



California Regulatory Notice Register

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

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**PROPOSED ACTION ON
REGULATIONS**

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**TITLE 2. LAW REVISION
COMMISSION**

NOTICE IS HEREBY GIVEN that the **CALIFORNIA LAW REVISION COMMISSION**, pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its conflict-of-interest code. A comment period has been established commencing on *June 9, 2025* and closing on *July 28, 2025*. All inquiries should be directed to the contact listed below.

The **CALIFORNIA LAW REVISION COMMISSION** proposes to amend its conflict-of-interest code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The amendment carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

Changes to the conflict-of-interest code include: updates employee titles and reporting responsibilities and also makes other technical changes.

Agencies please choose one option:

The proposed amendment and explanation of the reasons can be obtained from the agency's contact.

OR

Information on the code amendment is available on the agency's intranet site and/or attached to this email.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than *July 28, 2025*, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than *July 13, 2025*.

The **CALIFORNIA LAW REVISION COMMISSION** has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under

Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to:

Sarah Huchel, Chief Deputy Director
916–409–6392
California Law Revision Commission
c/o Legislative Counsel Bureau
925 L Street, Suite 275
Sacramento, CA 95814

**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: Golden Sierra Job Training Agency
Stockton East Water District
School and College Legal Services of California

STATE AGENCY: Santa Monica Bay Restoration Commission
Department of Industrial Relations
Office of Tax Appeals

A written comment period has been established commencing on June 20, 2025, and closing on August 4, 2025. Written comments should be directed to the Fair Political Practices Commission, Attention: Andrea Spiller Hernandez, 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 codes 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 August 4, 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 Re-

form 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 Andrea Spiller Hernandez, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email aspiller-hernandez@fpcc.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 Andrea Spiller Hernandez, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email aspiller-hernandez@fpcc.ca.gov.

TITLE 5. STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

ATTENDANCE POLICIES IN THE CALIFORNIA STATE PRESCHOOL PROGRAM

NOTICE IS HEREBY GIVEN that the State Superintendent of Public Instruction (SSPI) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

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

PUBLIC HEARING

California Department of Education (CDE) staff, on behalf of the SSPI, will hold a virtual public hearing at 9:00 a.m. on August 6, 2025.

Any interested person may participate in the public hearing via a Zoom meeting by logging in per the following instructions:

- Click the following link or paste the link to the browser to join the webinar and enter the passcode:

<https://us02web.zoom.us/j/87875656214>

Passcode: 855845

- To connect with audio only and no video, call one of the following telephone numbers and enter the meeting ID and passcode:

+1 669 219 2599 US (San Jose)
 +1 669 900 6833 US (San Jose)
 Meeting ID: 878 7565 6214
 Passcode: 855845

For persons intending to attend the Zoom meeting, those persons may check their computers by:

- Clicking on the test link: <https://zoom.us/test>.
- For any issues regarding connecting with Zoom, go to <https://support.zoom.us/hc/en-us> for assistance.

At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The SSPI requests, but does not require, that persons who make oral comments at the public hearing also submit a written summary of their statements. No oral statements will be accepted subsequent to this public hearing.

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973*, and the *Americans with Disabilities Act of 1990*, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Essence Noel, Early Education Division, 1430 N Street, Suite 3410, Sacramento, CA, 95814, or by telephone at 916–322–1462, or by email at EEDTitle5@cde.ca.gov. It is recommended that assistance be requested at least two weeks prior to the hearing.

WRITTEN COMMENT PERIOD

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

Lorie Adame, Regulations Coordinator
 Administrative Support and Regulations Adoption Unit
 California Department of Education
 1430 N Street, Room 5319
 Sacramento, CA 95814

Comments may also be submitted by facsimile (FAX) at 916–322–2549 or by email to regcomments@cde.ca.gov.

Comments must be received by the Regulations Coordinator prior to or on August 6, 2025. All written comments received by CDE staff during the pub-

lic comment period are subject to disclosure under the Public Records Act.

AUTHORITY AND REFERENCE

Authority: Sections 8207 and 8231, Education Code.
 References: Sections 8205, 8207, and 8231, Education Code

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The California Department of Education (CDE) has administered subsidized early education services since the Child Care and Development Services Act (Act) was established in 1980, chapter 2 of part 6 of the Education Code (EC), starting at section 8200 et seq. The intent of the Act is that qualified subsidized early education services be provided to children and families meeting the eligibility criteria established under the Act. This Act eventually became known as the Early Education Act in 2021.

The Senate Bill (SB) 98, the education omnibus budget trailer bill of 2020, transferred the following childcare programs from the CDE to the California Department of Social Services (CDSS) beginning July 1, 2021: (1) Alternative payment programs (CAPP); (2) Migrant alternative payment programs (CMAP); (3) CalWORKs Stage 2 (C2AP); (4) CalWORKs Stage 3 (C3AP); (5) General child care and development programs (CCTR); (6) Migrant child care and development programs (CMIG); and (7) Childcare and development services for children with severe disabilities (CHAN). The effect of this transfer separated California State Preschool Program (CSPP) from all other childcare and early education programs leaving CDE to administer CSPP, a program which provides subsidized preschool services in centers and family childcare homes.

In 2021, the CDE promulgated new Title 5 regulations, starting at Section 17700. As part of these new regulations, CDE established a policy on “abandonment of care” to align with the federal requirements of the other childcare programs that CDE had administered until recently, despite the fact that the CSPP contains no federal dollars and is not required to follow federal requirements. However, when the CDE administered the CSPP and all other childcare programs, the regulations promulgated for CSPP would often be in alignment with the federal requirements for other childcare programs to ensure families could seamlessly transition from a federally-supported childcare program into the CSPP once they were age eligible and CDE wanted to continue such practice.

However, due to the COVID–19 pandemic, CSPP contracts have been fiscally held harmless for all pro-

gram years that the abandonment of care policy has been in effect. This means that the regulations requiring children’s attendance in the program which impact reimbursement have not been applicable; therefore, there has not been a fiscal impact for contractors due to this abandonment of care policy as there normally would have been. While the regulations on abandonment of care met the federal requirements for childcare programs, they will create some negative fiscal consequences that will impact CSPP contractors beginning in the 2025–26 fiscal year. The CDE understands that the field is not happy about these negative fiscal consequences which will occur once attendance impacts a contractor’s reimbursement again. If the attendance policies are not corrected due to the ending of the fiscal hold harmless for CSPP contracts, contractors will face fiscal consequences. Therefore, CDE is promulgating new attendance policies which will encourage the attendance of children in CSPP while avoiding negative fiscal penalties for the contractors.

Policy Statement Overview

The objective of these proposed regulations is to ensure that CSPP contractors are not negatively affected fiscally by current regulations in Section 17819.5 and to set forth a new, cohesive, and common-sense statewide policy on attendance that will serve both families and contractors. This will ensure that contractors are not fiscally impacted by the children’s lack of attendance because they are required to keep them enrolled in the CSPP even if they are not regularly attending. These proposed regulations will also provide flexibility and clarification about attendance in CSPP for families.

Anticipated Benefits of the Proposed Regulation

The benefit of enacting these proposed regulations includes ensuring contractors are appropriately compensated for their work and providing appropriate clarity and statewide consistency on the attendance policies for children attending CSPP and ensuring more efficient administration of the CSPP.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations

An evaluation of the proposed regulations has determined they are not inconsistent/incompatible with existing regulations, pursuant to Government Code Section 11346.5(a)(3)(D). After conducting a review of any regulations that would relate to or affect this area of law, the SSPI has concluded that these are the only regulations that concern the Attendance Policies in the California State Preschool Program.

DISCLOSURES REGARDING THE PROPOSED ACTION/FISCAL IMPACT

The SSPI has made the following initial determinations:

Other statutory requirements: There are no other matters as are prescribed by statute applicable to the specific state agency or to any specific regulations or class of regulations.

Mandate on local agencies and school districts: None.

Costs to any local agencies or school districts for which reimbursement would be required pursuant to Part 7 (commencing with section 17500) of division 4 of the Government Code: None.

Cost or savings to any state agency: None.

Other non-discretionary costs or savings imposed on local agencies, including local educational agencies: None.

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

Effect on housing costs: None.

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

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

Report required: The proposed regulations do not require a report to be made.

Effect on small businesses: The proposed regulations would not have an effect on any small business because they are only relevant to California State Preschool Programs contracted through the CDE.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

Benefits of the Regulations to the Health and Welfare of California Residents, Worker Safety, and the State’s Environment — Gov. Code Section 11346.5(a)(10):

The SSPI concludes that it is unlikely that these proposed regulations will: 1) create or eliminate jobs within California; 2) create new businesses or eliminate existing businesses within California; or 3) affect the expansion of businesses currently doing business within California.

Benefits of the Proposed Action: The proposed regulations will benefit children and families in California as they take advantage of high-quality early education programs guided by these proposed regula-

tions. The proposed regulations are not expected to affect worker safety or the state’s environment.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the SSPI must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of the SSPI 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 SSPI invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

CONTACT PERSONS

Inquiries concerning the content of these proposed regulations should be directed to:

California Department of Education
Early Education Division
Guidance and Regulations Office
Attention: Essence Noel
1430 N Street, Suite 3410
Sacramento, CA 95814
Telephone: 916–322–4883
Email: EEDTitle5@cde.ca.gov

Inquiries concerning the regulatory process may be directed to Lorie Adame, Regulations Coordinator, or the backup contact person, Gerri White, Regulations Analyst. The Regulations Coordinator and the Regulations Analyst may be reached by email at regulations@cde.ca.gov or by telephone at 916–319–0860.

Availability of Initial Statement of Reasons, Text of Proposed Regulations and Information

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 (ISOR) and Fiscal and Economic Impact Statement (STD. 399). These documents upon which the proposed action is based may be obtained upon request from the Regulations Coordinator. In addition, this Notice, the text of the proposed regulations and the ISOR may also be viewed on CDE’s website at <http://www.cde.ca.gov/re/lr/rr/>.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the SSPI may adopt the proposed regulations substantially as described in this Notice or may modify the proposed regulations if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified regulation will be available to the public for at least 15 days prior to its adoption from the Regulations Coordinator and will be mailed to those persons who submit written comments related to this regulation, or who provide oral testimony at the public hearing, or who have requested notification of any changes to the proposed regulations. The CDE will accept written comments on the modified regulations for 15 days after the date on which they are made available.

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

You may obtain a copy of the Final Statement of Reasons, once it has been finalized, by making a written request to the Regulations Coordinator.

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

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications highlighted, as well as the Final Statement of Reasons, when completed, and modified text, if any, can be accessed via CDE’s website at <http://www.cde.ca.gov/re/lr/rr/>.

TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Division 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code (GC) section 11346.8, any interested person, or their duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

PUBLIC COMMENTS DUE BY
AUGUST 4, 2025.

