GAVIN NEWSOM, GOVERNOR

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California Regulatory Notice Register

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PROPOSED ACTION ON REGULATIONS

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Time-Dated Material

GENERAL PUBLIC INTEREST

RULEMAKING PETITION DECISION

SUMMARY OF REGULATORY ACTIONS

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

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT–OF–INTEREST CODES

AMENDMENT

MULTI–COUNTY: Sites Project Authority
California Joint Powers Risk Management Authority

A written comment period has been established commencing on October 17, 2025, and closing on December 1, 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 December 1, 2025. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

Any inquiries concerning the proposed conflict–of–interest codes should be made to Andrea Spiller Hernandez, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email aspiller–hernandez@fppc.ca.gov.

AVAILABILITY OF PROPOSED CONFLICT–OF–INTEREST CODES

Copies of the proposed conflict–of–interest codes may be obtained from the Commission offices or the

respective agency. Requests for copies from the Commission should be made to Andrea Spiller Hernandez, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email aspiller–hernandez@fppc.ca.gov.

TITLE 2. STATE ALLOCATION BOARD

GENERAL SITE DEVELOPMENT

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to amend the above–referenced regulation section, contained in Title 2, California Code of Regulations (CCR). A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, OPSC, at its own motion or at the instance of any interested person, may adopt the proposals substantially as set forth above without further notice.

AUTHORITY AND REFERENCE CITATIONS

The SAB is proposing to amend the above–referenced regulation section under the authority provided by Section 17070.35 of the Education Code. The proposal interprets and make specific reference Sections 17070.35, 17072.12, 17072.35 of the Education Code.

INFORMATIVE DIGEST/POLICY OVERVIEW STATEMENT

The Leroy F. Greene School Facilities Act of 1998 established, through Senate Bill (SB) 50, Chapter 407, Statutes of 1998, the School Facility Program (SFP). The SFP provides a per–pupil grant amount to qualifying school districts for purposes of constructing school facilities and modernizing existing school facilities. The SAB adopted regulations to implement the Leroy F. Greene School Facilities Act of 1998, which were approved by the Office of Administrative Law and filed with the Secretary of State on October 8, 1999.

At its August 19, 2025 meeting, the SAB adopted a proposed regulatory amendment that would extend for five years (until January 1, 2031) the additional grant for general site development. This extension will prevent a lapse in regulatory authority and would continue to allow the processing of School Facility Program (SFP) new construction applications beyond January 1, 2026 when this additional grant expires. On November 5, 2024, California voters approved Proposition 2 which implements the provisions of Assembly Bill 247 (Muratsuchi, Chapter 81, Statutes of 2024). Proposition 2 provides $8.5 billion in proceeds from the sale of bonds for the construction and modernization of Transitional Kindergarten through Grade 12 school facilities. OPSC anticipates that the distribution of the bond funds authorized by Proposition 2 will take approximately five years, based on the rate new construction applications are processed.

Attached to this Notice is the specific regulatory language of the proposed regulatory action, along with the proposed regulatory amendment. The proposed regulation can also be reviewed on OPSC's website at: https://www.dgs.ca.gov/OPSC/Resources/Page-Content/Office-of-Public-School-Construction-Resources-List-Folder/Laws-Regulations-for-School-Construction-Projects. Copies of the proposed regulation will be mailed to any person requesting this information by using OPSC's contact information set forth below in this Notice. The proposed regulation amends the SFP Regulations under the California Code of Regulations, Title 2, Chapter 3, Subchapter 4, Group 1, State Allocation Board, Subgroup 5.5, Regulations relating to the Leroy F. Greene School Facilities Act of 1998.

Bond Funds Impacted

The following six State school bonds were authorized by the Legislature and approved by the State's electorate for purposes of school facility construction:

- Class Size Reduction Kindergarten–University Public Education Facilities Bond Act of 1998 (Proposition 1A).
- Kindergarten–University Public Education Facilities Bond Act of 2002 (Proposition 47).
- Kindergarten–University Public Education Facilities Bond Act of 2004 (Proposition 55).
- Kindergarten–University Public Education Facilities Bond Act of 2006 (Proposition 1D).
- Kindergarten through Community College Public Education Facilities Bond Act of 2016 (Proposition 51).
- Kindergarten through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024 (Proposition 2).

Background and Problem Being Resolved

As first implemented, the additional grant for general site development costs was to be suspended "no later than January 1, 2008" unless extended by the SAB.

The following is a sequence of events extending the additional grant for general site development:

- First One–Year Extension: The SAB, at its December 12, 2007 meeting, approved emergency regulations extending the suspension date to "no later than January 1, 2009," which was approved by the Office of Administrative Law (OAL) and filed with the Secretary of State on March 3, 2008.
- Second One–Year Extension: The SAB, at its February 25, 2009 meeting, approved extending the suspension date to "no later than January 1, 2010," which was approved by the OAL and filed with the Secretary of State on September 18, 2009.
- Third One–Year Extension: The SAB, at its November 4, 2009 meeting, approved extending the suspension date to "no later than January 1, 2011," which was approved by the OAL and filed with the Secretary of State on April 8, 2010.
- Fourth One–Year Extension: The SAB, at its June 23, 2010 meeting, approved extending the suspension date to "no later than January 1, 2012," which was approved by the OAL and filed with the Secretary of State on April 27, 2011.
- Fifth Two–Year Extension: The SAB, at its July 12, 2011 meeting, approved extending the suspension date to "no later than January 1, 2014," which was approved by the OAL and filed with the Secretary of State on December 28, 2011.
- Sixth One–Year Extension: The SAB, at its May 22, 2013 meeting, approved extending the suspension date to "no later than January 1, 2015," which was approved by the OAL, filed with the Secretary of State on October 30, 2013, and took effect January 1, 2014, due to Senate Bill (SB) 1099, Chapter 295, Statutes of 2012.
- Seventh One–Year Extension: The SAB, at its August 20, 2014 meeting, approved extending the suspension date to "no later than January 1, 2016," which was approved by the OAL, filed with the Secretary of State on February 9, 2015, and took effect on April 1, 2015, due to SB 1099, Chapter 295, Statutes of 2012.
- Eighth One–Year Extension: The SAB, at its May 27, 2015 meeting, approved extending the suspension date to "no later than January 1, 2017," which was approved by the OAL and filed with the Secretary of State on December 21, 2015.
- Ninth One–Year Extension: The SAB, at its May 25, 2016 meeting, approved extending the suspension date to "no later than January 1, 2018," which was approved by the OAL and filed with the Secretary of State on December 12, 2016.
- Tenth One–Year Extension: The SAB, at its June 5, 2017 meeting, approved extending the suspension date to "no later than January 1, 2019," which was approved by the OAL and filed with the Secretary of State on December 20, 2017.
- Eleventh Five–Year Extension: The SAB, at its June 27, 2018 meeting, approved extending the suspension date to "no later than January 1, 2024," which was approved by the OAL and filed with the Secretary of State on December 18, 2018.
- Twelfth Two–Year Extension: The SAB, at its September 27, 2023 meeting, approved extending the suspension date to "no later than January 1, 2026," which was approved by the OAL (as an emergency rulemaking) and filed with the Secretary of State on December 18, 2023.

The SAB has not completed a thorough analysis of the SFP new construction base grants for purposes of determining whether the general site development allowance was included in the base grant amounts. The preliminary analysis resulted in discrepancies between the previous funding program, the State School Building Lease–Purchase Program (LPP) and the SFP. It is reasonable to conclude that when the LPP converted to the SFP, general site development was not considered in the base grants.

The proposed regulatory amendment continues to be extended until a complete analysis of the new construction base grant can be conducted. The analysis must determine whether the extra costs associated with the additional grant for general site development, (such as landscaping, finish grading, driveways, walkways, outdoor instructional play facilities and permanent playground equipment, and athletic fields), are included in the SFP per–pupil base grant. There has not been conclusive evidence to show that this additional grant is not needed to complete the projects.

OPSC performed a search on whether the proposed regulatory amendment is consistent and compatible with existing State laws and regulations. After performing the search, OPSC, on behalf of the SAB, has determined that there are no other programs or regulations in existence that would not only provide the additional grant for general site development, but would extend the additional grant for general site development for any length of time. Therefore, the proposed regulatory amendment is determined to be consistent and compatible with existing State laws and regulations. Proceeding with the implementation of the proposed regulatory amendment assists school districts in covering the costs for items such as landscaping, finish grading, driveways, walkways, outdoor instructional play facilities, permanent playground equipment, and athletic fields in order to complete their projects.

Financial Impact

School districts may be eligible for the additional grant when building new schools, and for additions to existing school sites, where additional acreage is acquired. From the inception of the general site development grant in 2006 through August 19, 2025, there have been 855 school facility new construction projects that received the additional grant for general site development. As of August 31, 2025, OPSC has received 17 new construction applications that have requested the general site development additional grant for a total of $27.4 million. These applications have not yet been processed and, therefore, the project counts and requested funding amounts may change. Charter School Facilities Program projects and Facility Hardship/Rehabilitation and Seismic Mitigation Program (SMP) projects could be eligible for the additional grant for general site development. Facility Hardship/Rehabilitation and SMP projects are health and safety projects and are presented to the SAB on an on–going basis.

Anticipated Benefits of the Proposed Regulations

Extending the SFP general site development grant for five years will have a positive impact on California businesses providing landscaping, finish grading, driveways, walkways, outdoor instructional play facilities, permanent playground equipment, and athletic fields, including the companies that supply the materials for these improvements. Without this proposed regulatory amendment, school districts might be required to reduce the scope of work for some school projects.

