%22%3a%22cae3ec8e-f8d0-4951-8dea-87fc3083f293%22%7d)

**Meeting ID:** 245 348 417 253

**Passcode:** VS2tT9U3

Teleconference number — audio only  
+1 (916)–318–8892

**Phone Conference ID:** 278 476 411 #

#### **Accessibility**

If you have a disability and require a reasonable accommodation to fully participate in this event, please contact Sarah Rubin, Outreach and Engagement Coordinator as soon as possible to discuss your accessibility needs.

Email: [Sarah.Rubin@conservation.ca.gov](mailto:Sarah.Rubin@conservation.ca.gov) | Phone: (916) 214–5731

Translation and interpretation services may be provided upon request. To ensure availability of these services, please make your request no later than ten working days prior to the workshop by contacting Sarah Rubin, Outreach and Engagement Coordinator. Email: [Sarah.Rubin@conservation.ca.gov](mailto:Sarah.Rubin@conservation.ca.gov) | Phone: (916) 214–5731

Se podrán proporcionar servicios de traducción e interpretación a petición previa. Para poder garantizar la disponibilidad de estos servicios, asegúrese de realizar su solicitud a más tardar diez días hábiles antes de la reunión comunitaria comunicándose con Sarah Rubin, Coordinadora de Alcance y Participación.

Correo electrónico: [Sarah.Rubin@conservation.ca.gov](mailto:Sarah.Rubin@conservation.ca.gov) | Tel: (916) 214–5731

#### **AUTHORITY AND REFERENCE**

The Board is proposing to adopt new proposed regulations which would add Section 3550.18 to Title 14,

Article 2, of the California Code of Regulations. Public Resources code section 2755 and 2790 authorize the Board to adopt the proposed regulations. The proposed regulation will implement, interpret, make specific or reference section 2762 of the Public Resources Code.

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Board proposes to adopt, by regulation set forth in CCR Section 3550 the designation of certain mineral resource sectors within geographical areas to be of regional significance. Designation is the formal recognition by the Board of lands containing mineral resources of regional economic significance that are needed to meet the demands of the future. Designation is based in the recommendations of the California Geological Survey (CGS) as delineated in a designation memo prepared by CGS. CGS bases their designation memo on the finding of the Special Reports that cover the GSA.

In 2018, CGS released Special Report 245 — Mineral Land Classification: Concrete Aggregate in the Greater Sacramento Area Production–Consumption Region (O’Neal and Gius, 2018). This report is the first mineral land classification (MLC) study of concrete aggregate resources in the newly defined GSA P–C Region.

Special Report 245 re–evaluates, re–calculates, and combines parts of the nine previous mineral classification studies into a single P–C Region. Additionally, Special Report 245 classifies approximately 3,500 square miles of previously unclassified land within the GSA. The newly defined P–C Region covers approximately 6,080 square miles and includes the Sacramento–Fairfield and Yuba City–Marysville P–C Regions, Sacramento County, and the western portions of Nevada, Placer, and El Dorado County study areas. Additionally, lands within the Yuba, Sutter, Yolo, and Solano counties, which had not been previously classified, are now classified in this new P–C Region.

Nine previous mineral land classification studies conducted between 1988 and 2010 evaluated portions of the GSA P–C region and identified a total of 85 sectors to be of regional or statewide significance. Special Report 245 incorporated and updated information from these previous studies to evaluate the mineral resource potential for Portland cement concrete (PCC) and asphaltic concrete (AC) grade aggregate within the GSA P–C region and showed that only some of the sectors are of significance presently: Sectors 1 through 43, 45, 46, 48, 49, 50, 52, 54 through 70, 72, 73, 75, 77, 78, 79, 81, 82, and 83 (Plate 1A, Plate 1B). Sectors 44, 47, 51, 53, 71, 74, 76, 80, 84, and 85 were either deplet-

ed by mining, lost to incompatible land uses, or determined to no longer be significant upon reevaluation. Additionally, Special Report 245 identifies nine new sectors (Sectors 86 through 94) of significance.

At its February 14, 2019 regular business meeting, the Board accepted Special Report 245. On January 19, 2022, the State Geologist recommended for designation select mineral resource lands in the GSA P–C Region. The State Geologist identified several candidate areas which meet or exceed the Board’s threshold economic value, thus qualifying each area to be considered for designation as an area of regional or statewide significance by the Board.

Additionally, a petition for classification of mineral lands was submitted to the Board on November 4, 2020 by Teichert Materials for a 277–acre project area on the Shifler Property, which is located approximately 3 miles west of the town of Woodland in Yolo County. Two years prior, Special Report 245 had classified approximately 90 acres of the northern portion of the project area as MRZ–2, classified about 1.5 acres of the eastern portion of the project area as MRZ–1, and classified the majority of the remaining project area as MRZ–3.

The petition included drill logs that showed the presence of construction aggregate at mineable depths throughout the project area. In 2021, CGS produced a mineral land classification report (Special Report 255) for the Shifler property and subsequently re–classified the proposed mining project area within the property as MRZ–2 due to the presence of PCC grade aggregate. On January 4, 2021, the State Geologist recommended the Board accept the Shifler Property petition and at its January 21, 2021 regular business meeting, the Board accepted the request for petition. On May 20, 2021, the Board accepted Special Report 255.

## ANTICIPATED BENEFITS OF THE PROPOSED ACTION

Board staff have determined that the adoption of this regulation will benefit the health and welfare of California residents, and the state’s environment by providing sufficient information for local governments to reduce transportation costs including greenhouse gas emissions for aggregate minerals by refraining from permitting incompatible uses near designated mineral zones.

Although difficult to quantify, the proposed regulations enable land planners to best utilize the land’s resources. This will help reduce emissions as a benefit to the state’s environment and improve worker safety as aggregate transportation will become more efficient, leading to a decreased probability of trucking accidents.

### CONSISTENCY WITH FEDERAL STATUTE AND REGULATION

This regulation does not duplicate nor conflict with existing federal statutes or regulations.

### CONSISTENCY WITH EXISTING STATE REGULATIONS

The proposed regulatory change is not inconsistent or incompatible with existing state regulations. After reviewing any regulations that would relate to or affect this area, the Board has concluded that these are the only regulations that concern the designation of certain mineral resource sectors within geographical areas as being of regional importance.

### CEQA COMPLIANCE

The Board has determined that this rulemaking process is categorically exempt under Title 14, CCR section 15307 of the California Environmental Quality Act Guidelines. Thus, there is no environmental impact in considering the proposed regulatory language.

### DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has made the following initial determinations:

**Mandate on local agencies and school districts:** Board staff determined that adoption of this regulation will impose mandates on lead agencies in the sense that under PRC section 2762, lead agencies who have received a new or updated designation in their area are required to update their Mineral Resource Management Policies in their General Plan within 12 months of the classification or designation. Board staff determined that adoption of this regulation does not impose any new mandates on local school districts.

**Cost or savings to any state agency:** Board staff determined this proposed regulation does not impose any additional cost obligations on state agencies.

**Cost to any local agency or school district that must be reimbursed in accordance with Government Code sections 17500 through 17630:** Board staff determined this proposed regulation does not impose any additional cost obligations that must be reimbursed on local agencies or on local school districts.

**Other nondiscretionary cost or savings imposed on local agencies:** Board staff determined that this proposed regulation imposes costs of between \$70,000 and \$130,000 in the first year and between \$0 and \$60,000 in the second year on local land use lead agencies. These amounts are cumulative expenses predicted to be incurred by the eight lead agencies in

the GSA region. However, under PRC section 2207(e) local lead agencies may impose a fee on mining operations to cover the costs of Surface Mining and Reclamation Act administration, thus there is no unfunded local mandate. School districts are not affected by the regulation.

**Cost or savings in federal funding to the state:** Board staff determined that there are no costs or savings in federal funding to the State.

**Costs impacts on a representative private person or business:** The imposition of the proposed regulatory language on a directly affected local mining operation will have a positive cost impact to the operation by the recognition of the designated mineral land of regional significance which in some circumstances may reduce the amount of time, and thus cost, in acquiring a permit to mine from its lead agency.

The proposed regulations would not have significant economic impacts on individuals and businesses.

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

**Significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states:** Board staff determined that no statewide adverse impacts to California businesses result from the adoption of this proposed regulatory language. The imposition of the proposed new regulation will have no cost impact on businesses, and no existing businesses in California will be expanded or eliminated. The proposed regulatory language serves as a planning tool for local government (counties and cities) and considering future land use as it relates to surface mining of aggregates.