Notice is also given that any interested person, or authorized representative, may submit written comment(s) relevant to the proposed regulatory action by fax at (916) 404–5619, by email to Katelynn Poulos, katelynn.poulos@post.ca.gov or by letter to:

Commission on POST
Attention: Katelynn Poulos
860 Stillwater Road, Suite 100
West Sacramento, CA 95605–1630

AUTHORITY AND REFERENCE

This proposal is made pursuant to the authority vested by Penal Code (PC) section 13503 (authority of POST), PC § 13506 (POST authority to adopt regulations) and PC § 13510 (POST authority to establish minimum standards). This proposal is intended to interpret, implement, and make specific PC § 13510, which authorizes POST to establish a certification program for peace officers in the state of California.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

On September 30, 2021, Governor Newsom signed Senate Bill 2 (SB 2) (2021), which made significant changes to existing Government and Penal Codes, respectively. These changes provide for additional peace officer eligibility requirements and grants POST the authority to certify all peace officers in California, and subsequently take action against those certifications, should POST determine serious misconduct occurred. While the peace officer eligibility requirements went into effect on January 1, 2022, the remaining changes to Government and Penal Codes went into effect on January 1, 2023. POST continues to review and update processes and regulatory actions in response to the implementation of SB 2 (2021).

This rulemaking action clarifies and makes specific the definition of terms related to peace officer certification and/or appointment, eligibility for professional certificates, and terms related to the serious misconduct hearing process. The regulatory amendment proposed in this rulemaking action will provide definitions for the following additional terms: *Accusation*, *Cancelled Appointment*, *Cancelled Certificate*, *Conditional Certification*, *Corporal*, *Default Revocation*, *Denied Appointment*, *Denied Certificate Application*, *Expired*, *Revoked*, and *Stipulated Settlement*. The regulatory amendment proposed in this rulemaking action will also provide updated definitions for the fol-

lowing terms: *First-level Supervisory Position*, and *Middle Management Position*.

Anticipated Benefits of the Proposed Amendments:

The benefits anticipated by the proposed amendments to the regulation will provide clarity by amending existing terms and providing additional terms related to peace officer certification. This will increase the efficiency of the state of California in delivering services to stakeholders. Thus, law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare in the state. The proposed amendments will have no impact on worker safety or the state's environment.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations:

POST has determined that these proposed amendments are not inconsistent nor incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, POST has concluded that these are the only regulations that concern processes and procedures for peace officer eligibility in the state.

FORMS INCORPORATED BY REFERENCE

There are no forms incorporated by reference.

DISCLOSURES REGARDING THE
PROPOSED ACTION

POST has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

Costs to any local agency or school district which must be reimbursed in accordance with GC §§ 17500 through 17630: None.

Other non-discretionary costs or savings imposed on local agencies: None.

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

Cost impacts on a representative private persons or business: POST 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 California businesses: POST has determined that the proposed regulations 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.

Significant effect on housing costs: None.

Small Business Determination: POST has determined that the proposed regulations will not affect small businesses because the regulation addresses pro-

viding clarity by amending existing terms and providing additional terms related to peace officer certification. Additionally, the Commission’s main function to establish and maintain training standards for law enforcement has no financial effect on small businesses.

RESULTS OF ECONOMIC IMPACT ANALYSIS/ASSESSMENT

POST concludes that it is (1) unlikely the proposal will create nor eliminate jobs in the state of California, (2) unlikely that the proposal will create new businesses nor eliminate any existing businesses, and (3) unlikely that the proposed regulations will result in the expansion of businesses currently doing business within the state.

Benefits of the Proposed Action: As stated above under the Informative Digest/Policy Statement Overview, the benefits of the regulation will increase the efficiency of the state of California in delivering services to stakeholders. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare in California. There would be no impact that would affect worker safety or the state’s environment.

CONSIDERATION OF ALTERNATIVES

In accordance with GC § 11346.5, subdivision (a)(13), POST must determine that no reasonable alternative it considered, or that has otherwise identified and brought to its attention, 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 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 than the proposed action.

CONTACT PERSONS

Questions regarding this proposed regulatory action may be directed to Katelynn Poulos, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605–1630 at (916) 227–4894 or to Michelle Weiler at (916) 227–4870.

TEXT OF PROPOSAL

Individuals may request 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, the Commission on POST at 860 Stillwater Road, Suite 100, West Sacramento, CA 95605–1630. These documents are also lo-

cated on the POST Website at <https://post.ca.gov/Regulatory-Actions>.

ADOPTION OF PROPOSED REGULATIONS/AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public comment period, the Commission may adopt the proposal substantially as set forth without further notice, or the Commission may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, the text of any modified language, clearly indicated, will be made available at least 15 days before adoption to all persons whose comments were received by POST during the public comment period and to all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date that the revised text is made available.

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

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting the person(s) named above. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations and the initial statement of reasons.

To request a copy of the Final Statement of Reasons once it has been approved, submit a written request to the contact person(s) named above.

TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to adopt a new regulation in Division 2 of Title 11, of the California Code of Regulations, as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code section 11346.8, any interested person, or their duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

PUBLIC COMMENTS DUE BY
AUGUST 4, 2025.

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by fax at (916) 227–2801, by email to [Michelle Weiler](#), or by letter to:

Commission on POST
Attention: Michelle Weiler
860 Stillwater Road, Suite 100
West Sacramento, CA 95605–1630

AUTHORITY AND REFERENCE

This proposal is made pursuant to the authority vested by Penal Code (PC) section 13503 (authority of POST), PC section 13506 (POST authority to adopt regulations). This proposal is intended to interpret, implement, and make specific PC section 13503(e), which authorizes POST to develop and implement programs to increase the effectiveness of law enforcement, including peace officer selection and certification and programs involving training and education courses.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

On September 30, 2021, Governor Newsom signed Senate Bill (SB) 2. SB 2 made significant changes to existing Government and Penal Codes, respectively. These changes provide for additional peace officer hiring eligibility requirements. SB 2 also grants POST the authority to certify all peace officers in California, and subsequently take action against those certifications, should POST determine serious misconduct occurred. While the peace officer eligibility hiring requirements went into effect on January 1, 2022, the remaining changes to Government and Penal Codes went into effect on January 1, 2023. POST is continuing to assess the requirements of SB 2 and adopt new or amend current regulations to meet these requirements.

This rulemaking action proposes to adopt Commission Regulation 1216 and incorporate by reference, the *POST Disciplinary Guidelines: Factors for Consideration of Penalty Related to Peace Officer Certification Actions (2025)*. The proposed regulation and incorporated disciplinary guidelines will help establish consistent guidelines for considering whether an act, or acts, of serious misconduct warrant(s) suspension or revocation of a subject peace officer's certification.

The proposed regulation and incorporated disciplinary guidelines will provide a framework for the administrative law judges (ALJs) of the Office of Administrative Hearings (OAH) in recommending appro-

priate disciplinary actions to the Commission based on the nature and severity of the allegation of serious misconduct. This is necessary as the ALJs who will be conducting the evidentiary hearings will not necessarily possess the experience or specialized knowledge of investigations into peace officer misconduct. As these hearings will be held throughout the State, the proposed disciplinary guidelines will ensure a consistent framework and application when considering the facts of the case alongside potential aggravating and mitigating factors throughout the State. By providing clear guidelines, the proposed regulation and incorporated disciplinary guidelines will also increase the effectiveness of law enforcement standards for peace officers in preserving the peace, protection of public health and safety, and welfare of California. There would be no effect regarding the environment, the prevention of discrimination, and the increase in openness and transparency in business and government.

Anticipated Benefits of the Proposed Amendments:

The benefits anticipated by the proposed regulation and incorporated disciplinary guidelines will provide clarity related to potential disciplinary actions taken against a peace officer's certification when they have been found to have engaged in acts of serious misconduct as defined in Penal Code section 13510.8 and Commission Regulation 1205. Additionally, the proposed regulation and incorporated disciplinary guidelines will increase the effectiveness of law enforcement standards for peace officers in preserving peace, protection of public health and safety, and welfare of California. There would be no effect in regard to the environment, the prevention of discrimination, and the increase in openness and transparency in business and government.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations:

POST has determined that the proposed regulation is not inconsistent nor incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, POST has concluded that this is the only regulation that concerns disciplinary guidelines.

FORMS INCORPORATED BY REFERENCE

There are no forms to be incorporated by reference. However, the *POST Disciplinary Guidelines: Factors for Consideration of Penalty Related to Peace Officer Certification Actions (2025)* is a 29–page document that will be incorporated by reference.

DISCLOSURES REGARDING THE PROPOSED ACTION

POST has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

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

Other non-discretionary costs or savings imposed on local agencies: None.

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

Cost impacts on a representative private persons or business: POST 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 California businesses: POST has determined that the proposed regulations 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.

Significant effect on housing costs: None.

Small Business Determination: POST has determined that the proposed regulations will not affect small business because the regulations only affect state agencies that are adopting, amending, or repealing regulations. Additionally, the Commission's main function to select and maintain hiring, training, and certification standards for law enforcement has no effect financially on small businesses.

RESULTS OF ECONOMIC IMPACT ANALYSIS/ASSESSMENT

POST concludes that it is (1) unlikely the proposal will create nor eliminate jobs in the state of California, (2) unlikely that the proposal will create new businesses nor eliminate any existing businesses, and (3) unlikely that the proposed regulations will result in the expansion of businesses currently doing business within the state.

Benefits of the Proposed Action: As stated above under the Informative Digest/Policy Statement Overview, the benefits of the regulation will increase the efficiency of the state of California in delivering services to stakeholders by establishing consistent guidelines for considering whether an act, or acts, of serious misconduct warrant(s) suspension or revocation of a subject peace officer's certification. Thus, law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and

welfare in California. There would be no impact that would affect worker safety or the state's environment.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), POST must determine that no reasonable alternative it considered, or that has otherwise identified and brought to its attention, 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 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 than the proposed action.

CONTACT PERSONS

Questions regarding this proposed regulatory action may be directed to [Michelle Weiler](#), Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630 at (916) 227-4870. General questions regarding the regulatory process may be directed to Katelynn Poulos at (916) 227-4984.

TEXT OF PROPOSAL

Individuals may request 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, the Commission on POST at 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630. These documents are also located on the [POST Website](#).

ADOPTION OF PROPOSED REGULATIONS/AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public comment period, the Commission may adopt the proposal substantially as set forth without further notice, or the Commission may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, the text of any modified language, clearly indicated, will be made available at least 15 days before adoption to all persons whose comments were received by POST during the public comment period and to all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the

modified text for 15 days after the date that the revised text is made available.

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

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting the person(s) named above. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons.

To request a copy of the Final Statement of Reasons once it has been approved, submit a written request to the contact person(s) named above.