The State of California benefits from this regulation as it assists in increasing the State's infrastructure investment resulting in a positive impact to the State's economy as well as help to support job creation. This regulation will have a positive impact to various business, manufacturing, and construction–related industries such as architecture, engineering, trades and municipalities, along with the creation of an unknown amount of [temporary or permanent] jobs.

There is a public health and safety impact assigned to the regulation. School site occupants, especially young children, will have less risk of injury and safer ingress and egress when driveways and walkways are wide, level, and extensive; when finish grading is thorough; when play facilities are of high quality on safe ground cover material; and athletic fields are well–designed with safe playing surfaces, adequate protective fences, and appropriate walkways.

The proposed regulatory amendment is therefore determined to be consistent and compatible with existing State laws and regulations. Proceeding with the implementation of this regulatory amendment will have a positive impact on public health and safety at K–12 public schools because school site occupants will have less risk of injury for the reasons noted above.

Summary of the Proposed Regulatory Amendment

The proposed regulation change was adopted by the SAB at its August 19, 2025 meeting to extend the additional grant for general site development for five years (until January 1, 2031). The proposed additional grant for general site development costs utilizes the continuing availability of new construction funding through the bond funds identified on page 2 under "Bond Funds Impacted."

A summary of the proposed regulation is as follows:

Existing Regulation Section 1859.76 provides new construction additional grants for specific types and amounts of site development costs. The proposed amendment provides that the general site development shall be suspended no later than January 1, 2031 unless otherwise extended by the SAB.

Statutory Authority and Implementation

Education Code Section 17070.35(a) In addition to all other powers and duties as are granted to the board by this chapter, other statutes, or the California Constitution, the board shall do all of the following: (1) Adopt rules and regulations, pursuant to the rulemaking provisions of the Administrative Procedure Act, Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, for the administration of this chapter.

Government Code Section 15503. Whenever the board is required to make allocations or apportionments under this part, it shall prescribe rules and regulations for the administration of, and not inconsistent with, the act making the appropriation of funds to be allocated or apportioned. The board shall require the procedure, forms, and the submission of any information it may deem necessary or appropriate. Unless otherwise provided in the appropriation act, the board may require that applications for allocations or apportionments be submitted to it for approval.

Determination of Inconsistency or Incompatibility with Existing State Regulations

As stated on page 3, the SAB has not completed a thorough analysis of the SFP new construction base grants for purposes of determining whether the general site development allowance was included in the base grant amounts. The preliminary analysis resulted in discrepancies between the previous funding program, the LPP and the SFP. It is reasonable to conclude that when the LPP converted to the SFP, general site development was not considered in the base grants. Therefore, the proposed regulatory amendment continues to be extended until a complete analysis of the new construction base grant can be conducted. The analysis must determine whether the extra costs associated with the additional grant for gener-

al site development (such as landscaping, finish grading, driveways, walkways, outdoor instructional play facilities and permanent playground equipment, and athletic fields), are included in the SFP per–pupil base grant. There has not been conclusive evidence to show that this additional grant is not needed to complete the projects. School districts may be eligible for the additional grant when building new schools and for additions to existing school sites where additional acreage is required.

After conducting a review, OPSC, on behalf of the SAB, has concluded that this is the only regulation on this subject area, and therefore, the proposed regulation is neither inconsistent nor incompatible with existing State laws and regulations. The proposed regulatory amendment is within the SAB's authority to enact regulations for the SFP under Education Code Section 17070.35 and Government Code Section 15503.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Executive Officer of the SAB has determined that the proposed regulatory amendment does not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies, school districts, or charter schools to incur additional costs in order to comply with the proposed regulatory amendment.

DISCLOSURES REGARDING THE PROPOSED REGULATORY ACTION

The Executive Officer of the SAB has made the following initial determinations relative to the required statutory categories:

- The SAB has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- The SAB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- There will be no non–discretionary costs or savings to local agencies.
- The proposed regulatory amendment creates no costs to any local agency, school district, or charter school requiring reimbursement pursuant to Section 17500 et seq., or beyond those required by law, except for the required district contribution toward each project as stipulated in statute.
- There will be no costs or savings in federal funding to the State.
- The proposed regulatory amendment creates no costs or savings to any State agency beyond those required by law.
- The SAB has made an initial determination that there will be no impact on housing costs.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Impact to Businesses and Jobs in California

There is a positive economic impact to California business by extending for five years the SFP additional grant for general site development. This will continue to provide the funds to school districts building new construction projects to contract with businesses and suppliers for necessary landscaping, finish grading, driveways, walkways, outdoor instruction play facilities, permanent playground equipment, and athletic fields, thus supporting jobs in these construction related industries. The proposed regulation:

- Continues to be extended until a complete analysis of the new construction base grant can be conducted. The analysis must determine whether the extra costs associated with the additional grant for general site development, (such as landscaping, finish grading, driveways, walkways, outdoor instructional play facilities and permanent playground equipment, and athletic fields) are included in the SFP per–pupil base grant. There has not been conclusive evidence to show that this additional grant is not needed to complete the project.
- Extends this additional grant until "no later than January 1, 2031"; and,
- Creates an unknown amount of [temporary or permanent] jobs in landscaping, concrete, asphalt, finishing, playground and athletic field equipment, and other construction trades, along with stimulating the economy.

This regulation affects various business, manufacturing, and construction–related industries, such as architecture, engineering, trades and municipalities, which continues to promote the stimulation of the economy and helps to support job creation. Therefore, the proposed regulatory amendment will have a positive impact on the creation of jobs, the creation of new businesses, and the expansion of businesses in California. It is not anticipated that the proposed regulatory amendment will result in the elimination of existing businesses or jobs within California.

Benefits to Public Health and Welfare, Worker's Safety, and the State's Environment

- There is a health and safety impact assigned to this regulatory amendment. School site occupants, especially young children, will have less risk of injury and safer ingress and egress when driveways and walkways are wide, level, and extensive, when finish grading is thorough, when play facilities are of high quality on safe ground cover material, and athletic fields are well–designed with safe playing surfaces, adequate protective fences, and appropriate walkways.
- There are continued benefits to the health and welfare of California residents and worker safety. School districts utilize construction and trades employees to work on school construction projects and although this proposed regulation does not directly impact worker's safety, existing law provides for the availability of a skilled labor force and encourages improved health and safety of construction and trades employees through proper apprenticeship training. Further, public health and safety is enhanced because a properly paid and trained workforce will build school construction projects that are higher quality, structurally code–compliant and safer for use by pupils, staff and other occupants on the site.
- There is no impact to the State's environment from the proposed regulatory amendment.

EFFECT ON SMALL BUSINESSES

It has been determined that the proposed regulatory amendment will not have an impact on small businesses in the ways identified in subsections (a)(1)–(4) of Section 4, Title 1, CCR. Although the proposed regulation only applies to school districts and charter schools for purposes of funding school facility new construction projects, the demand on the manufacturing and construction–related industries could potentially stimulate the creation of small business in these areas.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, email or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, email or fax must be received at OPSC no later than December 1, 2025 end of day. The express terms of the proposed regulations as well as the Initial Statement of Reasons are available to the public.

Written comments, submitted via U.S. mail, email or fax, regarding the proposed regulatory action, requests for a copy of the proposed regulatory action or the Initial Statement of Reasons, and questions concerning the substance of the proposed regulatory action should be addressed to:

Lisa Jones, Regulations Coordinator
Office of Public School Construction
707 3rd Street, 3rd Floor
West Sacramento, CA 95605
Email Address: lisa.jones@dgs.ca.gov
Fax Number: (916) 375–6721

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Regulatory Action may be directed to Ms. Lisa Jones at (279) 946–8459. If Ms. Jones is unavailable, these questions may be directed to the back-up contact person, Mr. Michael Watanabe, Deputy Executive Officer, at (279) 946–8463.

ADOPTION OF REGULATIONS

Please note that, following the public comment period, the SAB may adopt the regulation substantially as proposed in this notice or with modifications, which are sufficiently related to the originally proposed text and notice of proposed regulatory activity. If modifications are made, the modified text with the changes clearly indicated will be made available to the public for at least 15 days prior to the date on which the SAB adopts the regulations.

The modified regulation(s) will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the public comment period, and all persons who requested notification from the agency of the availability of such changes. Requests for copies of any modified regulations should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulations during the 15–day period.

SUBSTANTIAL CHANGES WILL REQUIRE A NEW NOTICE

If, after receiving comments, the SAB intends to adopt the regulation with modifications not sufficiently related to the original text, the modified text will not be adopted without complying anew with the notice requirements of the Administrative Procedure Act.

RULEMAKING FILE

Pursuant to Government Code Section 11347.3, the SAB is maintaining a rulemaking file for the proposed regulatory action. The file currently contains:

1. A copy of the text of the regulations for which the adoption is proposed in strikeout/underline.
2. A copy of this Notice.
3. A copy of the Initial Statement of Reasons for the proposed adoption.
4. The factual information upon which the SAB is relying in proposing the adoption.

As data and other factual information, studies, reports or written comments are received they will be added to the rulemaking file. The file is available for public inspection at OPSC during normal working hours. Items 1 through 3 are also available on OPSC's Internet Web site at: https://www.dgs.ca.gov/OPSC/Resources/Page-Content/Office-of-Public-School-Construction-Resources-List-Folder/Laws-Regulations-for-School-Construction-Projects then scroll down to School Facility Program, Pending Regulatory Changes, and click on the links named 45–day Public Notice, Initial Statement of Reasons and Proposed Regulatory Text.