**Significant effect on housing costs:** Board staff has determined that the adoption of these regulations will have no significant effect on housing costs.

**Small business determination:** Board staff has determined that the designation of mineral lands areas will have no effect on small businesses. The imposition of the proposed amendment will have no cost impact on small businesses. The proposed regulatory language allows lead agencies to consider the regional significance of mineral lands designated by the Board when making land use decisions but does not impose any fees or costs to business as part of that consideration.

**Business reporting requirement:** None.



## RESULTS OF THE ECONOMIC IMPACT ASSESSMENT/ANALYSIS

**Creation or elimination of jobs within California:** The proposed regulations will not create or eliminate jobs within California.

**Creation of new businesses or the elimination of existing businesses within California:** The proposed regulations will not create new businesses or eliminate existing businesses.

**Expansion of businesses currently doing business within California:** The proposed regulations will not lead to the expansion of businesses currently doing business within California.

**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, and the state’s environment by providing sufficient information for local governments to reduce transportation costs including greenhouse gas emissions for aggregate minerals by refraining from permitting incompatible uses near designated mineral zones.

Although difficult to quantify, the proposed regulations enable land planners to best utilize the land’s resources. This will help reduce emissions as a benefit to the state’s environment and improve worker safety as aggregate transportation will become more efficient, leading to a decreased probability of trucking accidents.

## CONSIDERATION OF ALTERNATIVES

One alternative to designating mineral lands in the GSA P–C region considered was to perform no such designation. This alternative was rejected based on the determination that the preservation of proximal mineable aggregate was necessary to meet the aggregate demands of the region and avoid the consequences of long–distance transportation of aggregate. Designation of an area of regional significance requires lead agencies to justify a decision to permit development that “would threaten the potential to extract minerals...” and to consider “balancing mineral values against alternative land uses, consider the importance of these minerals to their market region as a whole and not just their importance to the lead agency’s area of jurisdiction.”

No other alternatives have been considered by the Board at this time that would be more effective in carrying out the purpose for which the regulatory action is proposed, nor have any other alternatives been proposed that would be as effective and less burdensome to affected private persons, lead agencies, or small businesses. Furthermore, no alternative has been considered by the Board at this time that would more

cost–effective and equally as effective to affected private persons, lead agencies, or small businesses.

## CONTACT PERSONS

Inquiries concerning the substance of the proposed amended regulation should be directed to:

Paul Fry, Senior Geologist  
State Mining and Geology Board  
715 P Street, MS 1909  
Sacramento, CA 95814  
Phone: (916) 212–1139  
[Paul.Fry@conservation.ca.gov](mailto:Paul.Fry@conservation.ca.gov)

Back–up contact:

Mallory Jones, Geologist  
State Mining and Geology Board  
715 P Street, MS 1909  
Sacramento, CA 95814  
Phone: (916) 214–2066  
[Mallory.Jones@conservation.ca.gov](mailto:Mallory.Jones@conservation.ca.gov)

Please direct requests for copies of the proposed text (the “express terms”) of this regulation, the initial statement of reasons, the modified text of the regulation, if any, or other information upon which this rulemaking is based to Paul Fry at the above address.

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

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, the initial statement of reasons, and a standard form 399.

Copies of these documents may be obtained by contacting Paul Fry at the address and phone number listed above.

## AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the written comment period and any hearing that may be conducted by the Board to accept comments and evidence regarding the adoption of the proposed regulation, the Board will consider all timely and relevant comments received. Thereafter, the Board may adopt the proposed regulation substantially as described in this notice. If the Board makes modifications that are sufficiently related to the original proposed text, it will make the modified text (with changes clearly indicated) available to the public for at



least 15 days before the Board adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Paul Fry at the address indicated above. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### **AVAILABILITY OF THE FINAL STATEMENT OF REASONS**

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Paul Fry at the above address.

#### **AVAILABILITY OF DOCUMENTS ON THE INTERNET**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the proposed amended text of the regulation can be accessed through our webpage at: <https://www.conservation.ca.gov/smgb/Pages/Rulemaking/index.aspx>

### **TITLE 14. STATE MINING AND GEOLOGY BOARD**

#### **PUBLIC RESOURCES CODE SECTION 2714(F) EXEMPTION**

#### **SURFACE MINING OPERATIONS OF INFREQUENT NATURE THAT INVOLVE MINOR SURFACE DISTURBANCES**

**NOTICE IS HEREBY GIVEN** the State Mining and Geology Board (Board) proposes to adopt the regulation described below after considering all comments, objections, or recommendations regarding the proposed action.

#### **PROPOSED REGULATORY ACTION**

The Board proposes to adopt California Code of Regulations (CCR), Title 14, Division 2, Chapter 8, Subchapter 1, Article 17 criteria (sections 4050–4059) for exemptions from the Surface Mining and Reclamation Act of 1975 (Public Resources Code § 2710 et seq., SMARA) under Public Records Code (PRC) section 2714(f) which pertains to: “...mining operations that the Board determines to be of an infrequent nature and that involve only minor surface disturbances.” The proposed regulations detail the procedures needed to apply for an exemption for surface mining operations of infrequent nature that involve minor

surface disturbances. These proposed regulations also detail the administrative record, public hearing procedures, and effect of exemption determination.

#### **WRITTEN COMMENT PERIOD AND PUBLIC HEARING**

Any Person, or his or her authorized representative, may submit written statements, arguments, or comments related to the proposed regulatory action to the Board.

Comments may be submitted by email [smgbregulations@conservation.ca.gov](mailto:smgbregulations@conservation.ca.gov) or by mail to:

State Mining and Geology Board  
Attention: 2714(f) Exemption  
715 P Street, MS 19–09  
Sacramento, CA 95814

**The written comment period opens January 31, 2025, and closes on March 28, 2025.**

#### **Public Hearing**

Pursuant to Government Code Section 11346.8, the Board scheduled a public hearing in person and virtually for the time and place stated below to receive oral or written comments regarding the proposed regulatory action:

**March 27, 2025  
9:00 a.m. to 12 p.m.**

SMGB  
715 P Street, Second Floor  
Conference Room 2–201  
Sacramento, CA 95814

#### **Use this link to join the Public Hearing virtually via Microsoft Teams**

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_NDZiZjAyZWtMTclYi00ZmUxLWl5NWUtM2E0Y2Q0ZjZhNDMy%40thread.v2/0?context=%7b%22Tid%22%3a%224c5988ae-5a00-40e8-b065-a017f9c99494%22%2c%22Oid%22%3a%22cae3ec8e-f8d0-4951-8dea-87fc3083f293%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NDZiZjAyZWtMTclYi00ZmUxLWl5NWUtM2E0Y2Q0ZjZhNDMy%40thread.v2/0?context=%7b%22Tid%22%3a%224c5988ae-5a00-40e8-b065-a017f9c99494%22%2c%22Oid%22%3a%22cae3ec8e-f8d0-4951-8dea-87fc3083f293%22%7d)

**Meeting ID:** 230 942 623 714

**Passcode:** X2Ve3GR2

Teleconference number– audio only  
+1 (916)–318–8892

**Phone Conference ID:** 985 619 440#

#### *Accessibility*

If you have a disability and require a reasonable accommodation to fully participate in this event, please contact Sarah Rubin, Outreach and Engagement Coordinator as soon as possible to discuss your accessibility needs.

Email: [Sarah.Rubin@conservation.ca.gov](mailto:Sarah.Rubin@conservation.ca.gov) | PH: (916) 214–5731

Translation and interpretation services may be provided upon request. To ensure availability of these services, please make your request no later than ten working days prior to the workshop by contacting Sarah Rubin, Outreach and Engagement Coordinator. Email: [Sarah.Rubin@conservation.ca.gov](mailto:Sarah.Rubin@conservation.ca.gov) | Phone: (916) 214–5731

Se podrán proporcionar servicios de traducción e interpretación a petición previa. Para poder garantizar la disponibilidad de estos servicios, asegúrese de realizar su solicitud a más tardar diez días hábiles antes de la reunión comunitaria comunicándose con Sarah Rubin, Coordinadora de Alcance y Participación. Correo electrónico: [Sarah.Rubin@conservation.ca.gov](mailto:Sarah.Rubin@conservation.ca.gov) | Telephone: (916) 214–5731

## AUTHORITY AND REFERENCE

Under the authority of PRC section 2755, the Board is proposing to adopt sections 4050–4059 of Article 17, Title 14, Division 2, Chapter 8, Subchapter 1 of the CCR. The proposed regulation implements, interprets, and makes specific section 2714(f) of the PRC.