TITLE 16. BOARD OF ACCOUNTANCY

DISCIPLINARY GUIDELINES AND MODEL ORDERS 11TH EDITION

NOTICE IS HEREBY GIVEN that the California Board of Accountancy (CBA) is proposing to take the action described in the Informative Digest below, after consideration of all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

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

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the addresses listed under “Contact Person” in this Notice, must be **received by the CBA at its office no later than by Monday, August 4, 2025**, or must be received by the CBA at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 5010, 5018 and 5116 of the Business and Professions Code¹ (BPC); and Section 11400.20 of the Government Code (GC), and to implement, interpret or make specific Sections 5018, 5096, 5096.5, 5096.12, 5100 and 5116–5116.6 of the BPC; and Section 11425.50(e) of the GC, the CBA is considering amending Section 98 of Division 1 of Title 16 of the California Code of Regulations² (CCR) (CBA Regulations).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The CBA licenses, regulates, and investigates complaints against five different license categories in California, totaling approximately 115,000 licensees and registrants. These licensing categories include Public Accountant, Certified Public Accountant (CPA), Accountancy Corporation, Accountancy Partnership, and out-of-state registered accounting firm. It is the CBA’s duty to enforce and administer the Accountancy Act Chapter 1 (commencing with section 5000) of Division 3 of the BPC. The CBA is authorized to establish necessary rules and regulations for the enforcement of the Accountancy Act and laws subject to its jurisdiction (BPC section 5010).

The CBA’s mission is to protect consumers by ensuring only qualified licensees practice public accountancy in accordance with established professional standards.

Existing law, BPC section 5116, requires the CBA to establish criteria for assessing administrative penalties for violations of the Accountancy Act.

Existing law, GC section 11425.50(e) specifies that a penalty may not be based on a guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule unless it has been adopted as a regulation.

Existing regulation, CCR section 98, incorporates by reference the CBA’s “Disciplinary Guidelines and Model Orders, 10th edition, 2019” (Disciplinary Guidelines). The CBA reviews the Disciplinary Guidelines for relevancy on a triennial basis and the latest edition was adopted in June 2021. The CBA is proposing to amend CCR section 98 to incorporate by reference its “Disciplinary Guidelines and Model Orders, 11th edition, 2023” which adopts recent policy direction by the CBA and makes non-substantive changes.

During the July 2023 meeting, the CBA approved the initiation of a rulemaking to include the Na-

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

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

tional Association of State Boards of Accountancy (NASBA) Center for the Public Trust (CPT) Ethics Leadership Training in the Disciplinary Guidelines with the intent of promoting ethical practices for licensees receiving discipline.

Under this proposal, the NASBA CPT Ethics Leadership Training would be added to the Standard Conditions of Probation, under Model Order 26, with the existing terms of Ethics Continuing Education. These trainings are also added under the “If warranted” section of the Conditions of Probation allowing the CBA to impose one or both trainings depending on the severity of the violations of the Accountancy Act and/or CBA Regulations.

During the July 2023 meeting, the CBA also decided to add language to the Rehabilitation Evidence section regarding petitions for reduction of penalty. This proposal adds paragraph “h” to the Rehabilitation Evidence section as an additional type of evidence the Respondent may submit to the CBA. The new paragraph details the supporting documents licensees can include in their Petition for Reduction of Penalty, as it relates to a financial penalty.

During the January 2024 meeting, the CBA approved the initiation of a rulemaking to move the existing Tolling of Probation for Out-of-State Residence/Practice term from a standard term to an optional term of probation. The CBA also decided to add a standard term and condition allowing a licensee to surrender a license while on probation. The CBA approved staff’s recommendations to include these changes in the next edition of the Disciplinary Guidelines.

The existing language under Model Order 23, related to tolling of probation for out-of-state licensees would move to new Model Order 50 under the Optional Terms for Probation section. The new Model Order 50 would add language providing reference to instances of which would not be considered tolling, therefore allowing the probation term to expire.

In place of the old Model Order 23, new language would be added to allow a licensee to surrender a license while on probation.

Due to the critical nature of the document and the fact it is often relied upon by the CBA, licensees, attorneys, and Administrative Law Judges (ALJs) during the imposition of discipline, the aforementioned revisions are necessary to address the changes that have been made to the process and to ensure the CBA imposes discipline against licensees in a consistent manner.

Anticipated Benefits of Proposal

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

This regulatory proposal may benefit the health and welfare of California residents because the updated Disciplinary Guidelines will improve clarity for staff, licensees and individuals involved in the disciplinary process. The proposed changes enable the CBA to meet its mandate to protect consumers by ensuring that a licensee providing public accounting services to consumers is sufficiently rehabilitated and only qualified licensees practice public accountancy.

This regulatory proposal does not affect worker safety because the regulatory proposal does not relate to worker safety.

Evaluation of Consistency and Compatibility with Existing State Regulations

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

INCORPORATION BY REFERENCE

Disciplinary Guidelines and Model Orders, 11th Edition (2023).

DISCLOSURES REGARDING THIS PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None. The proposed regulations do not result in a fiscal impact to the state.

This proposal provides revisions to the CBA’s Disciplinary Guidelines, which would provide greater clarity to licensees, consumers, the CBA, attorneys, and ALJs by outlining the range of enforcement actions related to violations of the Accountancy Act, CBA Regulations, and other provisions.

The CBA does not anticipate additional workload or costs resulting from the proposed regulations. This proposal does not change the fines for violations, so no additional revenues are anticipated.

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

Nondiscretionary Costs/Savings to Local Agencies

None.

Cost to any Local Agency or School District for which Government Code Sections 17500–17630 Require Reimbursement

None.

Mandate Imposed on Local Agencies or School Districts

None.

Significant Effect on Housing Costs (and, if applicable, including any estimated costs of compliance or potential benefits of a building standard)

None.

BUSINESS IMPACT ESTIMATES

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

This initial determination is based on the following facts/evidence/documents or testimony:

The proposed amendments to the Disciplinary Guidelines would only impact CBA licensees who are disciplined and placed on probation for violations of the Accountancy Act or CBA Regulations. The CBA imposes probationary terms on a case-by-case basis and depend on the severity of the violation(s).

The proposed regulatory action would only adversely affect a negligible number of licensees who, through their conduct, subject themselves to disciplinary action for violations of the laws and regulations within the CBA's jurisdiction. Any potential "adverse economic impact" may be avoided simply by complying with the existing laws and regulations governing the practice of public accountancy in California.

Cost Impact on Representative Private Person or Business:

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

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

The CBA has determined that the proposed regulatory action will not have any impact on the following:

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

This proposal would not have any of the above-referenced impacts as explained in the "Business Impact Estimates" section of this notice.

Benefits of Regulation:

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

This regulatory proposal may benefit the health and welfare of California residents because the updated Disciplinary Guidelines will improve clarity for staff, licensees and individuals involved in the disciplinary process. The proposed changes enable the CBA to meet its mandate to protect consumers by ensuring that a licensee providing public accounting services to consumers is sufficiently rehabilitated and only qualified licensees practice public accountancy.

This regulatory proposal does not affect worker safety because the regulatory proposal does not relate to worker safety.

Business Reporting Requirements:

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

Effect on Small Business:

The CBA has determined that the proposed regulations would not affect small businesses. The CBA does not maintain data relating to the number or percentage of licensees who are a small business but does not anticipate small businesses to be impacted.

The proposed amendments to the Disciplinary Guidelines would only impact CBA licensees who are disciplined and placed on probation for violations of the Accountancy Act or CBA regulations. The CBA imposes probationary terms on a case-by-case basis and depend on the severity of the violations.

The proposed regulatory action would only adversely affect a negligible number of licensees who, through their conduct, subject themselves to disciplinary action for violations of the laws and regulations within the CBA's jurisdiction. Any potential "adverse economic impact" may be avoided simply by complying with the existing laws and regulations governing the practice of public accountancy in California.

CONSIDERATION OF ALTERNATIVES

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

Any interested person may submit comments to the CBA in writing relevant to the above determina-

tions at 2450 Venture Oaks Way, Suite 300, Attention Regulatory Coordinator, Sacramento, CA 95833 or by sending an email to Regulations@cba.ca.gov during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

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

TEXT OF PROPOSAL

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

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the CBA, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the person designated in this Notice as the Contact Person and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

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

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

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a writ-

ten request to the Contact Person named below or by accessing the website listed below.

CONTACT PERSONS

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

Name: Diana Godines
Address: 2450 Venture Oaks Way, Suite 300
Sacramento, CA 95833
Telephone Number: (279) 226–4599
Fax Number: (916) 263–3675
Email Address: Regulations@cba.ca.gov

The backup contact person is:

Name: Deanne Pearce
Address: 2450 Venture Oaks Way, Suite 300
Sacramento, CA 95833
Telephone Number: (279) 236–3012
Fax Number: (916) 263–3675
Email Address: Regulations@cba.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the CBA's website at <https://www.dca.ca.gov/cba/about/pending-regulations.shtml>.

TITLE 16. BOARD OF PHARMACY

MEDICATION–ASSISTED TREATMENT PROTOCOL

NOTICE IS HEREBY GIVEN that the California State Board of Pharmacy (Board) proposes taking the rulemaking action described below, under the heading Informative Digest/Policy Statement Overview. Any person interested may present statements or arguments relevant to the action proposed in writing.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. The Board will, however, hold a hearing if it receives a written request for a public hearing from any interested person, or that person's authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writ-

ing, addressed to the individuals listed under “*Contact Person*” in this notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the addresses listed under “*Contact Person*” in this Notice, must be **received by the Board at its office no later than August 4, 2025**, or must be received by the Board at the hearing, should one be scheduled.

Authority and Reference: Pursuant to the authority vested by section 4052 of the Business and Professions Code (BPC), the Board is considering adding section 1746.6 to Title 16 of the California Code of Regulations (CCR).

Informative Digest/Policy Statement Overview

The California State Board of Pharmacy is a state agency vested with the authority to regulate the pharmacy industry, including pharmacies, pharmacists, and pharmacy technicians (BPC sections 4000, et seq.). The Board’s mandate and mission are to protect the public (BPC section 4001.1).

An estimated 1.4 million Americans are addicted to opioid painkillers and 438 thousand have a heroin-related opioid addiction. According to the Substance Abuse and Mental Health Services Administration (SAMHSA), treatment for opioid addiction requires continuing care and not an acute-care approach. Many of those with an opioid addiction benefit from treatment with medication for varying lengths of time, including lifelong treatment. Medication-Assisted Treatment (MAT) is used to treat substance use disorders, as well as to sustain recovery and prevent overdose. Medications used in MAT are approved by the Food and Drug Administration, and MAT programs are clinically driven and tailored to meet each patient’s needs. This patient-centered care empowers patients with information that helps them make better treatment decisions with the healthcare professionals involved in their care.

Previously, any prescriber who wished to treat an opioid use disorder with the prescription medication buprenorphine was required to obtain a DATA Waiver (X-waiver) from SAMHSA to do so lawfully, and had to complete several hours of specialized training to be approved for the waiver. The federal government loosened those requirements in 2021, allowing prospective prescribers to obtain a waiver without completing training, as long as they limited the number of patients they treated with buprenorphine to thirty. Effective January 1, 2023, federal law was amended to expand access to MAT, including removing the X-waiver requirement. As such, and as permitted by applicable state law, all practitioners who have a current Drug Enforcement Agency registration that in-

cludes Schedule III authority may now prescribe buprenorphine to treat Opioid Use Disorder.