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the SAB must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost–effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. No alternatives were considered because the general site development grant is a supplemental grant to the new construction base grant. The proposed regulatory amendment continues to be extended until a complete analysis of the new construction base grant can be conducted.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the agency's regulation coordinator named in this notice or may be accessed on the website listed above.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

SPOTTED LANTERNFLY ERADICATION AREA

The Department of Food and Agriculture (Department) proposes to adopt Title 3 of the California Code of Regulations (CCR) Sections 3446 Spotted Lanternfly Interior Quarantine and Section 3591.31 Spotted Lanternfly Eradication Area

PUBLIC HEARING

A public hearing is not scheduled. However, a public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed regulations to the Department. Comments may be submitted by USPS, FAX or email. The written comment period closes on December 1, 2025. The Department will consider only comments received at the Department offices by that date or postmarked no later than December 1, 2025. Submit comments to:

Erin Lovig, Senior Environmental Scientist Supervisor
California Department of Food and Agriculture
Plant Health and Pest Prevention Services
1220 N Street,
Sacramento, CA 95814
(916) 403–6650
Permits@cdfa.ca.gov

Questions regarding the substance of the proposed regulation should be directed to Erin Lovig. In her absence, you may contact Rachel Avila at (916) 698–2947 or rachel.avila@cdfa.ca.gov.

Unless there are substantial changes to the proposed regulations prior to adoption, the Department of Food and Agriculture may adopt the proposal as set forth in this notice without further notice to the public. Following the public hearing, if one is requested, or following the written comment period if none is requested, the Department, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

AUTHORITY

The Department proposes to adopt Sections 3446 and 3591.31 pursuant to the authority vested by Sections 401.5, 407, 5301, 5302, and 5322 of the Food and Agricultural Code (FAC).

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 401.5, 407, 5301, 5302, 5322, 5761, 5762, and 5763 of the FAC.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The specific purpose of the proposed adoption of the regulations 3446 and 3591.31 will allow for the creation of interior quarantine and eradication areas for spotted lanternfly in California. This will allow targeted actions for eradication of spotted lanternfly and reduce the chance of allowing natural and artificial dispersal and the subsequent spread of the pest in California. Any eradication and quarantine actions taken by the Department will be in cooperation with the United States Department of Agriculture (USDA) and the affected county agricultural commissioners.

EXISTING LAWS AND REGULATIONS

Existing law, FAC Section 401.5, states that the department shall seek to protect the general welfare and economy of the state and seek to maintain the economic well–being of agriculturally dependent rural communities in this state.

Existing law, FAC Section 407, provides that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of this code which the Secretary is directed or authorized to administer or enforce.

Existing law, FAC Section 5301, provides that the Secretary may establish, maintain, and enforce such quarantine regulations as they deem necessary to protect the agricultural industry of this state from pests. The regulations may establish a quarantine at the boundaries of this state or elsewhere within the state.

Existing law, FAC Section 5302, provides that the Secretary may make and enforce such regulations as they deem necessary to prevent any plant or thing which is, or is liable to be, infested or infected by, or which might act as a carrier of, any pest, from passing over any quarantine line which is established and proclaimed pursuant to this division.

Existing law, FAC section 5322, provides that the Secretary may establish, maintain, and enforce quarantine, eradication, and such other regulations as are in her opinion necessary to circumscribe and exterminate or prevent the spread of any pest which is described in FAC section 5321.

Existing law, FAC section 5761, provides that the Secretary may proclaim any portion of the state to be an eradication area with respect to the pest, prescribe the boundaries of such area, and name the pest and the hosts of the pest which are known to exist within the area, together with the means or methods which are to be used in the eradication or control of such pest.

Existing law, FAC section 5762, provides that any pest with respect to which an eradication area has been proclaimed, and any stages of the pest, its hosts and carriers, and any premises, plants, and things infested or infected or exposed to infestation or infection with such pest or its hosts or carriers, within such area, are public nuisances, which are subject to all laws and remedies which relate to the prevention and abatement of public nuisances.

Existing law, FAC section 5763, provides that the Secretary or the commissioner acting under the supervision and direction of the Secretary, in a summary manner, may disinfect or take such other action, including removal or destruction, with reference to any such public nuisance, which they think is necessary.

ANTICIPATED BENEFITS OF THE PROPOSED AMENDMENT

The adoption of this regulation provides the necessary regulatory authority for the prompt quarantine and eradication of a future infestation of a serious insect pest which is a mandated statutory goal.

This regulation is necessary to prevent the future spread of spotted lanternfly to un–infested areas of the state. The regulation benefits industries (nursery, fruit for domestic use and exports, packing facilities), the environment, and the overall California economy by preventing the spread of spotted lanternfly.

California is a large–scale commercial producer of many host plants of spotted lanternfly. The Californian, national, and international consumers of California agriculture benefit by having high quality produce and produce products available at lower cost. It is assumed that any increases in production costs will ultimately be passed on the consumer. By avoiding an infestation of spotted lanternfly, these increased production costs will be avoided.

The adoption of this regulation benefits homeowners who grow host material for consumption and/or ornamentals in various rural and urban landscapes. By preventing infestation with spotted lanternfly and thereby preventing damage to hosts, the regulation eliminates the need for hosts to be treated to mitigate infestations of spotted lanternfly.

There are no existing, comparable federal regulations or statutes.

There are no known specific benefits to worker safety or the health of California residents.

EVALUATION OF INCONSISTENCY/ INCOMPATIBILITY WITH EXISTING STATE REGULATIONS

As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of Sections 3446 and 3591.31 and has determined that they are not inconsistent or incompatible with existing state regulations.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

Prior to conducting any action authorized by this regulation, the Department shall comply with the California Environmental Quality Act (CEQA) of 1970 (Public Resources Code Section 21000 et seq. as amended) and the State CEQA Guidelines (Title 14 California Code of Regulations Section 15000 et seq.).

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost to any local agency or school district requiring reimbursement pursuant to 17500 et seg: None.

Cost or savings to any state agency: None.

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

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

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

Significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states: The cost impacts are expected to be none and minimal/non–consequential. The Department makes the initial determination that the proposed action will not have a significant, statewide adverse economic impact.

Significant effect on housing costs: None.

Small business determination: The proposed action will not affect small business because compliance activities are currently being performed by existing staff throughout quarantine areas within the State without any impact on small business.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

The Department has made an assessment that the amendment of these regulations will help maintain the economic baseline and (1) will have no significant impact on the creation or elimination of jobs in the State of California, (2) will have no impact on the creation of new businesses or elimination of existing businesses within the State of California, (3) will have no impact on the expansion of businesses within the State of California, (4) will have an impact on the health and welfare of California residents, (5) will have an impact on the state's environment, and (6) is not expected to benefit workers' safety.

Health and welfare: The proposed action will benefit the health and welfare of California residents by would facilitate a fast and effective response if spotted lanternfly is detected in the designated eradication area. Speed of response is key to eradicating an incipient pest infestation. Programmatic delays potentially can lead to pest quarantines, as well as increased production costs and potential job loss. It is assumed that any increases in production costs will ultimately be passed on the consumer. By avoiding an infestation with spotted lanternfly, these increased production costs will be avoided.

The state's environment: The proposed action will benefit the state's environment as its host plants are widely grown in California, both native plants and agriculturally important crops. By adopting these regulations to prevent infestation the general public benefits by having a native environment and agriculture safe from this pest.

CONSIDERATION OF ALTERNATIVES

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

The Department invites interested persons to present alternatives during the written comment period.

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

The Department has prepared an initial statement of reasons for the proposed action, and has made available all the information upon which its proposal is

based and the express terms of the proposed action. The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/plant/Regulations.html). A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request.

The location of the information on which the proposal is based may also be obtained upon request. In addition, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the comment period and considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer named herein. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting the agency officer named herein.

TITLE 4. SCHOOL FINANCE AUTHORITY

STATE CHARTER SCHOOL FACILITIES INCENTIVE GRANT PROGRAM

NOTICE IS HEREBY GIVEN that the California School Finance Authority (Authority), organized pursuant to Sections 17170 through 17199.6 of the Education Code, proposes to amend the regulations described below after considering all comments, objections, and recommendations regarding the proposed action. Any person interested may present written statements or arguments relevant to the proposed action to the attention of the Contact Person as listed in this Notice before comment period closes at Midnight December 2, 2025. The Authority Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person(s) designated in this Notice as the Contact Person and will be mailed to those persons who submit statements related to this proposal or who have requested notification of any changes to the proposal.

PROPOSED REGULATORY ACTION

The Authority proposes to amend Sections 10176, 10181, 10182, and 10190 of Title 4 of the California Code of Regulations (Regulations) as permanent regulations. The amended Regulations implement the Authority's responsibilities related to the Charter School Facilities Incentive Grants Program (Program).

AUTHORITY AND REFERENCE

Authority: Section 17179 and 17180 of the Education Code. Section 17179 provides the Authority with the ability to do all things reasonably necessary to carry out its responsibilities. Section 101780(a) provides the Authority the ability to adopt bylaws for the regulation of its affairs and the conduct of its business. Subdivision (d) authorizes the Authority to receive and accept grants from the federal government. Subdivision (o) allows the Authority the right to adopt guidelines for grants.