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

SMARA was enacted to ensure that any significant adverse impacts of mining to the environment are prevented or mitigated, and public health and safety is protected. SMARA, at PRC section 2770, requires surface mining operations obtain a local government approved permit or other authority to mine, an approved reclamation plan, and approved financial assurances to cover reclamation costs should the operator become financially incapable of reclamation, or they abandon the operation.

PRC section 2714 provides a list of exemptions from SMARA’s requirements. Subdivision (f) of PRC section 2714 provides the Board with the authority to exempt “Any other surface mining operations that the board determines to be of an infrequent nature and that involve only minor surface disturbances.”

### ***Proposed Regulation***

The purpose of Title 14, Division 2, Chapter 8, Subchapter 1, Article 17 of the CCR sections 4050–4059 is to govern procedures the Board will use to determine if a proposed surface mining operation is of an infrequent nature and will only involve a minor surface disturbance and should therefore not be subject to SMARA pursuant to PRC section 2714(f).

The proposed regulations address and detail:

- The purpose of the proposed regulations
- Requirement for a consultation before submittal of a request for a determination of exemption

- Information required to be included in a request for a determination of exemption
- The administrative record requirements
- The public hearing requirements and procedure
- Effects of the determination of exemption

## ANTICIPATED BENEFITS OF THE PROPOSED REGULATIONS

The statute imbuing the Board with the exemption authority does not include the process for filing for an exemption under PRC section 2714(f). Applicants seeking an exemption have little to no guidance on the scope and contents of an application, how the Board conducts the public hearing, or even when or how a decision is issued by the Board, following a public hearing. The proposed regulations will specify and standardize the procedure to submit the request for exemption to the Board. The jurisdiction determination procedures are also outlined and detailed. Proposed CCR sections 4050–4059 specify and define the requirements for the administrative record, development of that record, and the requirements for public hearings and communication associated with the submitted request for exemption.

The specific benefits anticipated from the regulation include the Board’s receipt of defined application contents, and coordination of environmental review with the lead agency. This allows the Board to make an informed decision following a required public hearing. This will ensure the continued protection of the environment and public health and safety, promote fairness to all applicants, ensure social equity, and increase openness and transparency of the Board’s exemption application and hearing process.

### ***Consistency with Federal Statute and Regulation***

The proposed regulations do not duplicate nor conflict with existing federal statutes or regulations.

### ***Consistency with Existing State Regulation***

The proposed regulations are not inconsistent nor incompatible with existing state regulations. After conducting a review for any regulations that relate to or would affect the Board’s exemption determination, the Board has concluded that these are the only regulations concerning the Board’s exemption determination procedures.

## DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has made the following determinations, based in part on the Economic Impact Analysis prepared for this proposed rulemaking:

**Mandate on local agencies and school districts:** The rulemaking would require the Executive Offi-

cer to consult with the SMARA lead agency and the land use lead agency with jurisdiction. Participation in this consultation by these lead agencies is voluntary on their part. If the project proponent subsequently decides to request a determination of exemption, the SMARA lead agencies may attend the hearing to provide statements and/or rebuttal and may be asked questions by the Board during the deliberative phase. However, under PRC section 2207(e) local lead agencies may impose a fee on mining operations to cover the costs of SMARA administration, thus there is no unfunded local mandate.

**Costs or savings to any state agency:** There could conceivably be a modest savings to state agencies due to the elimination of superfluous steps by outlining the determination of exemption process.

**Cost to any local agency or school district which must be reimbursed in accordance with Government Code §§ 17500 through 17630:** The Board staff determined this proposed regulation does not impose any additional cost obligations on local agencies or on local school districts.

**Other nondiscretionary costs or savings imposed upon local agencies:** The Board staff determined that no other non-discretionary costs or savings to local agencies are imposed by the proposed regulations.

**Cost or savings in federal funding to the state:** The Board staff determined that there are no costs or savings in Federal funding to the State.

**Significant effect on housing costs:** The Board staff has determined that the adoption of these regulations will have no significant effect on housing costs.

**Significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states:** The Board staff determined that no statewide adverse impacts to California businesses result from the adoption of this proposed regulatory language. The proposed regulations will have no cost impact on businesses beyond the cost associated with the request for exemption, and no existing businesses in California will be expanded or eliminated.

**Creation or elimination of jobs within California:** The Board does not anticipate the proposed regulations would create or eliminate jobs within California.

**Creation of new businesses or the elimination of existing businesses within California:** The Board does not anticipate the proposed regulations would create new businesses or eliminate existing businesses.

**Expansion of businesses currently doing business within California:** The Board does not anticipate the proposed regulations would lead to the expansion of businesses currently doing business within California.

**Benefits to the health and welfare of California residents, worker safety, and the state's environment:** The Board does not anticipate the proposed

regulations would negatively impact the health and welfare of California residents, worker safety, and the state's environment. A structured procedure for a determination of exemption will ensure the Board thoroughly considers every exemption request on a fair and consistent basis. This will allow for a sufficient evaluation of each request to ensure that appropriate information is obtained and required environmental review has been conducted prior to granting the exemption for surface mining operations.

As a result, The Board anticipates that the proposed regulations will further the goal and mission of SMARA which seeks to prevent any significant adverse impact of mining on the environment, protect public health and safety and ensure the welfare of California residents. The proposed regulatory action will not affect worker safety.

**Costs impacts on a representative private Person or business:** The cost of a request for a determination of exemption for the requestor is somewhere between \$71,600 and \$172,800. However, the proposed regulations do not add any requirements to the current determination of exemption procedure; instead, they specifically outline the procedure, which could conceivably result in a modest cost savings to requestors due to the elimination of superfluous steps.

**Effects on small businesses:** The proposed regulations will only affect small businesses which request a determination of exemption and would conceivably result in modest cost savings to those who file a request due to the elimination of superfluous steps by outlining the determination of exemption process.

## CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative considered by the Board or identified and brought to the Board's attention would be more effective in carrying out the rulemaking's purpose, would be 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 PRC section 2714(f).

The Board invites interested persons to present statements or arguments regarding alternatives to the proposed regulations during the public comment period or at any scheduled hearing.

## CONTACT PERSONS

Inquiries concerning the substance of the proposed amended regulation should be directed to:

Paul Fry, Senior Geologist  
State Mining and Geology Board

715 P Street, MS 1909  
Sacramento, CA 95814  
Phone: (916) 212–1139  
[Paul.Fry@conservation.ca.gov](mailto:Paul.Fry@conservation.ca.gov)

Back-up contact:

Mallory Jones, Geologist  
State Mining and Geology Board  
715 P Street, MS 1909  
Sacramento, CA 95814  
Phone: (916) 214–2066  
[Mallory.Jones@conservation.ca.gov](mailto:Mallory.Jones@conservation.ca.gov)

Please direct requests for copies of the proposed text (the “express terms”) of this regulation, the initial statement of reasons, the modified text of the regulation, if any, or other information upon which this rulemaking is based to Paul Fry at the above address.

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

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, the Initial Statement of Reasons, and a standard form 399.

Copies of these documents may be obtained by contacting Paul Fry at the address and phone number listed above.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the written comment period and any hearing that may be conducted by the Board to accept comments and evidence regarding the adoption of the proposed regulation, the Board will consider all timely and relevant comments received. Thereafter, the Board may adopt the proposed regulation substantially as described in this notice. If the Board makes modifications that are sufficiently related to the original proposed text, it will make the modified text (with changes clearly indicated) available to the public for at least 15 days before the Board adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Paul Fry at the address indicated above. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Paul Fry at the above address.

#### AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the proposed amended text of the regulation can be accessed through our webpage at: <https://www.conservation.ca.gov/smgb/Pages/Rulemaking/index.aspx>

### TITLE 15. PRISON INDUSTRY AUTHORITY

#### INCARCERATED INDIVIDUAL PAY INCREASE

Notice is hereby given that the California Prison Industry Authority (CALPIA) and the Prison Industry Board (PIB) propose the regulation amendment described below. This notice of proposed rulemaking (Notice) commences a rulemaking to make the regulations permanent after considering all comments, objections, contentions, and recommendations regarding the regulation.