Existing Pharmacy Law at BPC section 4052(a)(14) (as amended in 2022) authorizes pharmacists to provide MAT pursuant to a state protocol, to the extent authorized by federal law. The Board’s proposes establishing the state protocol (required by BPC section 4052(a)(14)), specifically the requirements of appropriate education and training, providing a confidential area for services, performing an assessment, developing a treatment plan, specific documentation, and collaborating with health care providers.

The protocol was developed in consultation with experts in the field, including:

1. Dr. James Gasper, BCPP, Psychiatric and Substance Use Disorder Pharmacist, California Department of Health Care Services.
2. Dr. Talia Puzantian, BCPP, Professor of Clinical Sciences, KGI School of Pharmacy and Health Sciences.
3. Dr. Michelle Geier, BCPP, Psychiatric Pharmacy Supervisor, San Francisco Department of Public Health, Behavioral Health Services.

Anticipated Benefits of the Proposed Regulation

The Board has determined that this regulatory proposal will have the following benefits to the health and welfare of California residents, and will have no effect on worker safety and the state’s environment.

Protection of the public is the Board’s highest priority in exercising its licensing, regulatory, and disciplinary functions. The proposed regulation will ensure that there is proper oversight of practitioners who provide medication-assisted treatment (MAT). With the change in the federal law and the Board’s proposed regulation, pharmacists that choose to provide MAT will be well-positioned to serve as important access points for patients in need of MAT. This will benefit the health and welfare of California residents.

Evaluation of Consistency and Compatibility with Existing State Regulations

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

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs/Savings to State Agencies or Costs/Savings in Federal Funding to the State: None. The proposed regulations do not result in a fiscal impact to the state.

The Board does not anticipate the proposed regulation resulting in an increase in workload, enforce-

ment activity, or costs. Additionally, compliance will be verified through routine pharmacy inspections.

Other non–discretionary costs or saving imposed on local agencies: None.

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

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs: None.

BUSINESS IMPACT ESTIMATES

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. This initial determination is based on the absence of testimony to that effect during the public discussion and development of the proposed regulation. The proposed regulation establishes the state protocol pharmacist licensees must follow should they wish to provide MAT; however, there are no additional requirements for businesses.

Cost Impact on Representative Private Person or Business:

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

Effect on Small Business:

While the Board does not have, nor does it maintain, data to determine if any of its licensees (pharmacies and clinics) are a “small business,” as defined in Government Code section 11342.610, the Board has made an initial determination that the proposed regulatory action will not affect small businesses. All pharmacists have the option of providing MAT should they wish to meet the federal requirements and comply with the proposed regulation, whether they work at a small community pharmacy or a large chain pharmacy. It will impact individuals and not businesses.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

The Board has determined that this proposal will not:

- (1) create jobs within California;
- (2) eliminate jobs within California;
- (3) create new businesses within California;
- (4) eliminate of existing businesses within California;

- (5) expand businesses currently doing business in the State of California.

The Board determined that this proposal will not create or eliminate jobs or businesses. The proposed regulation establishes the state protocol pharmacist licensees must follow should they wish to provide MAT. Providing MAT to patients is an optional treatment pharmacists may provide and is not mandated. Pharmacists that choose to provide MAT will serve as important access points for patients in need of MAT, which will benefit the health and welfare of California residents. The proposed regulation will not impact worker safety or the state’s environment.

Benefits of Regulation:

The Board has determined that this regulatory proposal will have the following benefits to the health and welfare of California residents, and will have no effect on worker safety and the state’s environment.

Protection of the public is the Board’s highest priority in exercising its licensing, regulatory, and disciplinary functions. The proposed regulation will ensure that there is proper oversight of practitioners who provide medication–assisted treatment (MAT). With the change in the federal law and the Board’s proposed regulation, pharmacists that choose to provide MAT will be well–positioned to serve as important access points for patients in need of MAT. This will benefit the health and welfare of California residents.

Business Reporting Requirements:

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

CONSIDERATION OF ALTERNATIVES

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

Any interested person may submit comments, in writing, relevant to the above determinations at the address listed for the *Contact Person* during the written comment period, or at the hearing if one is scheduled or requested.

**AVAILABILITY OF TEXT OF PROPOSAL,
INITIAL STATEMENT OF REASONS, AND
RULEMAKING FILE**

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information upon which the proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice. Copies of the exact language of the proposed regulations and the Initial Statement of Reasons, as well as all of the information upon which the proposal is based, may be obtained upon request from the Board of Pharmacy at 2720 Gateway Oaks Drive, Suite 100, Sacramento, California 95833, or from the Board of Pharmacy's website at http://www.pharmacy.ca.gov/laws_regs/pending_regs.shtml.

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the person designated in this Notice as the Contact Person and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

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

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

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

CONTACT PERSONS

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

Name: Lori Martinez
Address: 2720 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833
Phone Number: (916) 518-3100
Fax Number: (916) 574-8618
Email Address:

PharmacyRulemaking@dca.ca.gov

The backup contact person is:

Name: Debbie Damoth
Address: 2720 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833
Phone Number: (916) 518-3100
Fax Number: (916) 574-8618
Email Address:

PharmacyRulemaking@dca.ca.gov

**AVAILABILITY OF DOCUMENTS
ON THE INTERNET**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board of Pharmacy's website at: https://www.pharmacy.ca.gov/laws_regs/pending_regs.shtml.

**TITLE 16. VETERINARY MEDICAL
BOARD**

**MINIMUM STANDARDS FOR ALTERNATE
VETERINARY PREMISES**

NOTICE IS HEREBY GIVEN that the California Veterinary Medical Board (Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

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

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the

addresses listed under “Contact Person” in this Notice, must be **received by the Board at its office no later than Monday, August 4, 2025**, or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by sections 4808, 4836 and 4854 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC sections 4836, 4836.1, 4852, 4853, 4854, 4855, 4856, and 4883 of said code, the Board is considering amending sections 2030, 2030.05, 2030.1, 2030.2, and 2030.3 of article 4 of division 20 of title 16 of the California Code of Regulations (CCR)¹.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

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

Existing law requires all veterinary premises to be registered with the Board (BPC section 4853) and conform to the minimum standards established by the Board (BPC section 4854). Current regulations specify the requirements for the licensee manager (veterinarian), fixed veterinary premises, small animal fixed premises, small animal mobile clinics, and small animal vaccination clinics. However, these provisions do not include all types of mobile veterinary practice, nor consider exemptions from those operating standards, where appropriate. This proposal would establish such standards and exemptions.

The Board proposes to update and revise existing minimum standards for all premises locations and update practice standards for the types of animal health care tasks that may be performed under the supervision of a licensed veterinarian by a registered veterinary technician, veterinary assistant, or veterinary assistant controlled substance permit holder at a small animal vaccination clinic (to be retitled “Minimum Standards — Animal Vaccination Veterinary Premises”).

The Board’s proposal would:

- Consolidate existing and newly proposed minimum veterinary premises requirements for all locations in one section of the Board’s regulations at CCR, title 16, section 2030 entitled “Minimum Standards — Veterinary Premises” and repeal outdated or unnecessary standards for all locations,
- Provide new categories of exemptions from those minimum standards paragraphs in Section 2030 that do not apply to the specified veterinary premises type and are not relevant or necessary to ensure minimum operating standards are met in specified locations,
- Standardize various existing veterinary naming conventions of clinics, facilities, and hospitals to the consistent use of the terms “veterinary premises” throughout, and would set minimum standards and definitions for the following veterinary premises types: small animal fixed veterinary premises, large animal fixed veterinary premises, mobile veterinary premises, and animal vaccination veterinary premises,
- For Section 2030.3, amend the title from “Small Animal Vaccination Clinic” to “Minimum Standards — Animal Vaccination Veterinary Premises.” In addition to specifying the minimum standards for this location and veterinarian responsibilities, Section 2030.3 would be revised to describe the services provided at this type of veterinary premise, the personnel who may administer the services, and when such services are authorized to be provided,
- Remove all apparent building standards, including any exemptions to those standards, from these regulations (a separate rulemaking to amend CCR, Title 24, was recently approved via the California Building Standards Commission (CBSC) rulemaking process, which added the mentioned building standards, and related exemptions, to section 1251 of title 24 of the CCR),
- Make minor, technical or grammatical changes, including removal of gender specific language and replacement of that language with gender neutral language, and,
- Increase information to consumers through signage requirements, and new written disclosures that include contact information and information where after-hours emergency care is available.

ANTICIPATED BENEFITS OF PROPOSAL

The regulatory proposal supports consumer protection by establishing minimum standards for alternate veterinary premises by updating the standards

¹ All CCR references are to title 16 unless otherwise noted

for locations to follow when providing veterinary services. The maintenance of consistent standards across all premises regulated by the Board helps ensure the health and safety of the public, the animal patients, and the clients served, regardless of location.

The Board anticipates consumers will also benefit from increased availability and readability of information from the veterinary premises when the consumer has an emergency for their animals or has stopped by a veterinary premises after hours. Veterinarians and their staff will benefit from clarification of the requirements specific to the veterinary premises type where they provide services. In addition, standardizing all of the premises requirements will allow for consistency among the various veterinary premises types, while allowing exceptions for standards not relevant or necessary to ensure minimum standards of care are met in specified types of locations.

Additionally, the Board anticipates support from the public, veterinarians, and veterinary professionals in relation to vaccination events, as “designated veterinary professionals” would be able to provide vaccinations instead of only veterinarians.

Lastly, this regulatory proposal, along with the separate Title 24 rulemaking referenced above, will ensure that veterinary practice management standards are only found under title 16 of the CCR, while all apparent building standards, and any exemptions to those standards, are only found under title 24 of the CCR, and that no overlap or duplicative language exists between the two areas of the CCR.

EVALUATION OF CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

During the process of developing this regulatory proposal, the Board identified overlapping and duplicative language between titles 16 and 24 of the CCR. Through meetings with the CBSC and the Office of Administrative Law (OAL), it was determined that building standards, along with any exemptions to building standards, can only be contained within title 24 of the CCR, as the CBSC oversees the development, adoption, approval, publication, and implementation of all California building standards. OAL therefore cannot review or approve any building standards or exemptions to building standards.

One goal of this regulatory proposal, along with the Title 24 proposal referenced above, is to ensure that all applicable building standards and related exemptions are contained under title 24 of the CCR and that all applicable practice management standards related to veterinary premises are contained under title 16 of the CCR. These two regulatory proposals ensure that

no overlap or duplicative language exists between the two areas of the CCR.

Additionally, the Board 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 Board has concluded these are the only regulations that concern Minimum Standards for Alternate Veterinary Premises.