Reference: Education Code, Section 17180(d) of the Education Code; and Section 47600, et seq., of the Education Code. These Regulations implement the Program and include a number of the requirements of that Program contained in the reference code provisions and their implementing Regulations. They also rely on a number of provisions in the Charter Schools Act of 1992, commencing with Section 47600 of the Education Section. Section 17180(d) provides the Authority with the ability to receive grants from the federal government.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Authority was created in 1985 to assist school districts and community college districts in financing school construction projects (Education Code Section 17170, et seq.). The Authority is authorized to adopt bylaws for the regulation and conduct of its business and is vested with all powers reasonably necessary to carry out its powers and responsibilities (Education Code Sections 17179 and 17180).

In 2004, 2009, and 2014, the United States Department of Education approved grant awards to the Authority pursuant to the State Charter School Incentive Grant (Grant), authorized under Title V, Part B, Subpart 1 of the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act of 2001. The Grant provided for $49,250,000 in 2004, $46,132,749 in 2009, and $50,000,000 in 2014, to be awarded over five–year periods for the purposes of funding per–pupil facilities aid programs for California charter schools. The Authority was recently awarded a $30 million grant award in Fall 2024. Per the Authority's application to the Department of Education, the Authority is proposing three more funding rounds of the Program starting for the 2025–26 school year. The Authority is bringing regulation changes related to changes and updates to the application and selection process as well as updates to federal law. Grant funds are applied toward a charter school's annual costs of rent, lease, mortgage, debt service, or Proposition 39 pro–rata payments for facilities, or towards the costs of purchase, design, construction, and/or renovation of a new or existing facility. The anticipated benefits of the proposed regulation includes increased funding for charter school facilities which will result in benefits to students and their related communities.

The Authority adopted regular regulations through the Office of Administrative Law's (OAL) Rulemaking process, and the regulations were approved by OAL on March 24, 2006 (OAL Regulatory Action Number 05–0907–02). A number of rulemakings have amended the regulations in the years since. The Authority is proposing permanent regulations through OAL's permanent rulemaking process and a Certificate of Compliance to make additional amendments to Program regulations.

The California School Finance Authority (Authority) is proposing changes to the State Charter School Facilities Incentive Grants Program (Program) regulations to update and clarify program requirements. The main purpose of these amendments is to ensure that loan recipients follow federal requirements that apply to projects using federal funds. The proposed changes add language requiring compliance with the Build America, Buy America Act (BABAA) and the Davis–Bacon and Related Acts (DBRA). These laws generally require that materials used in construction projects financed with federal funds are produced in the United States and that workers are paid prevailing wages. These updates are necessary to make sure the Program remains consistent with current federal laws.

The Authority's last funding round opened in 2019, therefore some regulation references rely on out–of–date measures and statutory citations. The Authority is requesting approval of these revisions to ensure federal and state compliance, timely disbursements, and the ability to properly and effectively administer the Program. Timely approval of the regulation changes is necessary to implement the first funding round for the 2025–26 federal fiscal year. A summary of the revisions from each section within the proposed regulations is highlighted below:

1. **Section 10176. Definitions.** (d) NEW — Added Build American, Buy American (BABAA) requirements and statutory references.
2. **Section 10176. Definitions.** (d–w) ORIGINAL — Subsequently assigned new letters due to addition of new subsection (d).
3. **Section 10176. Definitions.** (k) — Added McNamara–O'Hara Service Contract Act and statutory reference.
4. **Section 10181. Content of Application.** (h) — Replace "title report" with "grant deed coupled with a copy of the most recent title insurance policy".
5. **Section 10181. Content of Application.** (h) — Added "and" and removed "contingent" for clarity in supporting federal requirements.
6. **Section 10181. Content of Application.** (i) — Updated for clarity on application requirements for proposed projects.
7. **Section 10181. Content of Application.** (j) — Updated for clarity on the certification of accuracy.
8. **Section 10181. Content of Application.** (j)(1) — Updated for correct grammar.
9. **Section 10181. Content of Application.** (j)(2) — Added BABAA compliance requirement.
10. **Section 10181. Content of Application.** (j)(5) — Updated for clarity on evidence of completion requirements.
11. **Section 10190. Audits and Conflicts of Interest.** (d) — Added BABAA compliance requirement.

CITATIONS FOR PROPOSED REGULATIONS MANDATED BY FEDERAL LAWS OR REGULATIONS

Program applicants are expected to comply with federal regulations related to conflicts of interest. These regulations are stated in proposed regulations Section 10198. Specifically, applicants must comply with the following federal regulatory code as required by the United States Department of Education as well as general conflict–of–interest compliance for federal grants.:

34 CFR 75.525(a) which prohibit a person from participating in an administrative decision regarding a project if (a) the decision is likely to benefit that person or their immediate family members; and (b) the

person is a public official or has a family or business relationship with the Awardee.

34 CFR 75.525(b) which provides further that an Awardee may not permit any person participating in a project to use their position for a purpose that is — or gives the appearance of being — motivated by a desire for a private or financial gain for that person or for others.

2 CFR 200.318 through 2 CFR 200.327. These standards require federal grant Awardees to develop written procurement procedures and to conduct all procurement transactions in a manner that provides, to the maximum extent possible, open, and free competition. No employee, officer, or agent of the Awardee may participate in the selection, award, or administration of any contract supported by federal funds if a real or apparent conflict–of–interest exists.

The full text of the federal regulations referenced above are found in the Code of Federal Regulations, which is available online at https://www.ecfr.gov/.

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

No other matters prescribed by statute are applicable to the Authority or to any specific regulation or class of regulations pursuant to Section 11346.5(a) (4) of the California Government Code pertaining to the proposed Regulations or the Authority.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Authority has determined the proposed regulations do not impose a mandate on local agencies or school districts.

EVALUATION OF INCONSISTENCY AND INCOMPATIBILITY

The Authority performed a search in the California Code of Regulations and the proposed regulations are neither inconsistent nor incompatible with existing regulation.

FISCAL IMPACT

As related to Fiscal Impact, the Authority is not aware of any cost to local agency or school districts requiring reimbursement pursuant to Gov. Code sec. 17500 et seq.; nor any cost or savings to any state agency beyond the Authority; nor other Non–discretionary costs or savings imposed on local agencies; nor any costs or savings in federal funding to the state; and nor any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

INITIAL DETERMINATION REGARDING ANY SIGNIFICANT, STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS

The Authority has made an initial determination that the proposed regulations will not have any significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

EFFECT ON SMALL BUSINESSES

The Authority has determined that the adoption of the proposed regulations will not affect small business. The Program is a voluntary grant program available to charter schools to assist in the costs of charter school facilities.

RESULTS OF ECONOMIC IMPACT ANALYSIS

Assessment of Effect on Jobs and Business Expansion, Elimination or Creation

Adoption of these regulations will not create or eliminate jobs within California, nor create new businesses or eliminate existing businesses within California. The proposed regulations could likely impact the expansion of businesses currently doing business within the State of California. This program will provide additional grant funding for charter school facilities. These facilities are a need for charters schools of the associated charter school organizations to serve more students.

Assessment of Effect to the Health and Welfare of California Residents, Worker Safety, and the State's Environment

The purpose of the program and proposed regulations is to set forth administrative criteria and requirements for administering this grant program. The Authority do not expect any anticipated benefits to worker safety or the State's environment. However, while each grant is different, funding for facilities may allow schools to free up assets potentially allowing actions resulting in improved worker safety. Additionally, there may be a positive effect on the welfare of some California residents. As the intent of the program is to provide grant funding related to charter school facilities, the Program and its proposed regulations have the potential to directly benefit the welfare of students and their related communities.

COST IMPACT ON HOUSING

The proposed regulations will not have any effect on housing costs.

REASONABLE ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Authority must determine that no reasonable alternative to the regulations considered by the Authority or that has otherwise been identified and brought to the attention of the Authority, would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the regulations, or would be more cost–effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Authority invites interested persons to present statements with respect to alternatives to the proposed regulations during the written comment period.

AGENCY CONTACT PERSON

Written comments, inquiries, and any questions regarding the substance of the proposed regulations shall be submitted or directed to:

Katrina Johantgen, Executive Director
California School Finance Authority
300 S. Spring Street, Suite 8500
Los Angeles, CA 90013
(213) 620–4608

or:

901 P Street, Third Floor, Suite B
Sacramento, CA 95814
(916) 651–7710

or:

kjohantgen@treasurer.ca.gov

or:

csfa@treasurer.ca.gov

The following person is designated as a backup Contact Person for inquiries only regarding the proposed regulations:

Will Jarrell
901 P Street, Third Floor, Suite B
Sacramento, CA 95814
(916) 651–7710

or:

william.jarrell@treasurer.ca.gov

WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments relevant to the proposed regulations to the Authority. The written comment period on the regulations closes at Midnight December 2, 2025. All comments to be considered by the Authority must be submitted in writing to the Agency Contact Person identified in this Notice by that time. In the event that changes are made to the proposed regulations during the written comment period, the Authority will also accept additional written comments limited to any changed or modified regulations for 15 calendar days after the date on which such regulations, as changed or modified, are made available to the public pursuant to Title 1, Chapter 1, Section 44 of the California Code of Regulations. Such additional written comments should be addressed to the Agency Contact Person identified in this Notice.