#### PUBLIC PROCEEDINGS

CALPIA is conducting a 45–day written public period during which time any interested person may represent statements or arguments (hereinafter referred to as ‘comments’) relevant to the action described in the Informative Digest portion of this Notice.

Please direct any inquiries or questions regarding this action or for copies of the proposed text of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information in which the rulemaking is based to the below–referenced persons:

##### *Primary Contact:*

Kelly Mortenson, Regulations Manager  
California Prison Industry Authority  
560 East Natoma Street, Folsom, CA 95630  
[piaregs@calpia.ca.gov](mailto:piaregs@calpia.ca.gov)

##### *Secondary Contact:*

Christine Pesce, Executive Assistant  
California Prison Industry Authority  
560 East Natoma Street, Folsom, CA 95630  
[piaregs@calpia.ca.gov](mailto:piaregs@calpia.ca.gov)



## PUBLIC COMMENT PERIOD

Written comments related to this regulatory proposal, regardless of the method of transmittal, must be received by the Legal Services Unit at CALPIA by **5:00 p.m. on March 18, 2025**, which is designated as the close of the 45-day comment period. Comments received after this date will not be considered timely. To submit comments regarding the proposed regulation, any interested person may use one of the following methods:

### ***MAIL/HAND DELIVER***

Regulations Manager  
CALPIA/Legal Services Unit  
560 East Natoma Street  
Folsom, CA 95630

### ***E-MAIL***

[piaregs@calpia.ca.gov](mailto:piaregs@calpia.ca.gov)

Due to technological limitations, emails larger than 15 megabytes (MB) may be rejected and will not be delivered and received by CALPIA. Emails larger than 15 MB should be submitted in separate emails or another form of delivery should be used.

CALPIA requests, but does not require, that reports or articles in excess of 25 pages submitted with comments include a summary of the report or article. This summary should include a concise overview of the report or article, describe the reason for submitting the report or article and describe the relevance of the report or article to the proposed regulation. Please note that under the California Public Records Act (Gov. Code Section 6250, *et seq.*) your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

## PUBLIC HEARING

At this time, no public hearing has been scheduled regarding this proposed regulatory action. Any interested person may request a public hearing by contacting the Regulations Manager at [piaregs@calpia.ca.gov](mailto:piaregs@calpia.ca.gov). Requests for public hearings must be made no later than **March 3, 2025**.

## ASSISTIVE SERVICES

For individuals with disabilities, CALPIA will provide assistive services which include an interpreter, documents made available in an alternate format, or another disability-related reasonable accommodation. To request assistive services, please contact the Reasonable Accommodation Coordinator at

[reasonableaccommodation@CALPIA.ca.gov](mailto:reasonableaccommodation@CALPIA.ca.gov) as soon as possible, but no later than 10 business days before a scheduled hearing.

## AUTHORITY AND REFERENCE

Penal Code section 2801 authorizes CALPIA to develop and operate industrial, agricultural, and service enterprises employing incarcerated individuals in institutions under the jurisdiction of California Department of Corrections and Rehabilitation (CDCR).

Penal Code section 2808 authorizes the PIB, in the exercise of its duties, all of the powers of and to do all of the things that the board of directors of a private corporation would do, except as limited by law, and authorizes the PIB to contract to employ a General Manager to serve as the administrative officer of the authority.

This regulatory proposal implements Penal Code section 2811, which allows CALPIA's General Manager to adopt and maintain a compensation schedule for CALPIA incarcerated workers based on quantity and quality of work, but in no event shall that compensation exceed one-half of the minimum wage provided in section 1182 of the Labor Code.

## CONSIDERATION OF ALTERNATIVES

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

CALPIA has made an initial determination that no reasonable alternatives to the regulation have been identified or brought to the attention of CALPIA that would lessen any adverse impact on private persons.

## DISCLOSURES

### ***Fiscal Impact***

**Cost or savings to any state agency:** None.

**Cost to any local agency or school district:** None.

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

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

***Statement of Results of the Economic Impact Assessment***

CALPIA has determined that this regulatory proposal will not affect the following because businesses are not affected by the internal management of CALPIA and the employment of incarcerated workers within CDCR institutions and CALPIA operations:

- Creation or elimination of jobs within California
- Creation of new businesses or the elimination of existing businesses within California
- Expansion of businesses currently doing business within California

***Regulatory Impact on the Health and Welfare of California Residents, Worker Safety, and the State's Environment***

The proposed regulations are expected to benefit the health and welfare of California residents by assisting in reducing recidivism and therefore increasing public safety. The proposed regulations are not expected to affect the state's environment and worker safety.

***Housing Costs***

CALPIA has determined that the proposed action will not have a significant effect on housing costs.

***Significant Statewide Adverse Economic Impact on Business***

CALPIA has initially determined that the proposed action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states because they are not affected by the internal management of CDCR institutions and CALPIA operations.

***Mandated by Federal Law or Regulation***

The proposed regulations are not federally mandated.

***Local Mandate***

CALPIA has determined that this regulatory action would not impose a mandate on local agencies or school districts, nor are there any costs for which reimbursement is required by part 7 (commencing with Section 17500) of division 4 of the Government Code.

***Cost Impacts on Representative Person or Business***

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

***Effect on Small Business***

CALPIA has initially determined that the proposed action will not have an effect on small businesses because they are not affected by the internal management of CALPIA.

***Mandated Use of Specific Technologies, Equipment, Actions or Procedures***

The proposed regulatory action does not mandate the use of specific technologies, equipment, actions, or procedures.

***Other Statutory Requirements***

Not Applicable.

AVAILABILITY

***Rulemaking Record***

CALPIA will have the rulemaking record available for inspection and photocopying throughout the rulemaking process. The Proposed regulatory text, Initial Statement of Reasons, and all information upon which this proposal is based have been placed in the rulemaking record, which is available to the public upon request directed to the CALPIA contact person referenced above or by visiting the [CALPIA regulations webpage](#). Following its preparation, the Final Statement of Reasons may be obtained by contacting the CALPIA contact person referenced above or by visiting the [CALPIA regulations webpage](#).

***Changes to Proposed Regulation Text:***

After considering all timely and relevant comments received, the PIB may approve the proposed regulations as described in this Notice. If CALPIA makes modifications which are sufficiently related to the originally proposed text, it will make the modified text available to the public for at least 15 days before the PIB reviews and approves the regulations as revised. CALPIA will accept written comments on the modified regulations for 15 days after the date on which they are made available. Requests for copies of any modified regulation text should be directed to the contact person indicated above or can be viewed by visiting the [CALPIA regulations webpage](#).

INFORMATIVE DIGEST

***SUMMARY***

The California Prison Industry Authority (CALPIA) and the Prison Industry Board (PIB) propose to amend the California Code of Regulations, Title 15, section 8006 to increase the pay rate by \$0.15 for CALPIA incarcerated workers at all steps and skill levels. CALPIA incarcerated workers have not received a pay increase since 2017. A pay increase is expected to create incentive for incarcerated individuals to seek employment with CALPIA which furthers CALPIA's vision to change the lives of incarcerated individuals through innovative job training by providing them with productive work and training opportunities.

## AUTHORITY AND REFERENCE

Penal Code section 2801 authorizes CALPIA to develop and operate industrial, agricultural, and service enterprises employing incarcerated individuals in institutions under the jurisdiction of CDCR.

Penal Code section 2808 authorizes the PIB, in the exercise of its duties, all of the powers of and to do all of the things that the board of directors of a private corporation would do, except as limited by law, and authorizes the PIB to contract to employ a General Manager to serve as the administrative officer of the authority.

This regulatory proposal implements Penal Code section 2811, which allows CALPIA's General Manager to adopt and maintain a compensation schedule for CALPIA incarcerated workers based on quantity and quality of work, but in no event shall that compensation exceed one-half of the minimum wage provided in section 1182 of the Labor Code.

## POLICY STATEMENT OVERVIEW

CALPIA incarcerated workers have not received a pay increase since 2017, and since CALPIA is committed to changing incarcerated individual lives through job experience and training, CALPIA proposes to increase their pay rate by \$0.15 per hour for all steps and skill levels to incentivize them to work for CALPIA. The expectation is that this regulatory change will increase the pool of potential workers for CALPIA and reduce vacancies.