DISCLOSURES REGARDING THIS PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None. The regulations do not result in a fiscal impact to the state, including any costs or savings to any state agency or any costs or savings in federal funding to the state.

The Board does not anticipate additional workload or costs resulting from the proposed regulations.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

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

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs: None.

BUSINESS IMPACT ESTIMATES

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

This initial determination is based on the following facts:

The proposal consolidates and updates existing minimum standards applicable to all veterinary premises (including small animal fixed veterinary premises, large animal fixed veterinary premises, mobile veterinary premises, and animal vaccination veterinary premises) consistent with the current practice of veterinary medicine. Businesses and licensees are anticipated to comply with the regulations within normal business operations at no additional costs.

The Board does anticipate that there may be an increase in the hiring of “designated veterinary personnel” when vaccination events are provided to the public since the services may be provided by addition-

al personnel besides the veterinarian(s), but does not have estimates of the number or quantity of personnel that may be hired at this time.

Cost Impact on Representative Private Person or Business

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

Any workload and costs to comply with the regulations are anticipated to be completed and incurred within normal business operations.

Business Reporting Requirements

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

Effect on Small Business

The Board has determined that the proposed regulations are not expected to result in additional workload or costs to existing and small businesses. Although small businesses owned by licensees of the Board may be impacted, the Board does not maintain data relating to the number or percentage of licensees who own a small business; therefore, the number or percentage of small businesses that may be impacted cannot be predicted.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

The Board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.:

- It will not eliminate jobs within the State of California because it does not impose requirements of a sufficient magnitude to eliminate businesses or eliminate licensees. The proposal may create jobs within the State of California for “designated veterinary personnel” when vaccination events are provided to the public since the services may be provided by additional personnel besides the veterinarian(s) (existing regulation limits such services to veterinarians only). However, there is no anticipation for the elimination of veterinarian jobs within the State of California as the impact is on the requirements for operating veterinary premises in compliance with the law, non-substantive changes to the managing licensee (veterinarian’s) responsibilities while overseeing the veterinary premises, and a veterinarian is still required to be on-site when a vaccination event occurs.
- The proposal is not anticipated to create new businesses or eliminate existing businesses with-

in the State of California because the proposed regulation will update the minimum standards for veterinary premises consistent with current veterinary practice, and therefore these changes are not of a magnitude that would be expected to affect existing and small businesses.

- It will not affect the expansion of businesses currently doing business within the State of California because it does not impose additional hiring requirements for owners or a managing licensee (veterinarian) over a veterinary premises.

This regulatory proposal has the following benefits to the health and welfare of California residents:

- This regulatory proposal benefits the health, safety, and welfare of California residents and increases access to veterinary care for vaccination events, by allowing “designated veterinary personnel” under the supervision of a veterinarian to provide vital vaccinations to consumer’s animals to reduce the probability of the spread of diseases in the community. The proposal will allow more veterinary professionals to provide vaccination services by expanding the animal health care tasks these professionals may provide during a vaccination event. Veterinarians and their staff will benefit from clarification of the requirements specific to the veterinary premises type where they provide services.

The proposed regulation also supports consumer protection by establishing minimum standards for alternate veterinary premises by updating the standards for locations to follow when providing veterinary services. The maintenance of consistent standards across all premises regulated by the Board helps ensure the health and safety of the public, the animal patients, and the clients served, regardless of location. The Board anticipates consumers will also benefit from increased availability and readability of information from the veterinary premises when the consumer has an emergency for their animals or has stopped by a veterinary premises after hours.

- It does not affect worker safety because it does not involve worker safety.
- It does not affect the state’s environment because it does not involve the environment.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered to the regulatory proposal or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome

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

Any interested person may submit comments to the Board in writing relevant to the above determinations at 1747 North Market Boulevard, Suite 230, Sacramento, California 95834 during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board at 1747 North Market Boulevard, Suite 230, Sacramento, California 95834.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

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

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

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

CONTACT PERSONS

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

Name: Justin Sotelo
Address: California Veterinary Medical Board
1747 North Market Boulevard, Suite 230
Sacramento, CA 95834
Telephone Number: (916) 905–5511
Fax Number: (916) 928–6849
Email Address: justin.sotelo@dca.ca.gov

The backup contact person is:

Name: Matt McKinney
Address: Veterinary Medical Board
1747 North Market Boulevard, Suite 230
Sacramento, CA 95834
Telephone Number: (916) 282–3529
Fax Number: (916) 928–6849
Email Address: matthew.mckinney@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Regulatory Action, Initial Statement of Reasons, Proposed Regulatory Language of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board's website at: https://www.vmb.ca.gov/laws_regs/proposed_regs.shtml.

TITLE 22. DEPARTMENT OF TOXIC SUBSTANCES CONTROL

SAFER CONSUMER PRODUCTS REGULATIONS — ADDING MICROPLASTICS TO THE CANDIDATE CHEMICAL LIST

DEPARTMENT OF TOXIC
SUBSTANCES CONTROL
REFERENCE NUMBER: R-2023–05R

NOTICE IS HEREBY GIVEN that the Department of Toxic Substances Control (DTSC) proposes to amend the California Code of Regulations, title 22, division 4.5, chapter 55, section 69502.2. This proposed amendment pertains to additions to the Candidate Chemical List under the Safer Consumer Products (SCP) regulations, which were adopted in 2013.

WRITTEN COMMENT PERIOD

The written comment period will close on August 4, 2025. Only comments received at the DTSC office or postmarked on or before that date will be considered. Any interested person(s) or their authorized representative(s) may submit written comments relevant to the proposed regulatory action to DTSC in either electronic or hard-copy formats.

Written comments may be submitted electronically through the SCP Information Management System, CalSAFER at: <https://calsafer.dtsc.ca.gov>. Please direct questions or concerns about CalSAFER to Hannah Schoolmeester at Hannah.Schoolmeester@dtsc.ca.gov or 916–322–4062. While DTSC prefers comments be submitted through the CalSAFER system, interested persons may also submit their comments in an email to: SaferConsumerProducts@dtsc.ca.gov or through the DTSC regulations email address at regs@dtsc.ca.gov. Please include the DTSC reference number for this regulation in the subject of your message. Direct hard-copy written comments to Office of Legislation and Regulatory Review, as specified below.

PUBLIC HEARING

A public hearing has not been scheduled for this rulemaking. However, DTSC will conduct a hearing if a written request for a public hearing is received from any interested person, or his or her duly authorized representative, no later than 15 days prior to the close of the written comment period, pursuant to Government Code Section 11346.8. Submit

a written request for a public hearing in an email to SaferConsumerProducts@dtsc.ca.gov or to the Office of Legislation and Regulatory Review, as specified below.

Notice Pertaining to Accessibility and Reasonable Accommodation

All documents related to these regulations can be made available in alternate format (i.e., Braille, large print, etc.) or in another language, as requested, in accordance with State and Federal law. Further, to ensure the public has equal access to all available services and information, DTSC will provide disability-related reasonable accommodation and/or translator/interpreter needs, upon request. For assistance, please contact the office below. Note: the range of assistive services available may be limited if requests are made less than 10 business days prior to a public hearing.

Office of Legislation and Regulatory Review
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812–0806
Fax Number: (916) 324–1808
Phone Number: (279) 895–5179

TTY/TDD/Speech-to-Speech users may dial 7–1–1 for the California Relay Service.

AUTHORITY & REFERENCE

This regulation is being adopted under the following authorities: Health and Safety Code (HSC) sections 25252, 25253, and 58012 (added by Gov. Reorg. Plan Number 1, § 146, eff. July 17, 1991). This regulation implements, interprets, or makes specific the following statutes: HSC sections 25252 and 25253.

INFORMATIVE DIGEST

Policy Statement Overview:

Background and Effect of the Proposed Regulatory Action:

The SCP regulations were adopted in October 2013 to meet the statutory requirements outlined in HSC sections 25252 and 25253. The regulations outline a science-based process for evaluating Chemicals of Concern in consumer products and safer alternatives by:

- Establishing a list of Candidate Chemicals and specifying criteria by which these may be designated Chemicals of Concern;
- Establishing a process to identify and prioritize product and Candidate Chemical combinations that may be listed as Priority Products;

- Requiring manufacturers of a product listed as a Priority Product to notify DTSC within 60 days of the listing regulation’s effective date;
- Requiring manufacturers of a Priority Product to determine how best to reduce exposures to the Chemical(s) of Concern in the product;
- Allowing DTSC to identify and require implementation of Regulatory Responses following completion of an Alternatives Analysis, if needed; and,
- Creating a process for persons to petition DTSC to add chemicals to the Candidate Chemicals list, add or remove Candidate Chemicals lists in their entirety, or to add or remove a product–chemical combination from the Priority Products List.

DTSC proposes to add microplastics to the Candidate Chemicals List because microplastics meet the criteria for Candidate Chemicals outlined in section 69502.2(b). Specifically, section 69502.2(b) allows DTSC to identify Candidate Chemicals that exhibit one or more hazard traits and/or environmental or toxicological endpoints by considering several factors including the chemical’s exposure potential, environmental fate and potential to degrade. Following an extensive review of the scientific literature and analysis of the known hazard traits of microplastics, DTSC concluded the following:

- There is a high potential for animals, humans, and environmentally sensitive habitats to be exposed to microplastics.
- Microplastics have the potential to cause or contribute to adverse impacts for:
 - Sensitive subpopulations,
 - Environmentally sensitive habitats,
 - Endangered or threatened species, or,
 - Environments in California designated as impaired by a California State or federal regulatory agency.
- Microplastics exhibit one or more hazard traits and/or environmental or toxicological endpoints.
- The extent and quality of information available substantiates the existence of potential adverse impacts and exposures of microplastics.

Benefits of the Proposed Regulatory Action:

A primary goal of the SCP regulations is to prevent or reduce potential adverse health and environmental impacts to the State of California. Because microplastics are mobile in the environment, they are found in virtually all ecosystems, as well as in drinking water, household dust and indoor air. As a result, human and ecological exposure to microplastics is widespread. This proposal to add microplastics to the Candidate Chemical List would allow DTSC to select and regulate Priority Products containing microplastics, which

would reduce microplastics in consumer products. In turn, this would reduce microplastic exposures and contribute to healthier California ecosystems, safer homes, offices, schools, workplaces, and a more sustainable environment, with cleaner drinking water and air.

Existing Laws and Regulations:

The SCP regulations established a unique approach to regulating Chemicals of Concern in consumer products that grants DTSC authority to take actions to protect people and the environment when such actions are outside the scope of other regulatory programs. DTSC has assessed all applicable state and federal laws and regulations, as well as international treaties or agreements with the force of domestic law, related to the proposed Candidate Chemical. DTSC has determined that no state or federal regulations overlap or conflict with this proposal to add microplastics to the Candidate Chemicals List. Therefore, there is no conflict or duplication between state or federal regulation, and this proposed rule, nor are the proposed regulations inconsistent or incompatible with existing state regulations.