AVAILABILITY OF INITIAL STATEMENT OF REASONS, RULEMAKING FILE AND EXPRESS TERMS OF PROPOSED REGULATIONS

The Authority has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at the Authority's office at 901 P Street, Third Floor, Suite B, Sacramento, California, during normal business hours. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the Initial Statement of Reasons, and the proposed text of the Regulations. Copies of these items are available upon request, from the Agency Contact Person designated in this Notice. The Sacramento address will also be the location for inspection of the rulemaking file and any other public records, including reports, documentation and other materials related to this proposed regulatory action. In addition, the rulemaking file, including the Initial Statement of Reasons and the proposed text, may be viewed on the Authority's Web site at www.treasurer.ca.gov/csfa.

PUBLIC HEARING

No public hearing regarding the proposed regulations has been scheduled. Anyone wishing a public hearing must submit a request in writing, pursuant to Section 11346.8 of the Government Code, to the Authority at least 15 days before the end of the written comment period. Such request should be addressed to the Agency Contact Person identified in this Notice and should specify the regulations for which the hearing is being requested.

15–DAY AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the written comment period ends and following a public hearing, if any is requested, the Authority may adopt the proposed regulations substantially as described in this Notice, without further notice. If the Authority makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public (including through the Authority's website described above) for at least fifteen (15) calendar days before the Authority adopts the proposed regulations, as modified. Inquiries about and requests for written copies of any changed or modified regulations should be addressed to the Agency Contact Person identified in this Notice.

AVAILABILITY OF FINAL STATEMENT OF REASONS

The Authority is required to prepare a Final Statement of Reasons pursuant to Government Code section 11346.9. Once the Authority has prepared a Final Statement of Reasons, a copy will be made available to anyone who requests a copy and will be available on the Authority's website described above. Written requests for copies should be addressed to the Agency Contact Person identified in this Notice.

TITLE 11. PEACE OFFICER STANDARDS AND TRAINING

ADOPT COMMISSION REGULATION 1022 — DETERMINATION OF BIAS

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 closing of the public comment period.

PUBLIC COMMENTS DUE BY DECEMBER 1, 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) 404–5619, by email to raymund.nanadiego@post.ca.gov or by letter to:

Commission on POST
Attention: Rulemaking
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). This proposal is intended to interpret, implement, and make specific PC § 13503(e), which authorizes POST to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses.

Authority cited: Section 13510.6, Penal Code. Reference: Sections 13510.6, 13519.4, Penal Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

On October 8, 2023, Governor Newsom signed Assembly Bill (AB) 443 (Jackson, 2023). AB 443 added Section 13510.6 to the Penal Code. PC § 13510.6 requires the Commission on POST to establish a definition of "biased conduct." When investigating any bias–related complaint or incident that involves possible indications of officer bias, law enforcement agencies are required to determine whether the conduct being investigated constitutes "biased conduct" using the definition established by the Commission on POST. The Commission is also required to develop guidance for local law enforcement agencies on performing effective internet and social media screenings of officer applicants. PC § 13510.6 will go into effect on January 1, 2026.

This rulemaking action clarifies and makes specific the definition of biased conduct in relation to PC § 13510.6.

Currently, Commission Regulation 1022 does not exist; therefore, POST is proposing to adopt this regulation to comply with PC § 13510.6 and provide an additional reference to law enforcement agencies.

The regulation proposed in this rulemaking action will create regulatory language for law enforcement agencies to determine whether the conduct of a peace officer constitutes "biased conduct" when investigating any bias–related complaint or incident that involves possible indications of officer bias.

Anticipated Benefits of the Proposed Amendments:

The benefits anticipated by the proposed amendments to the regulation will define "biased conduct" as law enforcement agencies investigate any bias–related complaint or incident that involves possible indications of officer bias to determine whether the officer's conduct was motivated by bias, which

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 of California. 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 in this proposed action.

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 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 training 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 or eliminate jobs in the state of California, (2) unlikely that the proposal will create or eliminate any 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 complying with PC § 13510.6 and providing an additional reference to law enforcement agencies. 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 workers' 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 Law Enforcement Consultant Raymund Nanadiego, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605–1630, at (916) 227–4852. General questions regarding the regulatory process may be directed to Katie Strickland at (916) 227–2802.

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: 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 14. GOVERNOR'S OFFICE OF LAND USE AND CLIMATE INNOVATION

APPLICANT FEES FOR ENVIRONMENTAL LEADERSHIP PROJECT APPLICATIONS

NOTICE IS HEREBY GIVEN that the Office of Land Use and Climate Innovation ("LCI") proposes to adopt the regulations described below after considering all comments, objections and recommendations regarding the proposed action.

PUBLIC HEARING

LCI did not schedule a public hearing on this proposed action. However, LCI 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 before the close of the written comment period.

WRITTEN COMMENT PERIOD

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

Office Of Land Use And Climate Innovation
Attention: Douglas Bojack
1400 Tenth Street
Sacramento, CA 95814
EMAIL: comments@lci.ca.gov

The written comment period closes on **December 1, 2025.** LCI will only consider timely received comments. When commenting, please indicate that your comment refers to this rulemaking action.

AUTHORITY AND REFERENCE

Public Resources Code section 21184.7 authorizes LCI to adopt this proposed regulation. The proposed regulation implements, interprets and makes specific the application fee for applications submitted pursuant to the Jobs and Economic Improvement through Environmental Leadership Act of 2021. (Pub. Resources Code sections 21180, 21181, 21182, 21183, 21183.5, 21183.6, 21184, 21184.5, 21184.7, 21185, 21186, 21187, 21187.5, 21188, 21189, 21189.1, and 21189.3.)

INFORMATION DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Effect of Proposed Action

In 2021, the Legislature adopted the Jobs and Economic Improvement Through Environmental Leadership Act (hereafter "Act") (codified at Public Resources Code sections 21178–21189.3). The Act permits Environmental Leadership Development Projects ("projects") that meet the requirements outlined in the Act and are certified by the Governor to receive streamlined judicial review under the California Environmental Quality Act ("CEQA"). Public Resources Code section 21184.7 authorizes LCI to charge a fee to applicants seeking certification for the costs incurred by LCI in reviewing applications for recommendation to the Governor for certification for judicial streamlining.

Public Resources Code section 21184.7 authorizes LCI to charge a fee to applicants seeking certification under the Act for the costs incurred in its implementation of the SB 7 program. Eligible infill housing, clean energy, and clean renewable energy manufacturing applications certified under the SB 7 program move

to the front of the line for judicial review of lawsuits filed against them under the California Environmental Quality Act. The statute does not specify what the application fee is or how LCI will administrate it, but existing regulation in Title 14, section 16100 of the California Code of Regulations specifies a $39,000 fee. The proposed regulation will raise this application fee to $100,000 to match the proposed $100,000 application fee for similar projects also applying for judicial streamlining under SB 149 (Chapter 7, Statutes of 2023).

Objectives and Anticipated Benefits of the Proposed Regulation

The broad objective of the proposed regulations is to ensure that LCI is reimbursed for some of its costs of reviewing judicial streamlining applications while also not imposing overly burdensome costs on Environmental Leadership Development Project applicants. The proposed application fee is based on the personnel cost of the program divided by an estimated four applications per year. This regulation would allow LCI to recoup a portion of its costs without making the application process infeasible for applicants.

Benefits of the proposed rule include allowing LCI to recoup some of the costs of reviewing applications for streamlining certification under the Act, which will sustain LCI's ability to implement the Act. Implementation of the Act will benefit the public in a number of ways, including streamlining the judicial review of projects that replace old and outmoded facilities, generate thousands of full–time jobs during construction and operation, and implement innovative measures that significantly reduce significant greenhouse gas emission and other impacts.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations

LCI determined that these proposed regulations are not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, LCI has concluded that these are the only regulations that concern reimbursement of LCI's costs for implementation of the Act.

DISCLOSURES REGARDING THE PROPOSED ACTION

LCI has made the following initial determinations:

Mandate on local agencies or school districts: None.

Costs to a local agency or school district required to be reimbursed pursuant to Government Code section 17500 et seq.: None.

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

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

Cost or savings to any state agency: The proposed regulations establish a one–hundred thousand dollar ($100,000) application fee to be paid to LCI by applicants to reimburse LCI for the costs of implementing the Act. LCI estimates that it will receive approximately 4 applications annually between the effective date of this rule and January 1, 2034, when the Act requires all applications be certified. Of these applications, LCI estimates that half of applications will be affordable housing applications, which are exempt from the application fee. Therefore, LCI estimates that LCI will recover approximately $1.8 million in implementation costs.

Cost Impact on a representative private person or business: The proposed regulations establish a one–hundred thousand dollar ($100,000) application fee to be paid to LCI by applicants to reimburse LCI for the costs of implementing the Act. LCI estimates that it will receive approximately four applications in the next year. Therefore, a representative, non–affordable housing project applying for certification under the Act, would have a cost impact of $100,000. Pursuant to Public Resources Code section 21183(a)(1), a non–affordable housing project applicant must have a minimum total investment of one hundred million dollars to apply for certification under the Act. This means that the fee imposed on development applicants represents no more than one percent (1%) of the applicant's total investment. Because the proposed rule does not impose any burdensome procedures for the submission of application fees, LCI does not anticipate that the proposed rule will impose any other costs on project applicants outside of the application fee. LCI also notes that applying for streamlining certification under the Act is voluntary, and any prospective project applicant may avoid the application costs imposed by the proposed rule by not submitting an application.