### Benefits

- Increase the number of incarcerated individuals participating in CALPIA work programs which will ultimately:
  - Improve recidivism rates
  - Improve the current and future quality of life for incarcerated individuals
  - Improve the safety and welfare of the California public

## EVALUATION OF INCONSISTENCY OR INCOMPATIBILITY WITH EXISTING STATE AND FEDERAL REGULATIONS

CALPIA evaluated whether the proposed regulations are inconsistent or incompatible with existing state regulations. This evaluation included a review of CDCR and CALPIA laws, as well as those statutes and regulations related to this subject. CALPIA has determined that no other state regulation addresses the same subject matter, and there are no existing state or federal regulations with which the proposed regulations conflict or with which they are incompatible.

## FORMS INCORPORATED BY REFERENCE

None.

## MANDATED BY FEDERAL LAW OR REGULATIONS

Not Applicable.

## TITLE 19. STATE FIRE MARSHAL

### CALIFORNIA FIRE SERVICE TRAINING AND EDUCATION PROGRAM

**NOTICE IS HEREBY GIVEN** pursuant to Government Code, §11346, that the California Department of Forestry and Fire Protection — Office of the State Fire Marshal (“OSFM”) or (“SFM”) proposes to take the regulatory action described below in the Informative Digest implementing Title 19, Division 1, Chapter 13, Article 3 of the California Code of Regulations (CCR), related to the certification and training standards for the California fire service described below after considering public comments, objections, or recommendations regarding the proposed action.

## WRITTEN COMMENT PERIOD

Any interested person or their authorized representative may submit written comments relevant to the proposed regulatory action. Written comments will be accepted for 45 days beginning January 31, 2025, through March 21, 2025. All written comments received through the end of March 21, 2025, will be considered and responded to as part of the compilation of the rulemaking file and are subject to disclosure under the Public Records Act (Gov. Code § 6250, et seq.). Written comments should be directed to:

- **Email:** [Title19regulations@fire.ca.gov](mailto:Title19regulations@fire.ca.gov)
- (include in the subject line of the email “**Comments: State Fire Training 2025 Revisions**”)
- Postal Mail:

**CAL FIRE/Office of the State Fire Marshal**  
**P.O. Box 944246**  
**Sacramento, CA 94244–2460**  
**Attn: Caryn Petty, State Fire Training**

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



## PUBLIC HEARING

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

## AUTHORITY AND REFERENCE

The State Fire Marshal is proposing this regulatory action pursuant to Health and Safety Code Section 13157 with reference to 13155, 13157, 13159, and 13159.1, to verify that minimum curriculum requirements are being met pertaining to, facilities, and faculty standards for schools, seminars, or workshops operated by, or for the state, for the specific purpose of training fire service personnel. The proposed regulations implement, interpret, and make specific sections 13155 through and 13159.10 of the Health and Safety Code.

## INFORMATIVE DIGEST — POLICY STATEMENT OVERVIEW

The regulations proposed in this rulemaking action implements, interprets, clarifies, and/or makes specific Health and Safety Code § 13157 by making the following changes:

Specifically, this action proposes to amend certification and training standards for the California fire service. The broad objective of this proposed rulemaking action is to better define the regulatory requirements of the SFM Fire Service Training and Education Program and the enforcement and maintenance of those requirements for students, instructors, and academies.

This rulemaking action proposes to amend CCR, Title 19, Chapter 13, Sections 1900.00, 1900.01, 1900.02, 1900.03, 1900.04, 1900.05, 1900.06, 1900.07, 1900.08, 1900.09, 1900.10, 1900.11, and 1900.12.

- Provide editorial updates, changes without regulatory effect, identified in Title 19 California Code of Regulations (CCR).
- Update the following referenced documents incorporated by reference: *State Fire Training Procedures Manual* (May 2020) version to the (2025) version as identified in Title 19, California Code of Regulations, Section 1900.00.
- Update the forms incorporated by reference in the May 2020 version of the *State Fire Training Procedures Manual* to current (2025) edition.

- Revise and update the forms incorporated by reference identified in the text of regulations in CCR, Title 19, Section 1900.00(a).
- Revise and update the Training Standards identified in CCR, Title 19, Section 1900.01(a).
- Provide editorial update to include Course Training Standards in CCR, Title 19, Section 1900.01(b).
- Provide editorial updates to align with State Fire Training terminology and provide grammatical revisions in CCR, Title 19, Section 1900.02, 1900.04–1900.06, and 1900.11–1900.12.
- Provide editorial update to Instructor requirements and qualifications in CCR, Title 19, Section 1900.04.
- Clarify violations warranting suspension, decertification, revocation, and expulsion processes in CCR, Title 19, Section 1900.08.
- Revise and update the Appeals Process identified in CCR, Title 19, Section 1900.09.
- Revise and update the Reinstatement process for system participants in CCR, Title 19, Section 1900.10.
- Repeal the document incorporated by reference titled “Course Information and Required Materials (CIRM)” dated (January 2019).
- Documents incorporated by reference in Title 19 are updated and included in this rulemaking file as follows:
- The *State Fire Training Procedures Manual* (2025) has been updated and reformatted and replaces the May 2020 version.

It would be cumbersome, unduly expensive, or otherwise impractical to public this document in the CCR. The documents are made available from the agency or are reasonably available to the affected public from a commonly known or specified source: Office of the State Fire Marshal website at: <https://osfm.fire.ca.gov>.

## SUMMARY OF EXISTING LAWS

Health and Safety Code Section 13157 authorizes the California Fire Service Training and Education Program to be established in the Office of the State Fire Marshal and to:

- (a) Promulgate and adopt rules and regulations necessary for implementation of the program.
- (b) Establish the courses of study and curriculum to be used in the program.
- (c) Establish prerequisites for the admission of personnel who attend courses offered in the program.
- (d) Establish and collect admission fees and other fees that may be necessary to be charged for

seminars, conferences, and specialized training given, which shall not be deducted from state appropriations for the purposes of this program.

- (e) Collect such fees as may be established pursuant to subdivision (d) of Section 13142.4.

*Summary of Existing Regulations*

Existing regulations regarding the proposed changes establish the requirements in California Code of Regulations, Title 19, Division 1, Chapter 13, for the California Fire Service Training and Education Program.

The State Fire Marshal is proposing to amend CCR, Title 19, Chapter 13, Sections 1990.00, 1990.01, 1990.02, 1990.04, 1990.05, 1990.06, 1990.08, 1990.09, 1990.10, 1990.11, and 1990.12.

The SFM consulted with the Statewide Training and Education Advisory Committee (STEAC) along with the State Board of Fire Services (SBFS) for recommendations and analysis of the proposed amendments and they concur with this proposal. Further, both advisory committees, STEAC and SBFS, had made recommendations to the State Fire Marshal to adopt these changes. These were conversations only and there were no documents relied upon regarding these consultations.

*Summary of Effect*

There is negligible effect of these changes will have on the training system. The proposed regulations adjust and updates to a business practice that is firmly established and in-place.

*Comparable Federal Statute or Regulations*

There are no comparable federal regulations or statutes.

*Evaluation of Consistency*

The Office of the State Fire Marshal (OSFM) determined this proposed regulation is not inconsistent or incompatible with existing state regulations. After conducting a review for any regulations that would relate to or affect this area, the OSFM has concluded that this is the only regulation that concerns firefighter training and education for the purposes cited in the Health and Safety Code Section 13157.

OBJECTIVE AND  
ANTICIPATED BENEFITS

The broad objective of the proposed action is to further define the regulatory requirements of the SFM fire service training and education program. The specific benefit anticipated from the regulation is the addition of clarified regulatory text for existing processes through editorial updates. Reformatting these documents reduces redundancy, provides clarity, and allows stakeholders to find referenced procedures and forms more easily.

The SFM developed the regulations in cooperation, and with the knowledge and approval of,

STEAC and SBFS and has sought out their recommendations and analysis of the proposed amendments. The advisory committees each concurred with the proposal. Each recommended change is recorded on the minutes of the quarterly meetings for each of the advisory committees.

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

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

DISCLOSURES REGARDING THE  
PROPOSED ACTION

The State Fire Marshal has made the following initial determinations:

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

COST IMPACTS ON REPRESENTATIVE  
PERSON OR BUSINESS:

There is no cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Currently, State Fire Training (SFT) requires that a Registered Lead Skills Evaluator to proctor the cognitive Certification Exams. The Registered Exam Proctor role has been added as a recognized person that may administer the cognitive Certification Exams following request of the Accredited Academies that host the Exams. This request was due to the hourly cost that the Accredited Academy pays to a Registered Lead Skills Evaluator, who is a subject matter expert (SME) for the psychomotor skills being evaluated. Registered Exam Proctors can be administrative

staff or computer lab personnel that complete required training and register with SFT. Accredited Academies may continue to use Registered Lead Skill Evaluators to proctor cognitive Certification Exams.