Document Incorporated by Reference:

None.

OTHER APPLICABLE REQUIREMENTS PRESCRIBED BY STATUTE

California Environmental Quality Act (CEQA) Compliance

The proposed regulation will not result in a change in significance of any of the physical conditions within the environmental factors that are analyzed under CEQA. DTSC has determined none of the exceptions to the categorical exemptions apply to this project, as described in Public Resources Code Section 21084(c), (d), and (e), and 14 CCR Section 15300.2. DTSC has determined that the proposed regulatory amendments are actions taken by DTSC to ensure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.

DTSC intends to prepare Notice of Exemption (NOE) as the appropriate CEQA document for the adoption of a rule or regulation. A draft NOE is available for review during the public comment period upon request and will be filed with the State Clearinghouse if the regulation is finalized.

California Environmental Policy Council Review

Under the provisions of Health and Safety Code section 25252.5, the California Environmental Policy Council (CEPC) reviewed the framework SCP regulations prior to their adoption in October 2013 (the CEPC Resolution may be viewed at:

<http://calepa.ca.gov/cepc/>). Under HSC Section 25252.5(f), the CEPC determined that the proposed regulations would not have any significant adverse impact on public health or the environment and could be adopted by DTSC without undergoing a multimedia life cycle evaluation.

DTSC determined that further review by the CEPC is not warranted for this rulemaking because the requirements of HSC section 25252.5 apply only to the creation of the SCP program and not regulations that may be required to implement this program.

Peer Review

DTSC requested and obtained an external scientific peer review of the scientific basis of the proposed regulation pursuant to Health and Safety Code section 57004. The result of the external scientific peer review is posted to DTSC's rulemaking website at: <https://dtsc.ca.gov/regs/>.

DISCLOSURES REGARDING THE PROPOSED ACTION

DTSC has determined that adoption of this regulation will not impose a local mandate or result in costs subject to state reimbursement pursuant to part 7 of division 4, commencing with section 17500, of the Government Code or other nondiscretionary costs or savings to local agencies.

Mandate on Local Agencies and School Districts: None.

Costs or Savings to Any State Agency: None. However, in the future, engaging in potential compliance oversight activities with manufacturers of newly regulated Priority Products containing microplastics would generate minor and absorbable costs for DTSC.

Cost to Any Local Agency or School District Which Must Be Reimbursed in Accordance With Government Code sections 17500 through 17630: None.

Other Nondiscretionary Cost or Savings Imposed on Local Agencies: None.

Cost or Savings in Federal Funding to the State: None.

Cost Impacts on Representative Private Persons or Businesses: DTSC is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs:

DTSC has determined that the proposed regulation will have no significant effect on housing costs.

Effect on Small Businesses:

DTSC has determined that the adoption of this regulation will not affect small businesses because the regu-

lations do not impose new responsibilities for small businesses.

DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT

These regulations do not impose new responsibilities for businesses; therefore, DTSC has determined that the proposed changes to these regulations will not have a significant, statewide adverse impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The proposed regulation merely adds microplastics to the DTSC Candidate Chemicals List.

DTSC has considered proposed regulatory alternatives that would lessen any adverse economic impact on business and invites interested parties to submit proposals. Submissions may include the following considerations:

- i. The establishment of differing compliance or reporting requirements or timetables that consider the resources available to businesses.
- ii. Consolidation or simplification of compliance and reporting requirements for businesses.
- iii. The use of performance standards rather than prescriptive standards.
- iv. Exemption or partial exemption from the regulatory requirements for businesses.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

Creation of New Businesses or Elimination of Existing Businesses:

DTSC determined that it is: (1) unlikely that the proposal will eliminate any jobs, (2) unlikely that the proposal will create an unknown number of jobs, (3) unlikely that the proposal will create new businesses, (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.

Expansion of Businesses Currently doing Business:

DTSC determined that this proposed regulation will not result in the expansion of businesses currently doing business within the state.

Benefits of the Regulation on 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, state's environment, and worker safety. As stated above, future actions enabled by this rule will reduce microplastic exposures in consumer, contributing to healthier California eco-

systems, safer homes, offices, schools, workplaces, and a more sustainable environment, with cleaner drinking water and air.

CONSIDERATION OF ALTERNATIVES

DTSC must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of DTSC 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. DTSC's consideration of alternatives is available in the Initial Statement of Reasons included as part of this proposed regulation.

CONTACT PERSONS

Inquiries regarding technical aspects of the proposed regulation or CEQA documents may be directed to Hannah Schoolmeester of DTSC at Hannah.Schoolmeester@dtsc.ca.gov or 916-322-4062. If unavailable, inquiries can be directed to David Rist of DTSC at David.Rist@dtsc.ca.gov or 510-540-3763. However, such oral inquiries are not part of the rulemaking record.

A public comment period for the rulemaking has been established commencing on June 20, 2025, and closing on August 4, 2025. Statements, arguments, or contentions regarding the rulemaking and/or supporting documents must be submitted in writing or presented orally or in writing at a public hearing, if a hearing is requested, for them to be considered by DTSC before it adopts these regulations.

DTSC will accept statements, arguments, or contentions, and/or supporting documents regarding this rulemaking submitted in writing either through CalSAFER or by mail, or they may be presented orally or in writing at a public hearing, if a hearing is requested.

AVAILABILITY OF TEXT OF PROPOSED REGULATIONS, INITIAL STATEMENT OF REASONS, AND OTHER RULEMAKING DOCUMENTS

Copies of the Notice of Proposed Action, Initial Statement of Reasons, all the information upon which this proposal is based, and the express terms of the proposed regulation (also known as the proposed regulatory text) are posted to DTSC's website at <https://dtsc.ca.gov/dtsc-proposed-regulations/> and will be made available for viewing at the Office of Legislation and Regulatory Review, as specified below.

Office of Legislation and Regulatory Review

Department of Toxic Substances Control

1001 I Street

Sacramento, California 95814-2828

The text of the proposed amendment contains the following formatting features:

- The symbol “*****” means that intervening text not proposed for amendment is not shown.
- Proposed additions are indicated in single underlining to show where the new text is being added.
- Proposed deletions (repeals) are indicated as a strikethrough to show where the existing text is being removed.

After the close of the comment period, DTSC may adopt the proposed regulation. If substantial, sufficiently related changes are made to the regulatory text, the modified full text (with the changes clearly indicated) will be made available for comment for at least 15 days prior to adoption. Only persons who request to be notified of any modifications to the proposed text, submit written or oral comments (comments submitted at a hearing, if one is held, or comments submitted to DTSC), will be sent a copy of the modified text, if substantial, sufficiently related changes are made.

Once DTSC finalizes the regulatory text, DTSC will prepare a Final Statement of Reasons that updates the Initial Statement of Reasons, summarizes how DTSC addressed comments, and includes other materials. A copy of the Final Statement of Reasons will also be posted on DTSC's website at <https://dtsc.ca.gov/dtsc-proposed-regulations/>, along with the date the rulemaking is filed with the Secretary of State and the effective date of the regulation.

ALL OTHER QUESTIONS/COMMENTS/ INQUIRIES/UPDATES

Please direct all written comments, procedural inquiries, and requests for documents by mail or email to the Office of Legislation and Regulatory Review, as specified above. To be included in this regulation package's mailing list and to receive updates for this rulemaking, please email your request to regs@dtsc.ca.gov.

GENERAL PUBLIC INTEREST

**DEPARTMENT OF
FISH AND WILDLIFE**

**HABITAT RESTORATION AND
ENHANCEMENT ACT CONSISTENCY
DETERMINATION NUMBER
1653–2025–159–001–R1**

Project: Honey Lake Wildlife Area Water Delivery Improvement Project

Location: Lassen County

Applicant: California Department of Fish and Wildlife, as represented by Robert Schrag

Background

Project Location: The Honey Lake Wildlife Area Water Delivery Improvement Project (Project) is located approximately 20 miles southwest of Susanville in Lassen County, along the Susan River, surrounded by managed seasonal wetlands on the Fleming Unit of the Honey Lake Wildlife Area, at a property owned by the California Department of Fish and Wildlife (CDFW), Assessor Parcel Number (APN) 119–340–17–11; 119–340–59–11.

Project Description: CDFW (Applicant) proposes to enhance or restore habitat within the Susan River and surrounding wetlands to provide a net conservation benefit for migratory bird species. The purpose of the Project is to improve water delivery to and enhance approximately 130 acres of CDFW managed wetlands in the Honey Lake Wildlife Area (HLWA). CDFW managed wetlands within the Fleming Unit of the HLWA provide spring migration and breeding habitat to a variety of waterfowl, waterbird, and shorebird species within the Southern Oregon and Northeastern California (SONEC) waterfowl priority region.

The Project will replace three dilapidated intake water control structures (WCS) located along the Susan River. The existing WCS have been buried in sediment and are no longer functioning properly. There are three work areas, one at each WCS location. In addition to removing the old WCS and replacing them with new WCS, activities in each work area include mechanical work to complete minor berm improvements and recontouring, and minor grading activities within existing ditches and the Susan River to provide positive drainage to and from each WCS. Riprap will be placed at each WCS inlet and outlet to prevent erosion, and topsoil and vegetation strips will be placed to revegetate disturbed soils. Staging areas and access

will occur via the existing two-track, dirt road along the berms. All construction activities will be completed during the dry season when work areas are dry. The Project will result in the enhancement of 130 acres of managed wetlands.

Project Size: The total area of ground disturbance associated with the Project is approximately 0.026 acres and 108 linear feet. The proposed Project complies with the General 401 Certification for Small Habitat Restoration Projects and associated categorical exemption from the California Environmental Quality Act (Cal. Code Regs., title 14, § 15333).

Project Associated Discharge: Discharge of materials into Waters of the State, as defined by Water Code section 13050, subdivision (e), resulting from the Project include those associated with the following: rock, soil, High-Density Polyethylene (HDPE) pipe, and precast concrete risers.

Project Timeframes: Start date: June 2025

Completion date: October 2025

Work window: June 1–October 31

Water Quality Certification Background: Because the Project's primary purpose is habitat restoration intended to improve the quality of waters in California and improve migration and breeding habitat to a variety of waterfowl, waterbird, and shorebird species, the Lahontan Regional Water Quality Control Board (Regional Water Board) issued a Notice of Applicability (NOA) for Coverage under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects SB12006GN (Order) (Waste Discharge Identification (WDID) Number 6A182504004 for the Project. The NOA describes the Project and requires the Applicant to comply with terms of the Order. Additionally, the Applicant has provided a supplemental document that sets forth measures to avoid and minimize impacts to native species.

Receiving Water: Susan River.

Filled or Excavated Area: Permanent area impacted: 0.026

Temporary area impacted: 0

Length temporarily impacted: 0 linear feet

Length permanently impacted: 108 linear feet

Discharge Volume: 65 cubic yards (cy) of rock (rip-rap), 10 cy of rock (aggregate base, small rock), 100 cy of soil, three 48-inch HDPE pipes, and three 5-foot by 4-foot precast concrete risers.