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: LCI has determined that this proposed regulatory action will not have a significant statewide adverse economic impact affecting business. This determination is based on the fact that the establishment of a $100,000 application fee on approximately three project applicants will not create or eliminate existing businesses, and will not affect the expansion of business currently doing business within California. Pursuant to Public Resources Code section 21183(a)(1), a non–affordable housing project applicant must have a minimum total investment of one hundred million dollars in order to apply for certification under the Act. This means, that the fee imposed on development applicants represents no more than one percent (1%) of the applicant's total investment. Submitting an appli-

cation for judicial streamlining is entirely voluntary, and thus the application fee set by the proposed rule would not impose any mandatory costs on California businesses.

Significant effect on housing costs: None.

Small business determination: LCI has determined that the proposed regulatory action will not affect small business. As defined in Government Code section 11342.610, a small business does not include "a subdivider or developer" or "general construction [activities] where the annual gross receipts exceed nine million five hundred thousand dollars ($9,500,000). Because LCI anticipates that all projects applying for streamlining under the Act will be developers, and because by definition all the project applicants subject to the application fee must have a minimum project investment of one hundred million dollars ($100,000,000) the proposed rule will not apply to small businesses as defined in section 11342.610.

RESULTS OF ECONOMIC IMPACT ANALYSIS/ASSESSMENT

LCI concludes that the proposed rule (1) will not create or eliminate any jobs within the state of California, (2) will not create new or eliminate existing businesses within California, (3) will not expand businesses currently doing business within the California, and (4) will benefit the health and welfare of California residents and the state's environment by sustaining LCI's implementation of the CEQA streamlining provisions of the Act.

Benefits of the proposed action: LCI anticipates that the proposed rule will benefit California by allowing LCI to recoup approximately one hundred thousand dollars ($100,000) in implementation costs, thus allowing LCI to be able to continue sustainably implementing the Act. Continued implementation of the Act will benefit the public and the environment by streamlining the judicial review of projects that replace old and outmoded facilities, generate thousands of full–time jobs during construction and operation, and implement innovative measures that significantly reduce significant greenhouse gas emissions and air quality impacts.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), LCI must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of LCI 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.

LCI invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation during the written comment period.

CONTACT PERSONS

Inquiries concerning the proposed action may be directed to:

Douglas Bojack
Office of Land Use and Climate Innovation
1400 Tenth Street
Sacramento, CA 95814
Telephone: (916) 322–2318
Email: Douglas.Bojack@lci.ca.gov

The backup contact person for this proposed action is:

Patricia Kennedy
Office of Land Use and Climate Innovation
1400 Tenth Street
Sacramento, CA 95814
Telephone: (916) 322–2318
Email: Patricia.Kennedy@lci.ca.gov

AVAILABILITY OF DOCUMENTS

Availability of Statement of Reasons, Text of Proposed Regulations and Rulemaking File

LCI has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and the documents relied upon to prepare this regulatory action. This material is contained in the rulemaking file and is available for public inspection upon request to Douglas Bojack using the contact information above.

Availability of Changed or Modified Text

After considering all timely and relevant comments received, LCI may adopt the proposed regulation substantially as described in this Notice. LCI may also adopt the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that was noticed to the public. In the event that such modifications are made, the full regulatory text, with the modifications clearly indicated, will be made available to the public for review and or written comment at least 15 days before it is adopted. The public may request a copy of the modified regulatory text by contacting Douglas Bojack using the contact information listed above.

Availability of the Final Statement of Reasons

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Douglas

Bojack using the contact information above, or by accessing the website listed below.

Availability of Documents on the Internet

Copies of this Notice, the proposed text of the regulation, and the initial statement of reasons can be accessed through LCI's website at: https://lci.ca.gov/ceqa/judicial–streamlining/.

TITLE 14. GOVERNOR'S OFFICE OF LAND USE AND CLIMATE INNOVATION

APPLICANT FEES FOR INFRASTRUCTURE PROJECT APPLICATIONS

NOTICE IS HEREBY GIVEN that the Office of Land Use and Climate Innovation ("LCI") proposes to adopt the regulations described below after considering all comments, objections and recommendations regarding the proposed action.

PUBLIC HEARING

LCI did not schedule a public hearing on this proposed action. However, LCI 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 before the close of the written comment period.

WRITTEN COMMENT PERIOD

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

Office of Planning and Research
Attention: Douglas Bojack
1400 Tenth Street
Sacramento, Ca 95814
Email: comments@lci.ca.gov

The written comment period closes on **December 1, 2025.** LCI will only consider timely received comments. When commenting, please indicate that your comment refers to this rulemaking action.

AUTHORITY AND REFERENCE

Public Resources Code section 21189.84 authorizes LCI to adopt these proposed regulations. The proposed regulations implement, interpret and make specific the application fees for applications submitted pursuant to Senate Bill 149, Chapter 60, Statutes of 2023. (amending sections 21167.6, 21181, 21183, 21189.1, and 21189.3 of the Public Resources Code, adding sections 21189.80, 21189.81, 21189.82, 21189.83, 21189.84, 21189.85, 21189.86, 21189.87, 21189.88, 21189.89, 21189.90 and 21189.91.)

INFORMATION DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Effect of Proposed Action

In 2023, the Legislature adopted Senate Bill 149 (hereafter "Act") (which amended sections 21167.6, 21181, 21183, 21189.1, and 21189.3 of the Public Resources Code, and which added Chapter 7 (commencing with Section 21189.80)). The Act permits specified types of energy, water, transportation, and semiconductor infrastructure projects ("projects") that meet the requirements outlined in the Act and are certified by the Governor to receive streamlined judicial review under the California Environmental Quality Act ("CEQA"). Public Resources Code section 21189.84 authorizes LCI to charge a fee to applicants seeking certification for the costs incurred by LCI in reviewing applications for recommendation to the Governor for certification for judicial streamlining.

The regulations proposed in this rulemaking action specify the fees that applicants must pay when submitting applications to LCI for judicial streamlining pursuant to CEQA. The regulations also specify a due date and procedures for the submission of fees. Specifically, the proposed regulations specify that 1) application fees for projects are due at the time of filing the application with LCI, 2) that application fees should be submitted by check to LCI's address, and 3) that applicants must include their name, the name of the project seeking certification, and a statement that the enclosed check is the application fee for the applicant's Environmental Leadership Project Application and that LCI is authorized to process the check. The proposed rule further states that proof that the application fee has been mailed at the time an applicant submits their application is sufficient to allow LCI to being reviewing the application, and that the application fee must be received and processed prior to certification by the Governor. The proposed regulations also specify that the application fee applies to all applications submitted after the effective date of the regulations.

Objectives and Anticipated Benefits of the Proposed Regulation

The broad objective of the proposed regulations is to ensure that LCI is reimbursed for some of its costs of reviewing judicial streamlining applications while also not imposing overly burdensome costs on infrastructure project applicants. These regulations would allow LCI to recoup a portion of its costs without making the application process infeasible for applicants. Additionally, these proposed rules specify the due

date for application fees and establish procedures for the submission of application fees to ensure that LCI is able to process application fees quickly and efficiently and to provide clarity for projects.

Benefits of the proposed rule include allowing LCI to recoup some of the costs of reviewing applications for streamlining certification under the Act, which will sustain LCI's ability to implement the Act. Implementation of the Act will benefit the public in a number of ways, including streamlining the judicial review of projects that replace old and outmoded facilities, generate thousands of full–time jobs during construction and operation, and implement innovative measures that significantly reduce significant greenhouse gas emission and other impacts.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations

LCI determined that these proposed regulations are not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, LCI has concluded that these are the only regulations that concern reimbursement of LCI's costs for implementation of the Act.

DISCLOSURES REGARDING THE PROPOSED ACTION

LCI has made the following initial determinations:

Mandate on local agencies or school districts: None.

Costs to a local agency or school district required to be reimbursed pursuant to Government Code section 17500 et seq.: None.

Other nondiscretionary cost or savings imposed on local agencies: None

Cost or savings in federal funding to the state: None

Cost or savings to any state agency: The proposed regulations establish a one hundred thousand dollar ($100,000) application fee to be paid to LCI by applicants to reimburse LCI for the costs of implementing the Act. LCI estimates that it will receive approximately 32 applications between the effective date of this rule and January 1, 2034, when the Act requires all applications be certified. Therefore, LCI estimates that LCI will recover approximately three million and two hundred thousand dollars (3,200,000) in implementation costs.

Cost Impact on a representative private person or business: The proposed regulations establish a one hundred thousand dollar ($100,000) application fee to be paid to LCI by applicants to reimburse LCI for the costs of implementing the Act. LCI estimates that it will receive approximately 32 applications while the proposed regulations will be in effect. Therefore, a representative project applying for certification under the Act, would have a cost impact of $100,000. Pursuant to Public Resources Code section 21189.81(d)(1)(C), an energy infrastructure project applicant developing a manufacturing, production, or assembly plant in California must have a minimum total investment of two hundred fifty million dollars in order to apply for certification under the Act. Other types of the private infrastructure projects will likely be within the same magnitude of cost. This means, that the fee imposed on development applicants represents at most four basis points (0.04%) of the applicant's total investment. Because the proposed rule does not impose any burdensome procedures for the submission of application fees, LCI does not anticipate that the proposed rule will impose any other costs on project applicants outside of the application fee. LCI also notes that applying for streamlining certification under the Act is voluntary, and any prospective project applicant may avoid the application costs imposed by the proposed rule by not submitting an application.