SFT will now require full payment for course delivery fees prior to issuing course completion diplomas. This change in business practice is to reduce the overhead cost incurred by SFT when operating as debt collection. This change also guarantees that SFT is collecting fees prior to providing the service of issuing the course completion diplomas. SFT will continue to accept checks as payment for course delivery fees while implementing an online payment option for instructors and host agencies. The online payment option will allow for payment of course delivery fees and will incur a convenience fee that will be paid by the instructor or host agency to the card processor. The online payment option is not required, as a check or money order can be mailed or delivered to SFT at no additional cost.

#### DECLARATION OF EVIDENCE

The OSFM has not relied on any other facts, evidence, documents, testimony, or other evidence to make its initial determination of no statewide adverse economic impact.

#### EFFECT ON SMALL BUSINESS

The State Fire Marshal has made the initial determination that the amendments to these regulations will have no effect on small businesses and the State Fire Marshal has not identified any alternatives that would lessen any adverse impact, if any, on small businesses. The proposed regulation will not affect small business because the California Fire Service Training and Education Program targets governmental agencies that employ and/or train fire fighters. Some small businesses also provide training resources, but these proposed regulations will not affect their operation or their ability to profit.

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

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

- a) Create or eliminate jobs within California.
- b) Create new businesses or eliminate existing businesses within California; or
- c) Affect the expansion of businesses currently doing business within California.

The State Fire Marshal has assessed that this regulatory proposal:

- a) Will benefit the public health and welfare of California residents, worker safety, and the environment by providing standardized training throughout California.

#### BENEFITS TO HEALTH AND WELFARE, WORKER SAFETY, AND THE ENVIRONMENT

The State Fire Marshal has assessed that this regulatory proposal will benefit the public health and welfare of California residents, worker safety, and the environment by ensuring consistency throughout the State to further define the regulatory requirements of the fire service training and education program through updating documents and references and providing clarity to procedures for stakeholders.

#### CONSIDERATION OF ALTERNATIVES

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

The SM considered reasonable alternatives to the proposed action and determined that no reasonable alternative would be more effective in carrying out the purpose for which the action is proposed or would be as effective as, and less burdensome, to affected private persons and small businesses than the proposed action. This conclusion is based on the SFM's determination that the proposed action is necessary to implement legislative enactments expanding the SFM's regulatory authority.

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

#### BUSINESS REPORT

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

#### CONTACT PERSONS

Inquiries concerning the proposed regulatory action, or requests for copies of the proposed text of the

regulations, the initial statement of reasons, the modified text of the regulations or other information upon which the rulemaking is based may be directed to:

CALFIRE/Office of the State Fire Marshal:

**General Inquiries:**

Jena Garcia, Deputy SFM III, Code Development  
and Analysis  
(916) 531–7650  
[jena.garcia@fire.ca.gov](mailto:jena.garcia@fire.ca.gov)

**Substantive or technical questions:**

Caryn Petty, Deputy SFM III, State Fire Training  
(916) 662–0611  
[caryn.petty@fire.ca.gov](mailto:caryn.petty@fire.ca.gov)

Chris Fowler, Division Chief, State Fire Training  
(916) 508–4120  
[chris.fowler@fire.ca.gov](mailto:chris.fowler@fire.ca.gov)

**AVAILABILITY OF STATEMENT OF  
REASONS AND TEXT OF  
PROPOSED REGULATIONS**

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

**AVAILABILITY OF CHANGED OR  
MODIFIED TEXT**

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

Please send requests for copies of any modified regulations to the contact person.

**AVAILABILITY OF THE FINAL  
STATEMENT OF REASONS**

Upon its completion, copies of the Final Statement of Reasons (FSOR) may be obtained by making a written request to the contact person at the above address or by accessing the website listed below.

**AVAILABILITY OF DOCUMENTS  
ON THE INTERNET**

Copies of the Notice of Proposed Action (NOPR), the Initial Statement of Reasons (ISOR), the Text of Proposed Regulations (ET) in underline and strikeout, and any other materials or documents incorporated by reference or relied upon may be accessed through the SFM web site at: [Title 19 Development | OSFM](#).

**TITLE 22. DEPARTMENT OF SOCIAL  
SERVICES**

ORD #1023–11

**ITEM #1 CALWORKS HOMELESS  
ASSISTANCE (HA), SENATE BILL (SB)  
1065 CHANGES TO ELIGIBILITY AND  
ADMINISTRATIVE PROCESSES**

The California Department of Social Services (CDSS) hereby gives notice of the proposed regulatory action(s) described below. A public hearing regarding this proposal is not currently scheduled. Not later than 15 days prior to the close of the public comment period, any interested person, or his or her authorized representative, may make a written request for a public hearing pursuant to Government Code section 11346.8, and a public hearing will be held. Requests for a public hearing should be sent to

California Department of Social Services  
Office of Regulations Development  
744 P Street, MS 8–4–192  
Sacramento, CA 95814  
Tel: (916) 657–2586  
Email: [ord@dss.ca.gov](mailto:ord@dss.ca.gov)

Statements or arguments relating to the proposals may be submitted in writing, email, or by facsimile to the address/number listed above. All comments must be received by March 17, 2025.

Following the public comment period, CDSS may thereafter adopt the proposals substantially as de-

scribed below or may modify the proposals if the modifications are sufficiently related to the original text. Except for nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed above. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at *Regulations in Process* [<https://www.cdss.ca.gov/inforesources/letters-regulations/legislation-and-regulations/regulations-home-page/regulations-in-process>]. Additionally, all the information which CDSS considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading at the address listed above. Following the public comment period, copies of the Final Statement of Reasons will be available at the above address.

## CHAPTERS

California Department of Social Services (CDSS) Manual of Policies and Procedures (MPP), Eligibility and Assistance Standards Manual, Sections 44–211 Special Needs in CalWORKs.

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

### Introduction:

This emergency regulations package is necessary to implement the CalWORKs Homeless Assistance (HA) provisions of Senate Bill (SB) 1065 (Chapter 152, Statutes of 2020). The purpose of SB 1065 is to expand and streamline the eligibility and administration of the HA program through a series of policy changes impacting access to HA benefits.

### Existing Laws and Regulations:

Existing regulations provide that a family receiving CalWORKs is ineligible for HA benefits if the family has over \$100 in exempt and nonexempt liquid resources, except for funds deposited in a restricted account.

Existing regulations provide that counties shall verify a family's homelessness. For temporary HA, this must be within the first three working days of receiving the application. If the county is unable to verify homelessness, the family is required to complete and sign a sworn statement verifying their homelessness under penalty of perjury.

Existing law, Welfare and Institution Code section 11450(f)(4)(A)(ii), states that temporary HA benefits be granted or denied immediately upon application.

Existing regulations provide that a county can determine if an HA applicant meets "questionable homelessness" criteria established by the County Welfare Department. If deemed to meet the criteria of questionable homelessness, the county is required to refer the family to its early fraud prevention and detection unit, as specified.

Existing regulations provide that for the purpose of establishing eligibility for HA, a family must lack a fixed and regular nighttime residence or have received a notice to pay rent or quit. If a family has received a notice to pay rent or quit, the family is required to demonstrate that the pending eviction resulted from a verified financial hardship due to extraordinary circumstances beyond the family's control. The notice cannot be based on other lease violations, and the family is required to demonstrate they were experiencing a financial crisis that may result in homelessness if assistance was not provided.

Existing regulations provide that CalWORKs applicants fleeing domestic abuse who meet the eligibility criteria for Expanded Temporary HA benefits are eligible to receive two periods of no more than 16 cumulative days each, equaling a total of 32 cumulative days of temporary HA within an applicant's lifetime if they are still experiencing homelessness and if the CalWORKs application has not yet been approved or denied. If the CalWORKs application is approved within the first 16 days of the HA issuance, the family is no longer entitled to the second 16-day payment as they are no longer "applicants" but rather are "recipients" of CalWORKs.

Existing regulations provide that participants who experience homelessness as a direct and primary result of a state or federally declared natural disaster are eligible for temporary and permanent HA.

Existing regulations provide that permanent HA is available to pay for last month's rent and security deposits if these payments are "reasonable" conditions of securing a residence.