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

On May 14, 2025, the Director of the California Department of Fish and Wildlife (CDFW) received a notice from the Applicant requesting a determination pursuant to Fish and Game Code section 1653 that the NOA, NOI, and related species protection measures are consistent with the Habitat Restoration and Enhancement Act (HREA) with respect to the Project.

Pursuant to Fish and Game Code section 1653, subdivision (c), CDFW filed an initial notice with the Office of Administrative Law on May 14, 2025, for publishing in the General Public Interest section of the California Regulatory Notice Register (Cal. Reg. Notice File Number Z–2025–159–001–R1) on May 30, 2025. Upon approval, CDFW will file a final notice pursuant to Fish and Game Code section 1653, subdivision (f).

Determination

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

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

Avoidance and Minimization Measures

The avoidance and minimization measures for Project, as required by Fish and Game Code section 1653, subdivision (b)(4), were included in an attachment to the NOI. The specific avoidance and minimization requirements are found in an attachment to the NOI, titled ‘Honey Lake Wildlife Area Water Delivery Improvement Project Environmental Protection Measures’.

Monitoring and Reporting

As required by Fish and Game Code section 1653, subdivision (g), the Applicant included a copy of the monitoring and reporting plan. The Applicant’s Monitoring and Reporting Plan provides a timeline for restoration, performance standards, and monitoring parameters and protocols. Specific requirements of the plan are found in an attachment to the NOI, titled *Monitoring and Reporting Plan* (beginning on page 18 of the supplemental information document).

Notice of Completion

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

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

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

Project Authorization

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

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

DEPARTMENT OF
FISH AND WILDLIFE

HABITAT RESTORATION AND
ENHANCEMENT ACT CONSISTENCY
DETERMINATION NUMBER
1653–2025–158–001–R1

Project: Lower Thompson Creek Aquatic Habitat
Restoration Project

Location: Siskiyou County

Applicant: David E. Johnson (United States Fish and
Wildlife Service Partners Program)

Background

Project Location: The Lower Thompson Creek Aquatic Habitat Restoration Project (Project) is located along Thompson Creek, approximately 0.46 miles upstream from the confluence of the Klamath River and about 10 miles east of Happy Camp, in Siskiyou County, at a property owned by Glenn Blakesley and Bettina von Moltke, Assessor Parcel Number (APN) 009–540–450, and affects Lower Thompson Creek, a tributary to Klamath River. Latitude 41.866061 N. and Longitude –123.315883 W

Project Description: United States Fish and Wildlife Service (Applicant) proposes to enhance or restore habitat within Lower Thompson Creek to provide a net conservation benefit for Coho Salmon (*Oncorhynchus kisutch*).

The Project will construct an off–channel pond on the floodplain of mainstem Thompson Creek to provide rearing habitat for Coho Salmon and other aquatic species. Large wood will be placed in the constructed off–channel pond to provide cover for fish and in the channel of Thompson Creek to improve aquatic habitat and to slow or reverse channel incision. The Project will create approximately 2,000 square feet of off–channel summer and winter rearing habitat and will enhance the riparian corridor along the floodplain surrounding the constructed pond.

Heavy equipment (an excavator, a front loader, and a dump truck) will be used to construct the 2,000–square foot pond and two instream log structures. The pond will be approximately 120–feet long, 15–feet wide, and eight–feet deep at its maximum depth. Approximately 1,500 cubic yards of boulder, cobble, gravel, sand, and silt will be excavated and placed southwest of the site, on higher ground outside of the active floodplain of Thompson Creek, covering approximately 0.8 acres. The pond site will be excavated to near completion prior to excavating the connection to the creek to minimize the release of turbid water. Four large wood pieces with root wads will be placed in the stream channel along the bank im-

mediately up and downstream of the pond site. The large wood pieces will be threaded between existing riparian trees and large boulders will be added to further anchor the large wood in the stream. The logs and boulders will be placed in channel using heavy equipment from the top of the bank.

Heavy equipment access will largely utilize existing roadbeds and will require minimal disturbance of vegetation and soil displacement. However, an approximately 175–foot–long, 12–foot–wide temporary access route to the pond site will be established. No heavy equipment will enter the wetted channel.

In addition, two post–assisted log structures will be installed in Thompson Creek just downstream of the excavated pond. All work will be done with hand tools. Each structure will be approximately 80–feet long, two–feet high, and two–feet wide. Each structure will consist of approximately 45 poles with willow and fir branches woven between them. These low–profile structures will add roughness to the floodplain and help to retain and spread winter runoff on the floodplain.

Nonnative blackberries will be removed from within the pond excavation area using heavy equipment and hand tools. These areas will be revegetated with salvaged plants from the pond excavation area, propagated native plants, and native seeds. Native grass seed, weed–free straw, and mulch will be spread on all bare soil areas.

The Project will be implemented in accordance with all information provided in the application package, including the Thompson Creek Project Revegetation Plan and the Final Designs Map.

Project Size: The total area of ground disturbance associated with the Project is approximately 0.6 acres and 465 linear feet. The proposed Project complies with the General 401 Certification for Small Habitat Restoration Projects and associated categorical exemption from the California Environmental Quality Act (Cal. Code Regs., title 14, § 15333).

Project Associated Discharge: Discharge of materials into Waters of the State, as defined by Water Code section 13050, subdivision (e), resulting from the Project include those associated with the following: (1) large wood and wood with root wads, (2) soil, (3) boulders, and (4) large wood.

Project Timeframes: Start date: June 2025

Completion date: October 2027

Work window: June 1–October 31

Water Quality Certification Background: Because the Project’s primary purpose is habitat restoration intended to improve the quality of waters in California and improve fish rearing habitat, the North Coast Regional Water Quality Control Board (Regional Water Board) issued a Notice of Applicability (NOA) for

Coverage under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects SB12006GN (Order) (Waste Discharge Identification (WDID) Number 1A25049WNSI for the Project. The NOA describes the Project and requires the Applicant to comply with terms of the Order. Additionally, the Applicant has provided a supplemental document that sets forth measures to avoid and minimize impacts to coho salmon.

Receiving Water: Lower Thompson Creek, tributary to the Klamath River.

Filled or Excavated Area: Permanent area impacted: none

Temporary area impacted: 0.60 acres maximum

Length temporarily impacted: 465 linear feet

Length permanently impacted: 0 linear feet

Discharge Volume: 4 root wads (40–foot long, 18–20–feet diameter), minor amounts of soil, 6 boulders (1–2–tons each), and 90 large wood poles (3–6–inch diameter and 4–6–feet long).

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

On May 12, 2025, the Director of the California Department of Fish and Wildlife (CDFW) received a notice from the Applicant requesting a determination pursuant to Fish and Game Code section 1653 that the NOA, NOI, and related species protection measures are consistent with the Habitat Restoration and Enhancement Act (HREA) with respect to the Project.

Pursuant to Fish and Game Code section 1653, subdivision (c), CDFW filed an initial notice with the Office of Administrative Law on May 12, 2025, for publishing in the General Public Interest section of the California Regulatory Notice Register (Cal. Reg. Notice File Number Z–2025–0512–02) on May 23, 2025. Upon approval, CDFW will file a final notice pursuant to Fish and Game Code section 1653, subdivision (f).

Determination

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

Specifically, CDFW finds that: (1) The Project purpose is voluntary habitat restoration and the Project is not required as mitigation; (2) the Project is not part of a regulatory permit for a non–habitat restoration or enhancement construction activity, a regulatory settlement, a regulatory enforcement action, or a court order; and (3) the Project meets the eligibility require-

ments of the State Water Resources Control Board's Order for Clean Water Act section 401 General Water Quality Certification for Small Habitat Restoration Projects.

Avoidance and Minimization Measures

The avoidance and minimization measures for Project, as required by Fish and Game Code section 1653, subdivision (b)(4), were included in an attachment to the NOI. The specific avoidance and minimization requirements are found in an attachment to the NOI titled *Lower Thompson Creek Aquatic Habitat Restoration Project* in a section titled '2.2.2 Integrated Best Management Practices and Mitigation Measures' (beginning on page 10).

Monitoring and Reporting

As required by Fish and Game Code section 1653, subdivision (g), the Applicant included a copy of the monitoring and reporting plan. The Applicant's Monitoring and Reporting Plan provides a timeline for restoration, performance standards, and monitoring parameters and protocols. Specific requirements of the plan are found in an attachment to the NOI titled *Lower Thompson Creek Aquatic Habitat Restoration Project* in a section titled 'Post–Implementation Monitoring' (beginning on page 10).

Notice of Completion

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

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

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

Project Authorization

Pursuant to Fish and Game Code section 1654, CDFW's approval of a habitat restoration or enhancement project pursuant to section 1652 or 1653 shall be in lieu of any other permit, agreement, license, or other approval issued by the department, including,

but not limited to, those issued pursuant to Chapter 6 (commencing with section 1600) and Chapter 10 (commencing with section 1900) of this Division and Chapter 1.5 (commencing with section 2050) of Division 3. Additionally, Applicant must adhere to all measures contained in the approved NOA and comply with other conditions described in the NOI.

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

DEPARTMENT OF FISH AND WILDLIFE

HABITAT RESTORATION AND ENHANCEMENT ACT CONSISTENCY DETERMINATION NUMBER 1653–2025–161–001–R1

Project: Upper Baechtel Streamflow Enhancement Project

Location: Mendocino County

Applicant: Trout Unlimited

Background

Project Location: The Baechtel Creek Streamflow Enhancement Project (Project) is located on Baechtel Creek approximately four miles southwest of Willits, California, Assessor's Parcel Numbers 038–122–011 and 147–006–111; Latitude 39.362827 and Longitude –123.418643. The Baechtel Creek watershed supports populations of Coho Salmon (*Oncorhynchus kisutch*), steelhead trout (*O. mykiss*), and other fish and wildlife species.

Project Description: Benjamin Cook (Applicant) representing Trout Unlimited proposes to use low-tech process-based restoration (LTPBR) techniques in Baechtel Creek to enhance aquatic habitat and improve floodplain connectivity. Specifically, the Project will install up to 50 structures including beaver dam analogues and post-assisted log structures within approximately 1,100 feet of instream habitat in Baechtel Creek. The existing channel is currently incised with limited habitat complexity and pools that become disconnected and dry in the summer. LTPBR techniques used in Baechtel Creek will improve habitat complexity, floodplain connectivity, sediment sorting, water quality, and rearing habitat for salmonids, amphibians and other aquatic species. Additionally, one of the project goals is to create suitable habitat for recolonization or reintroduction of North American Beaver (*Castor canadensis*), which are capable of

maintaining and further enhancing LTPBR restoration sites.