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: LCI has determined that this proposed regulatory action will not have a significant statewide adverse economic impact affecting business. This determination is based on the fact that the establishment of a $100,000 application fee on project applicants will not create or eliminate existing businesses, and will not affect the expansion of business currently doing business within California. Pursuant to Public Resources Code section 21189.81(d)(1)(C), an energy infrastructure project applicant developing a manufacturing, production, or assembly plant in California must have a minimum total investment of two hundred fifty million dollars in order to apply for certification under the Act. This means, that the fee imposed on development applicants represents approximately four basis points (0.04%) of the applicant's total investment. Submitting an application for judicial streamlining is entirely voluntary, and thus the application fee set by the proposed rule would not impose any mandatory costs on California businesses.

Significant effect on housing costs: None.

Small business determination: LCI has determined that the proposed regulatory action will not affect small business. As defined in Government Code section 11342.610, a small business does not include "a subdivider or developer" or "general construction [activities] where the annual gross receipts exceed nine million five hundred thousand dollars ($9,500,000). Because LCI anticipates that all projects applying for streamlining under the Act will be developers, and because all the project applicants subject to the application fee will be engaged in the development of significant infrastructure of statewide importance, the pro-

posed rule will not apply to small businesses as defined in section 11342.610.

RESULTS OF ECONOMIC IMPACT ANALYSIS/ASSESSMENT

LCI concludes that the proposed rule (1) will not create or eliminate any jobs within the state of California, (2) will not create new or eliminate existing businesses within California, (3) will not expand businesses currently doing business within the California, and (4) will benefit the health and welfare of California residents and the state's environment by sustaining LCI's implementation of the CEQA streamlining provisions of the Act.

Benefits of the proposed action: LCI anticipates that the proposed rule will benefit California by allowing LCI to recoup approximately one million and six hundred thousand dollars ($1,600,000) in implementation costs over the lifetime of the proposed regulation, thus allowing LCI to be able to continue sustainably implementing the Act. Continued implementation of the Act will benefit the public and the environment by streamlining the judicial review of projects that replace old and outmoded facilities, generate thousands of full–time jobs during construction and operation, and implement innovative measures that significantly reduce significant greenhouse gas emissions and air quality impacts. Further, the proposed rule will provide clarity and transparency for applicants on the fee process. Specifically, the proposed rule clarifies the fee amount, when and how to submit their fees, and when the application fee will go into effect. Additionally, continued implementation of the Act will enable public entity infrastructure projects to apply for CEQA streamlining, which will ease judicial delays for critical water, transportation, and energy projects in California.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), LCI must determine that no reasonable alternative considered by the Office or that has otherwise been identified and brought to the attention of LCI 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.

LCI invites interested persons to present statements or arguments with respect to alternatives to the proposed regulation during the written comment period.

CONTACT PERSONS

Inquiries concerning the proposed action may be directed to:

Doug Bojack
Office of Land Use and Climate Innovation
1400 Tenth Street
Sacramento, CA 95814
Telephone: (916) 720–4440
Email: Douglas.Bojack@lci.ca.gov

The backup contact person for this proposed action is:

Matt Read
Office of Land Use and Climate Innovation
1400 Tenth Street
Sacramento, CA 95814
Telephone: (916) 322–2318
Email: matt.read@lci.ca.gov

AVAILABILITY OF DOCUMENTS

Availability of Statement of Reasons, Text of Proposed Regulations and Rulemaking File

LCI has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and the documents relied upon to prepare this regulatory action. This material is contained in the rulemaking file and is available for public inspection upon request to Doug Bojack using the contact information above.

Availability of Changed or Modified Text

After considering all timely and relevant comments received, LCI may adopt the proposed regulation substantially as described in this Notice. LCI may also adopt the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that was noticed to the public. In the event that such modifications are made, the full regulatory text, with the modifications clearly indicated, will be made available to the public for review and or written comment at least 15 days before it is adopted. The public may request a copy of the modified regulatory text by contacting Doug Bojack using the contact information listed above.

Availability of the Final Statement of Reasons

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Doug Bojack using the contact information above, or by accessing the website listed below.

Availability of Documents on the Internet

Copies of this Notice, the proposed text of the regulation, and the initial statement of reasons can be accessed through *LCI's website* at: https://lci.ca.gov/ceqa/judicial–streamlining/.

TITLE 16. BOARD OF PHARMACY

CENTRAL FILL PHARMACIES

NOTICE IS HEREBY GIVEN that the California State Board of Pharmacy (Board) proposes taking the rulemaking action described under the heading Informative Digest/Policy Statement Overview 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 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 writing addressed to the individuals listed under "Contact Persons" 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 December 1, 2025, or must be received by the Board at the hearing, should one be scheduled.

Authority and Reference: Pursuant to the authority vested by Business and Professions Code (BPC) section 4005, the Board proposes amending section 1707.4 of Division 17 of Title 16 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

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

Existing regulation at Title 16, CCR section 1707.4, which has not been updated in over twenty years, generally provides authority for a pharmacy licensed by the Board to process a request for refill of a prescription received by a pharmacy within California under specified conditions, including:

1. The pharmacy that refills the prescription either has a contract with or has the same owner as another pharmacy that received the prescription.
2. The prescription container meets labeling requirements and includes the name and address of the pharmacy refilling the prescription and/or the name and address of the pharmacy that receives the refilled prescription.
3. The patient is provided with written information about which pharmacy to contact if the patient has any questions.
4. Both pharmacies maintain records as specified.
5. Both pharmacies are responsible for ensuring the order is filled correctly.
6. The originating pharmacy is responsible for compliance with maintaining medication profiles, conducting patient consultations, and reviewing medication profiles and drug therapy records prior to prescription drug delivery.

In October 2023, the Board decided to review these requirements and determine whether changes were necessary. The Board and stakeholders had robust discussions and several presentations were given, across multiple public committee and Board meetings. The discussions and presentations addressed several provisions in the draft regulations, including final product verification and the use of technology in central fill pharmacies.

The proposed amendments to the regulation are intended to clarify the current law based on comments received from the regulated public suggesting the current language is not clear or seeking guidance on how to interpret or implement the language. Specifically, references to "refill" are being removed, clarifying language is being added to ensure that the central fill pharmacy is licensed by the Board and operated within California, and to ensure that the originating and central fill pharmacies have the flexibility to include the name and address of both pharmacies on the written information provided to patients if pharmacies so choose. Additionally, language is being added to allow originating pharmacies to perform final product verification before dispensing and allow for the final product verification to be done by viewing images in lieu of a physical visual inspection. Finally, a definition of central fill pharmacy is being added.

Anticipated Benefits of Proposal

The Board's highest priority in exercising its licensing, regulatory, and disciplinary functions is protecting the public. The Board has determined that this regulatory proposal will benefit the health and welfare of California residents.

This proposal clarifies current law based on comments received from the regulated public suggesting the current language is not clear or seeking guidance on how to interpret or implement the language. Specifically, clarifying language is being added to ensure that the central fill pharmacy is licensed by the Board

and operated within California and that the originating and central fill pharmacies have the flexibility to include the name and address of both pharmacies on the written information provided to patients if pharmacies so choose. Additionally, the amendments allow originating pharmacies to perform final product verification before dispensing and permit final product verification to be done by viewing images in lieu of a physical visual inspection. The amendments to this regulation will benefit licensees and consumers by increasing transparency to consumers, ensuring patients know that a Central Fill facility filled their prescriptions and who to contact with any questions — thereby benefitting the health and welfare of California consumers — and allow pharmacies flexibility regarding labeling and product verification.

This regulatory proposal does not affect employee safety or the state's environment.

Evaluation of Consistency and Compatibility with Existing State Regulations

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

DISCLOSURES REGARDING THIS PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs/Savings to State Agencies or Costs/Savings in Federal Funding to the State: The proposed regulation does not result in a fiscal impact to the state.

Additionally, the Board does not anticipate additional workload or costs resulting from the proposed regulation. Currently, Central Fill Pharmacies are regulated via routine Board inspections, and this process will continue.

The proposed regulation does not result in a fiscal impact to the state in the form of federal funding or any cost or savings to any state agency.

Nondiscretionary Costs/Savings to Local Agencies: None.

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

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs: None.

Business Impact Estimates:

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

The proposed amendments to the regulation are intended to clarify the current law based on comments received from the regulated public who have suggested the current language is not clear or have sought guidance on how to interpret or implement the language. The amendments also provide increased flexibility regarding labeling and product verification. This regulation will benefit licensees and consumers and will not have any adverse effects.

Cost Impact on Representative Private Person or Business:

The Board is not aware of any negative 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/New Businesses:

The Board concludes that this proposal will not:

(1) create jobs within California;

(2) eliminate jobs within California;

(3) create new businesses within California;

(4) eliminate existing businesses within California; and,

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

Benefits of Regulation:

The Board determined this proposal will not create or eliminate jobs or businesses. This proposal clarifies current law based on comments received from the regulated public suggesting the current language is not clear or seeking guidance on how to interpret or implement the language. Specifically, clarifying language is being added to ensure that the central fill pharmacy is licensed by the Board and operated within California and that the originating and central fill pharmacies have the flexibility to include the name and address of both pharmacies on the written information provided to patients if pharmacies so choose. Additionally, the amendments allow originating pharmacies to perform final product verification before dispensing and permit final product verification to be done by viewing images in lieu of a physical visual inspection. The amendments to this regulation will benefit licensees and consumers by increasing transparency to consumers, ensuring patients know that a Central Fill facility filled their prescriptions and who to contact with any questions — thereby benefitting the health and welfare of California consumers — and allow pharmacies flexibility regarding labeling and product verification.

This regulatory proposal does not affect employee safety or the state's environment.

Business Reporting Requirements:

This regulatory proposal does not require businesses to file a report with the Board.