Existing regulations provide that the county and other entities participating in the cost of the CalWORKs program can collect their share of any refunds resulting from payment of the permanent housing, such as the return of a security deposit paid on behalf of a recipient. However, if an emergency requires the family to move within a 12-month period, the family is allowed to transfer the permanent HA to meet the security deposit requirements of a new residence. After a thorough analysis of existing regulations the Department has determined that the proposed regulations are not inconsistent or incompatible with existing regulations.



### Effect of Proposed Rulemaking and Anticipated Benefits:

This proposed regulatory action has been prepared to modify existing regulations to reflect the changes to Welfare and Institutions Code (WIC) section 11450 due to SB 1065.

The proposed regulations remove the \$100 liquid resource limit for families applying for all HA benefits, so there is no liquid resource limit for HA benefits. HA benefits can no longer be denied to families for the amount of exempt or nonexempt liquid resources they have if they are eligible for CalWORKs or apparently eligible for CalWORKs. Moreover, as there is no longer a liquid resource limit for HA, counties do not need to assess HA applicants' resources for purposes of HA eligibility. This will benefit families by enabling more families to be eligible for HA benefits without having to exhaust all of their other resources.

The proposed regulations require a county to accept a sworn statement on the Homeless Assistance Application (CW 42) to verify homelessness for all HA applicants. Upon receipt of a complete CW 42 form, including the sworn statement, the county may no longer seek additional verification, require consent from the family to release information to verify homelessness, or obtain a copy of the pay or quit notice for purpose of verification of homelessness. This will benefit families by lifting barriers and reducing the amount of documentation required to prove that they are experiencing or at risk of experiencing homelessness, which will increase access to the program for those in need.

The proposed regulations codify that the County Welfare Department may no longer establish criteria beyond this definition of "questionable homelessness." The county must have evidence to suspect the family has safe and stable permanent housing in which the family can continue to reside without preventative support to avoid eviction and/or homelessness. This will ensure equitable access to HA benefits across the state by having a consistent definition of "questionable homelessness" for each county.

The proposed regulations eliminate the financial hardship criteria for eligibility for all types of HA. Families no longer need to demonstrate to the county that a pay or quit is a result of financial hardship caused by extraordinary circumstances beyond their control nor that they are experiencing a financial crisis that may result in homelessness if preventative assistance is not provided. People who experience homelessness may have difficulty keeping records of documents such as a pay or quit notice, so this change will reduce the burden on families in need of assistance.

The proposed regulations provide that HA applicants who are provided Expanded Temporary HA are eligible for the second 16-day payment of temporary HA even if the applicant becomes a recipient of

CalWORKs during the first 16-day period. Therefore, CalWORKs applicants who provide a sworn statement via the CW 42 form attesting to experiencing past or present domestic abuse and fleeing their abuser shall be eligible to receive 32 cumulative days of temporary HA payments if they are still experiencing homelessness regardless of when they are approved for CalWORKs. Expanded Temporary HA may be in addition to any temporary or permanent HA the family may be eligible to receive once every 12 months. Expanded Temporary HA also does not count against the once every 12 months HA exceptions, including exceptions based on domestic abuse. This will benefit vulnerable families by allowing flexibility to be able to use benefits to which they are entitled as needed and ensure they are relocated to safety.

The proposed regulations remove the requirement that a state or federally declared disaster be a natural disaster, thereby making the provision apply to any state or federally declared disaster. This extends to all eligible families who experience homelessness as a direct and primary result of any state or federally declared disaster, including but not limited to chemical, terrorist, or biological disasters. A family applying for HA as a result of any state or federally declared disaster shall provide a sworn statement that they are experiencing homelessness as a direct and primary result of a state or federally declared disaster through the CW form. A county is required to accept the sworn statement for verification of homelessness and should not require any additional verification. This will benefit families by increasing access to the HA program for those in need if non-natural disasters, such as COVID-19, are declared in the future.

The proposed regulations remove the reference to "reasonable" in requiring the last month's rent and/or security deposit payments be "reasonable conditions" of securing a residence. These regulations require that permanent HA be available to pay for last month's rent and security deposits if they are conditions of securing a residence, regardless of whether they are considered "reasonable." The county may no longer determine "reasonableness" and shall not reject payments of last month's rent and security deposits for families otherwise eligible for permanent HA when they are a condition of securing a residence. This will assist in securing permanent housing for families experiencing or at risk of experiencing homelessness.

Finally, the proposed regulations provide that the county may no longer collect any refunds resulting from payment of permanent HA, and the provision about an emergency within 12 months has been removed. Any refund of permanent HA shall be returned to the participant and treated as liquid resources. This will provide more flexibility for families to use permanent HA as needed and lifts the administra-

tive burden on counties by no longer requiring them to process refunds.

#### COST ESTIMATE

- (a) Costs or Savings to State Agencies: There is no fiscal impact from these regulations beyond what is already budgeted. The 2023–24 May Revision includes \$514,000 in FY 2022–23 for the automation changes needed to implement SB 1065.
- (b) Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance with Government Code Sections 17500–17630: There is no fiscal impact from these regulations beyond what is already budgeted. The 2023–24 May Revision includes \$514,000 in FY 2022–23 for the automation changes needed to implement SB 1065.
- (c) Nondiscretionary Costs or Savings to Local Agencies: There is no fiscal impact from these regulations beyond what is already budgeted. The 2023–24 May Revision includes \$514,000 in FY 2022–23 for the automation changes needed to implement SB 1065.
- (d) Federal Funding to State Agencies: There is no fiscal impact from these regulations beyond what is already budgeted. The 2023–24 May Revision includes \$514,000 in FY 2022–23 for the automation changes needed to implement SB 1065.

#### LOCAL MANDATE STATEMENT

These regulations do impose a mandate upon local agencies, but not on school districts. There are “state-mandated local costs” in these regulations which require state reimbursement under Section 17500 et seq. of the Government Code and are provided in the Budget Act to cover any costs that local agencies may incur.

#### STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This determination was made based on the fact that the changes presented in these regulations expand available homeless assistance benefits to CalWORKs applicants and recipients and will not have any impact on businesses or the state economy. If anything, this proposed action may beneficially affect some business-

es, as increased access to homeless assistance benefits may increase the amount of money clients spend on shelter.

#### STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

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

#### SMALL BUSINESS IMPACT STATEMENT

The Department has determined that there is no impact on small businesses because as of filing these regulations are only applicable to state and county agencies.

#### STATEMENT OF RESULTS OF ECONOMIC IMPACT ASSESSMENT

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California. The benefits of the regulatory action to the health and welfare of California residents, worker safety, and the state’s environment are as follows: These regulations will likely improve access to HA for families experiencing or at risk of experiencing homelessness by lifting barriers like the \$100 liquid resource limit, the requirement that families provide verification of homelessness, the requirement that families provide proof their homelessness is due to a financial hardship caused by extraordinary circumstances beyond their control, the requirement that permanent HA payments to secure new housing be considered “reasonable”, and the requirement that homelessness cause by a disaster be a “natural” disaster. Removing these requirements will lift the burden on families and allow them to access HA benefits more easily. These regulations will also streamline the administration of the program by removing the provision that counties are entitled to permanent HA refunds, which will reduce the amount of administrative work required by county workers. Defining “questionable homelessness” will both reduce the amount of work county workers must do and ensure that determining a family has “questionable homelessness” is consistent throughout the state, which will ensure equitable access to HA benefits. The proposed regulatory action will not directly benefit worker safety or the state’s environment.”



**STATEMENT OF EFFECT  
ON HOUSING COSTS**

The proposed regulatory action will have no effect on housing costs.

**STATEMENT OF  
ALTERNATIVES CONSIDERED**

In developing the regulatory action, the Department considered the following alternatives with the following results:

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

**AUTHORITY AND  
REFERENCE CITATIONS**

The Department amends these regulations under the authority granted in Section 11450 of the Welfare and Institutions Code and Senate Bill 1065 (Chapter 152, Statutes of 2020)

**DEPARTMENT REPRESENTATIVE  
REGARDING THE RULEMAKING  
PROCESS OF THE  
PROPOSED REGULATION**

Tyler Penn: (916) 657-2586  
Oliver Chu: (916) 657-2586

**GENERAL PUBLIC INTEREST**

**OCCUPATIONAL SAFETY AND  
HEALTH STANDARDS BOARD**

**NOTICE OF PUBLIC MEETING  
AND BUSINESS MEETING OF THE  
OCCUPATIONAL SAFETY AND  
HEALTH STANDARDS BOARD**

Pursuant to Government Code section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2, 142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board (“Board”) of the State of Cal-

ifornia has set the time and place for a Public Meeting and Business Meeting:

**PUBLIC MEETING:** On **March 20, 2025**, at 10:00 a.m. in the Council Chamber of the City of Palm Desert 73–510 Fred Waring Drive, Palm Desert, California as well as via the following:

- Videoconference at [www.webex.com](http://www.webex.com) (meeting ID 1469 63 6425)
- Teleconference at (844) 992–4726 (Access code 1469 63 6425)
- Live video stream and audio stream (English and Spanish) at <https://videobookcase.com/california/oshsb/>

At the Public Meeting, the Board will make time available to receive comments or proposals from interested persons on any item concerning occupational safety and health.