Project Size: The total area of ground disturbance associated with the Project is approximately 4.9 acres and 490 linear feet. The Applicant has included project size calculations that were used to determine the total size of the Project. The proposed Project complies with the General 401 Certification for Small Habitat Restoration Projects and associated categorical exemption from the California Environmental Quality Act (Cal. Code Regs., title 14, § 15333).

Project Associated Discharge: Discharge of materials into Waters of the State, as defined by Water Code section 13050 subdivision (e), resulting from the Project include those associated with the following: (1) 70 cubic yards of conifer branches, and (2) 70 cubic yards of local herbaceous vegetation material.

Project Timeframes: Start date: June 2025

Completion date: October 2030

Work window: June 15 and October 31, with an option for extension or variance with written approval from the North Coast Regional Water Quality Control Board (Regional Water Board) and the California Department of Fish and Wildlife (CDFW).

Water Quality Certification Background: Because the Project's primary purpose is habitat restoration intended to improve the quality of waters in California, the Regional Water Board issued a Notice of Applicability (NOA) for Coverage under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects SB12006GN (Order) (Waste Discharge Identification (WDID) Number 1B25032WNME, Electronic Content Management Identification (ECM PIN) Number CW–900279 for the Project. The NOA describes the Project and requires the Applicant to comply with terms of the Order. Additionally, the Applicant has provided a supplemental document that sets forth measures to avoid and minimize impacts on Coho salmon, steelhead trout, and other fish, wildlife, and plant species.

Receiving Water: Baechtel Creek, tributary to Outlet Creek

Filled or Excavated Area: Permanent area impacted: 0 acres

Temporary area impacted: 4.9 acres

Length permanently impacted: 0 linear feet

Length temporarily impacted: 490 linear feet

Regional Water Board staff determined that the Project may proceed under the Order. Additionally, Regional Water Board staff determined that the Project, as described in the Notice of Intent (NOI) com-

plies with the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.).

Noticing: On May 13, 2025, the Director of CDFW received a notice from the Applicant requesting a determination pursuant to Fish and Game Code Section 1653 that the NOA, NOI, and related species protection measures are consistent with the Habitat Restoration and Enhancement Act (HREA) with respect to the Project.

Pursuant to Fish and Game Code section 1653 subdivision (c), CDFW filed an initial notice with the Office of Administrative Law on May 13, 2025, for publishing in the General Public Interest section of the California Regulatory Notice Register (Cal. Reg. Notice File Number Z–2025–0513–05) on May 23, 2025. Upon approval, CDFW will file a final notice pursuant to Fish and Game Code section 1653 subdivision (f).

Determination

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

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

Avoidance and Minimization Measures

The avoidance and minimization measures for the Project, as required by Fish and Game Code section 1653, subdivision (b)(4), were included in an attachment to the NOI, which contains the following categories: (1) Construction–period Water Quality Protection and Erosion and Sedimentation Control Measures; (2) Post–construction and Sediment Control and Water Quality Protection Requirements; (3) General Program Conditions for Vegetation Management; and (4) General Measures to Avoid Impacts on Biological Resources. The specific avoidance and minimization requirements are found in an attachment to the NOI, *Project Description for the Upper Baechtel Creek Streamflow and Floodplain Enhancement Project*.

Monitoring and Reporting

As required by Fish and Game Code section 1653, subdivision (g), the Applicant included a copy of the monitoring and reporting plan. The Applicant’s Monitoring and Reporting Plan provides a timeline for restoration, performance standards, and monitoring pa-

rameters and protocols. Specific requirements of the plan are found in an attachment to the NOI, *Project Description for the Upper Baechtel Creek Streamflow and Floodplain Enhancement Project*, prepared by Trout Unlimited.

Notice of Completion

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

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

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

Project Authorization

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

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

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH THE SECRETARY OF STATE

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

Department of Food and Agriculture
File # 2025–0604–01
Peach Fruit Fly Eradication Area and Interior
Quarantine

In this emergency rulemaking action, the California Department of Food and Agriculture expands the eradication area for Peach Fruit Fly to include Placer County.

Title 03
Amend: 3591.12
Filed 06/10/2025
Effective 06/10/2025
Agency Contact: Rachel Avila (916) 698–2947

Department of Resources Recycling and Recovery
File # 2025–0527–03
SB 156 Handling Fee Rate Determination

Through this emergency regulatory action, the Department of Resources Recycling and Recovery (Cal-Recycle) amends section 2518, Chapter 5, Division 2, Title 14, of the California Code of Regulations (CCR) establishing a new method for handling fee calculation as mandated by Public Resources Code (PRC) section 14585(h).

Title 14
Amend: 2518
Filed 06/05/2025
Effective 06/05/2025
Agency Contact: Emma Cervantes (916) 341–6274

Department of Corrections and Rehabilitation
File # 2025–0522–02
Staff Misconduct, Employee Discipline,
Administrative Remedies

This re-adoption action by the California Department of Corrections and Rehabilitation (CDCR) is submitted to OAL as an emergency based on operational necessity pursuant to Penal Code section 5058.3. This action revises the existing procedures by which

CDCR receives and reviews grievances and requests for reasonable accommodation. This action also revises the existing procedures regarding requests to inspect and to amend CDCR records containing personal information.

Title 15
Adopt: 3481, 3482, 3483, 3485
Amend: 3392, 3392.1, 3392.3, 3392.5, 3392.8,
3392.9, 3450, 3480, 3484, 3486, 3486.1, 3486.2,
3486.3
Repeal: 3481, 3482, 3483, 3485
Filed 06/10/2025
Effective 06/11/2025
Agency Contact: Josh Jugum (279) 223–2317

Department of Corrections and Rehabilitation

File # 2025–0523–01

Compassionate Release

This emergency of operational necessity rulemaking action, pursuant to Penal Code section 5058.3, by the California Department of Corrections and Rehabilitation seeks to readopt regulations concerning the recommendation to recall an incarcerated person's commitments and the resentencing of the incarcerated person by the Secretary pursuant to Penal Code, section 1172.2 first implemented in OAL Matter Number 2025–0211–06EON.

Title 15
Adopt: 3999.209
Amend: 3076, 3076.1, 3076.2, 3076.5, 3999.98,
3999.99
Repeal: 3076.3, 3076.4
Filed 06/05/2025
Effective 08/11/2025
Agency Contact: Robin Hart (916) 896–6780

Department of State Hospitals

File # 2025–0527–02

Contraband Disposition

This emergency rulemaking action by the Department of State Hospitals seeks to readopt sections 4354 and 4354.1 within title 9 originally adopted in OAL Matter Number 2024–1202–03ER. Both of which addressing the disposing of contraband. One to define specific terms regarding contraband items and the other to prescribe the methods to dispose of contraband seized on hospital grounds based on the characteristics of the contraband seized. This action is a deemed emergency pursuant to Welfare and Institutions Code section 7295(k).

Title 09
Adopt: 4354, 4354.1
Filed 06/05/2025
Effective 06/10/2025
Agency Contact: Anna Libonati (916) 654–2478

Fish and Game Commission
File # 2025–0602–02
White Sturgeon Sport Fishing During CESA
Candidacy

In this second emergency readoption action, the Fish and Game Commission will allow catch and release fishing for white sturgeon during its California Endangered Species Act (CESA) status review.

Title 14
Adopt: 5.78, 27.93
Amend: 5.79, 5.80, 27.90, 27.92
Filed 06/10/2025
Effective 06/10/2025
Agency Contact: Jennifer Bacon (916) 902–9285

Department of Housing and Community
Development
File # 2025–0423–01
Income Limits

This action by the Department of Housing and Community Development sets income limits for households of varying sizes used to determine eligibility for department programs. Pursuant to Health and Safety Code section 50093, this filing is exempt from the Administrative Procedure Act and is effective upon filing with OAL.

Title 25
Adopt: 6932
Repeal: 6932
Filed 06/05/2025
Effective 04/23/2025
Agency Contact: Thomas Nguyen (916) 620–1994

Department of Insurance
File # 2025–0425–02
CAARP Plan of Operations

This action amends the California Automobile Assigned Risk Plan (CAARP) to include regulations governing service standards for a Limited Assignment Distribution (LAD) procedure servicing company and Private Passenger Pool (PPP) service provider.

Title 10
Amend: 2498.4.9
Filed 06/09/2025
Effective 06/09/2025
Agency Contact: Michael Riordan (415) 538–4226

Commission on Peace Officer Standards and Training
File # 2025–0501–03
Reimbursement for Training of Non–Sworn
Personnel

This action without regulatory effect by the Commission on Peace Officer Standards and Training (“POST”) amends section 1014 of title 11 of the California Code of Regulations (“CCR”) by removing obsolete language referencing a now–defunct bureau within POST, i.e., Management Counseling, Leadership Development Bureau.

Title 11
Amend: 1014
Filed 06/11/2025
Agency Contact: John Tomasello (916) 227–4831

California Prison Industry Authority
File # 2025–0502–03
Incarcerated Individual Pay Increase

In this regular rulemaking action, the California Prison Industry Authority adopts an across–the–board pay rate increase of fifteen cents per hour for incarcerated workers at all skill levels and pay rate steps.

Title 15
Amend: 8006
Filed 06/05/2025
Effective 07/01/2025
Agency Contact: Kelly Mortenson (916) 413–1140

Respiratory Care Board
File # 2025–0512–01
Basic Respiratory Tasks and Services

This regular rulemaking by the Department of Consumer Affairs’ Respiratory Care Board adopted section 1399.365 within title 16 of the California Code of Regulations to implement Senate Bill 1436 (Chapter 624, Statutes of 2022) in part by identifying, through enumerated tasks, what is and is not meant by “basic respiratory tasks and services.”

Title 16
Adopt: 1399.365
Filed 06/05/2025
Effective 10/01/2025
Agency Contact: Stephanie Nunez (916) 999–2212

Department of Developmental Services
File # 2025–0505–03
Special Incident Reporting

This action by the Department of Developmental Services amends special incident reporting (SIR) requirements to reorder provisions, define related terms, and modernize the process.

Title 17

Amend: 54327, 54327.1, 56002, 56026, 56038,
56059, 56093

Filed 06/11/2025

Effective 05/01/2026

Agency Contact: Nicole Smith (916) 654–2287

Department of Health Care Access and Information

File # 2025–0424–04

Hospital Equity Measures Reporting Program

In this resubmittal of this regular rulemaking action, the Department of Health Care Access and Information seeks to adopt regulations implementing the Hospital Equity Measures Reporting Program pursuant to the Medical Equity Disclosure Act, Health and Safety Code section 127370 et seq.

Title 22

Adopt: 95300, 95301, 95302, 95303, 95304, 95305,
95306, 95307, 95308, 95309, 95310, 95311, 95312,
95313, 95314, 95315, 95316

Filed 06/04/2025

Effective 06/04/2025

Agency Contact: Elizabeth Ballart (916) 326–3748

<p>PRIOR REGULATORY DECISIONS AND CCR CHANGES FILED WITH THE SECRETARY OF STATE</p>
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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.