**BUSINESS MEETING:** On **March 20, 2025**, at 10:00 a.m. in the Council Chamber of the City of Palm Desert 73–510 Fred Waring Drive, Palm Desert, California as well as via the following:

- Videoconference at [www.webex.com](http://www.webex.com) (meeting ID 1469 63 6425)
- Teleconference at (844) 992–4726 (Access code 1469 63 6425)
- Live video stream and audio stream (English and Spanish) at <https://videobookcase.com/california/oshsb/>

At the Business Meeting, the Board will conduct its monthly business.

**DISABILITY ACCOMMODATION NOTICE:** Under Government Code section 11123(a), all meetings of a state body are open and public, and all persons are permitted to attend any meeting of a state body, except as otherwise provided in the Bagley–Keene Open Meeting Act.

If disability-related modifications or accommodations are required to participate in the meeting, please contact: [DIO@DIR.CA.GOV](mailto:DIO@DIR.CA.GOV). To ensure the availability of your requested accommodation, please submit your request at least 10 days in advance.

Please contact the *California Relay Service* by dialing 711 or 1–800–855–3000 (TTY/Spanish).

**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.

Board of Forestry and Fire Protection

File # 2025–0106–01

Forest Resilience Exemption and Oak Woodland Exemption

The Z’berg–Nejedly Forest Practices Act of 1973 (the “Act”) prohibits a person from conducting timber operations, as defined, unless a timber harvesting plan prepared by a registered professional forester has been submitted to, and approved by, the Department of Forestry and Fire Protection. The Act authorizes the Board of Forestry and Fire Protection (the “Board”) to exempt from some or all of those provisions of the Act a person engaging in specified forest management activities, as prescribed, including: (1) for a period of five years following the adoption of emergency regulations, the cutting or removal of trees on the person’s property that eliminates the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for the purpose of reducing flammable materials and maintaining a fuel break, known as the Small Timberland Owner Exemption; (2) until January 1, 2026, the harvesting of those trees that eliminates the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for specified purposes, known as the Forest Fire Prevention Exemption; (3) until January 1, 2026, the cutting or removal of trees on the person’s property in compliance with specified defensible space requirements, as provided; and (4) the cutting or removal of trees to restore and conserve California black or Oregon white oak woodlands and associated grasslands. Assembly Bill 2276 (2023–2024 Reg. Sess.) (1) repealed the Small Timberland Owner Exemption; (2) renamed the Forest Fire Prevention Exemption the Forest Resilience Exemption, revised standards and criteria for qualifying for that exemption, and extended that exemption until January 1, 2031; and (3) extended until January 1, 2031 the other exemption described above. A.B. 2276 also revised requirements governing compliance with the cutting or removal of trees to restore and conserve California black or Oregon white oak woodlands and associated grasslands. In this emergency rulemaking, the Board is amending regulations necessary to implement and ensure compliance with these requirements and with the Forest Resilience Exemption requirements, as required by the statutory changes made by A.B. 2276.

Title 14

Amend: 1038, 1038.3, 1038.4

Filed 01/15/2025

Effective 01/15/2025

Agency Contact: Daniel Craig (916) 653–6631

Department of Housing and Community Development

File # 2025–0113–01

Mobilehome Residency Law Protection Program — Readopt

This emergency rulemaking action readopts the amendments made to title 25 section 4916 in OAL Matter Number 2024–0731–02E. This prior emergency action repealed the requirement that the Department of Housing and Community Development use a request–for–proposals process to contract with one or more nonprofit legal services providers to provide legal advice and representation to mobilehome residents concerning alleged Mobilehome Residency Law violations. Instead of a request–for–proposals process, the amended regulation provides that the Department of Housing and Community Development may award contracts in compliance with California public contracting requirements, as applicable, and the Mobilehome Residency Law Protection Act.

Title 25

Amend: 4916

Filed 01/22/2025

Effective 02/11/2025

Agency Contact: Jenna Kline (916) 841–5286

California State University

File # 2024–1205–02

Joint Doctoral Degree — Non–Substantive Change

This action by the Board of Trustees of the California State University amends the title of section 40512 of title 5 of the California Code of Regulations. This action is exempt from the Administrative Procedure Act and takes effect upon filing with the Secretary of State pursuant to Education Code sections 89030 and 89030.1, respectively, and is submitted to the Office of Administrative Law for courtesy filing with the Secretary of State and for printing in the California Code of Regulations.

Title 05

Amend: 40512

Filed 01/21/2025

Effective 01/21/2025

Agency Contact: Jason Taylor (562) 951–4500

Department of Food and Agriculture  
File # 2024–1205–01  
Assessments for Control of Broomrape

In this file and print action, California Department of Food and Agriculture sets the Broomrape Program assessment rates and creates procedures for the collection of the assessment.

Title 03  
Adopt: 3950  
Filed 01/21/2025  
Effective 01/21/2025  
Agency Contact: Rachel Avila (916) 698–2947

Department of Motor Vehicles  
File # 2024–1209–01  
Business Partner Automation Customer Fee Increase

As a change without regulatory effect, the Department of Motor Vehicles is increasing the maximum fee that automobile dealerships may charge their customers for processing vehicle registration and titling transactions and services related to reporting vehicle sales and producing temporary license plates from \$28 to \$29.

Title 13  
Amend: 225.45  
Filed 01/22/2025  
Effective 01/01/2025  
Agency Contact: Randi Calkins (916) 282–7294

Osteopathic Medical Board of California  
File # 2024–1224–03  
AB 1757 and Technical Clean Up Changes

This action without regulatory effect by the Osteopathic Medical Board of California amends several sections. First, it renumbers section 1606 to 1601. Second, it removes from section 1603 an outdated reference to registration of professional corporations associated with repealed Business and Professions Code section 2454. Third, it adds the word “postgraduate” to the name of the training license referenced in section 1690, subsection (c), to conform with the name of the license as it appears in Business and Professions Code sections 2064.5 and 2065. Fourth, it changes the name of the “biennial tax and registration fee” to “biennial renewal fee,” to conform to the name of the fee

as it appears in Business and Professions Code section 2455. Fifth, in several sections it replaces gendered pronouns with gender-neutral pronouns. Sixth, for several sections it adds Business and Professions Code section 2018 as an additional authority citation. Finally, in several sections it makes minor corrections to grammar and capitalization for internal consistency.

Title 16  
Amend: 1603, 1604, 1606 [renumbered to 1601], 1608, 1611, 1630, 1635, 1636, 1650, 1651, 1657, 1659.30, 1659.32, 1660, 1660.2, 1661, 1661.4, 1675, 1685, and 1690  
Filed 01/15/2025  
Agency Contact: Rebecca Marco (916) 928–8390

California Horse Racing Board  
File # 2024–1206–01  
Claiming Option and Form

In this regular rulemaking, the California Horse Racing Board is amending regulations regarding claiming options.

Title 04  
Amend: 1634, 1656, 1658  
Filed 01/22/2025  
Effective 04/01/2025  
Agency Contact: Rick Pimentel (916) 274–6043

Employment Development Department  
File # 2024–1206–03  
Physician/Practitioner E–Filing of Documents

This action by the by the Employment Development Department (“EDD”) amends an existing regulation that concerns the filing of disability benefit claims. The specific amendments require all physicians and practitioners to file medical certifications documents electronically through their verified EDD online accounts unless they have completed and filed EDD’s designated exemption form wherein they certify to a lack of automation, a severe economic hardship, or other good cause. Such exemption, which is valid for one year and may be refiled annually, permits a physician or practitioner to continue filing medical certification documents by mail.

Title 22

Amend: 2706–4

Filed 01/22/2025

Effective 04/01/2025

Agency Contact: Victor Lao (916) 890–5269

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