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 determined that the proposed regulatory action impacts Central Fill Facilities and those pharmacies that utilize that business model to fill prescriptions. However, the Board anticipates that these licensees, by their nature, are medium to large businesses.

CONSIDERATION OF ALTERNATIVES

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

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

AVAILABILITY OF 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.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, the Initial Statement of Reasons, and 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 persons designated in this Notice as the Contact Persons 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: Board of Pharmacy
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: Board of Pharmacy
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 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 of Pharmacy's website at: https://www.pharmacy.ca.gov/laws_regs/pending_regs.shtml.

TITLE 16. BOARD OF PSYCHOLOGY

STANDARDS OF PRACTICE FOR TELEHEALTH SERVICES

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

PUBLIC HEARING

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

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the addresses listed under "Contact Person" in this Notice, must be ***received*** **by the Board at its office no later than December 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 2930 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC Section(s) 686, 2290.5, 2904.5, 2960 and 2960.6. the Board of Psychology is considering amending section 1396.8 of Article 8 of Division 13.1 of Title 16 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Psychology Licensing Law establishes the Board's oversight of licensed psychologists, registrants, psychology trainees, and supervised individuals who provide psychological services. The Board adopted the Standards of Practice for Telehealth Services in August 2021, set forth in Title 16 CCR Section 1396.8. Under CCR Section 1396.8, licensed psychologists, registrants, psychology trainees, and supervised individuals who are permitted to provide psychological health care services via telehealth must comply with the laws and regulations of both California and any jurisdiction where either the licensee or client is located, including when either party is temporarily out of state. The regulation establishes specific requirements for providing telehealth services, including: holding a valid license, obtaining informed consent that addresses telehealth–specific risks, evaluating whether telehealth is clinically appropriate, ensuring provider and supervisee competency, safeguarding electronic data, and adhering to all applicable legal and professional standards.

The Board has determined amendments to CCR Section 1396.8 are necessary to ensure full compliance. This regulatory proposal will clarify the Board's authority to regulate all psychological services provided by individuals under its jurisdiction, whether delivered in person or via telehealth. The amendments remove outdated language and clarify the criteria for determining when telehealth is clinically appropriate. The amendments reinforce that all practitioners must adhere to relevant federal laws and regulations, Psychology Licensing Law, and all other applicable laws and standards of care in California and any other jurisdiction where either the provider or the client is located.

A summary of proposed changes include:

- Adds the statement "All psychological services offered by Board licensees and registrants via telehealth fall within the jurisdiction of the Board just as traditional face–to–face services do".
- Removes the terms "health care" throughout.
- Adds semicolon after the term "State" in subsection (1) and (2) of subdivision (a).
- Adds the term "or" in subsection (2) of subdivision (a).
- Removes the term "temporarily" in subsection (3) of subdivision (a).
- Adds the terms and comma "medical, and" to section (3)(A) of subdivision (c).
- Adds the terms "choice" and "to receive" and removes the statement "preference for receiving" to section (3)(B) of subdivision (c).

- Removes the statement "the availability of" and "the receipt of".
- Adds the statement "a safe and private" and "client's access to technological resources, and the client's ability to use the chosen technology." To subsection 3(D) of subdivision (c).
- Removes period and adds comma after the term "located" to subsection 6 of subdivision (c).
- Adds the statement "including all relevant Federal laws and regulations related to telehealth." to subsection 4 of subdivision (c).

Anticipated Benefits of Proposal

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

The proposed amendments to CCR Section 1396.8 strengthen public protection by ensuring that telehealth services meet the same professional and ethical standards as in–person care, in line with the Board's mandate under BPC 2920.1. The amendments also clarify the Board's jurisdiction over all psychological services delivered via telehealth, including services provided across state lines or by supervised individuals, eliminating ambiguity and reinforcing regulatory oversight. By aligning with federal laws such as Health Insurance Portability and Accountability Act (HIPAA) the changes improve legal clarity and reduce liability risks for practitioners. The amendments also remove outdated language to ensure the regulation reflects current telehealth technologies and practices. Further, the amendments refine the criteria for determining when telehealth is clinically appropriate, helping ensure services are tailored to individual client needs and delivered ethically. Collectively, these benefits promote ethical standards, compliance, and client–centered telehealth practices within the profession.

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

Evaluation of Consistency and Compatibility with Existing State Regulations

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

INCORPORATION BY REFERENCE

None.

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 strengthens public protection by ensuring that telehealth services meet the same professional and ethical standards as in–person care, in line with the Board's mandate under BPC 2920.1. The Board does not anticipate additional workload or costs resulting from the proposed regulations. Any workload and costs of implementation are a result of current law.

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 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 and relevant data:

The Board currently regulates approximately 22,707 licensed psychologists and 1,834 psychological associate registrants, and 2,290 applicants who are in the process of meeting examination and licensure requirements. The proposed regulatory action only impacts licensed psychologists, registrants, psychology trainees, and supervised individuals who provide psychological services via telehealth in compliance with relevant federal laws and regulations, Psychology Licensing Law, and all other applicable laws and standards of care in California and any other jurisdiction where the provider or client is located.

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 nec-

essarily incur in reasonable compliance with the proposed action.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses

The proposed amendments to CCR Section 1396.8 will not create or eliminate jobs in the State of California. The changes are limited to clarifying and updating the Standards of Practice for Telehealth Services and do not affect employment conditions. Any compliance–related costs — such as updating informed consent procedures, securing data transmission, or verifying legal obligations across jurisdictions — are expected to be minimal and aligned with existing telehealth practices.

The proposed regulatory action will not create new businesses or eliminate existing ones in California. The amendments primarily clarify existing requirements and align telehealth regulations with current laws, technologies, and professional standards.

There will be no significant effect on the expansion of businesses operating in California. The proposal solely affects licensed psychologists and psychological associate registrants regulated by the Board who provide services via telehealth. Businesses operated by or employing such licensees will not incur additional fiscal impacts, nor will their ability to expand be hindered. Therefore, the proposal is not expected to have a significant impact on existing or new businesses.

Benefits of Regulation:

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

The regulation ensures telehealth services uphold the same ethical and clinical standards as in–person care while expanding access to mental health services by permitting the remote delivery of both supervised and licensed care. Telehealth services help to reach underserved, rural, and mobility–limited populations by reducing barriers related to transportation, geography, and scheduling. Additionally, telehealth services help to support continuity of care during emergencies, such as pandemics or natural disasters.

This regulation promotes accountability by requiring clinicians to assess the clinical appropriateness of telehealth, maintain proficiency in using secure, HIPAA–compliant technology, and comply with professional standards and applicable laws across jurisdictions. This proposal also reinforces ethical and legal compliance by mandating documentation of informed consent and adherence to both state and federal regulations, including cross–jurisdictional practice limitations.

This regulatory proposal will have no impact on worker safety or the state's environment, as it does not involve provisions related to any of those issues.

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 may affect small businesses. Any small businesses owned by licensees of the Board may be impacted, but any costs to comply with the regulations are anticipated to be incurred within normal business operations.

CONSIDERATION OF ALTERNATIVES

No reasonable alternative to the regulatory proposal would be more cost–effective to affected private persons and equally effective in implementing the statutory policy or other provision of law or would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.

Any interested person may submit comments to the Board in writing relevant to the above determinations at 1625 North Market Boulevard, Suite N–215, Sacramento, CA 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 of Psychology, at 1625 North Market Boulevard, Suite N–215, Sacramento, CA 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 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 persons designated in this Notice as the Contact Persons 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 Persons named below or by accessing the website listed below.

CONTACT PERSONS

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

Name: Jacklyn Mancilla
Address: Board of Psychology
1625 North Market Boulevard, Suite N–215,
Sacramento, CA 95834
Telephone Number: (916) 574–8938
Fax Number: (916) 574–8671
Email Address: jacklyn.mancilla@dca.ca.gov

The backup contact person is:

Name: Cynthia Whitney
Address: Board of Psychology
1625 North Market Boulevard, Suite N–215
Sacramento, CA 95834
Telephone Number: (916) 905–5408
Fax Number: (916) 574–8671
Email Address: cynthia.whitney@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 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.psychology.ca.gov/laws_regs/regulations.shtml.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

HABITAT RESTORATION AND ENHANCEMENT ACT CONSISTENCY DETERMINATION NUMBER 1653– 2025–174–001–R1

Project: McCloud River Redband Refuge Pool Habitat Enhancement Project

Location: Siskiyou County

Applicant: Serena Doose, California Trout

BACKGROUND

Project Location: The McCloud River Redband Refuge Pool Habitat Enhancement Project (Project) consists of two sites both located 16 miles northeast of the town of McCloud, within the McCloud watershed. One site is located within Sheepheaven Creek, at Assessor Parcel Number (APN) 027–010–030, latitude 41.33288 and longitude –121.82413 on property owned by Sierra Pacific Industries. The second site is located within Edson Creek, at APN 018–180–010, latitude 41.37661 and longitude –121.88692 on property owned by the Forest Stewardship Council.

Project Description: California Trout (Applicant) proposes to enhance or restore habitat within Sheepheaven Creek and Edson Creek to provide a net conservation benefit for McCloud River Redband Trout (*Oncorhynchus mykiss stonei*), endemic to the Upper McCloud watershed. The Project includes improving hydrologic function and creating cool water refugia for Redband Trout.

The Project consists of two sites on the perennial reaches of Sheepheaven and Edson Creeks. The Applicant, in partnership with Streamwise and California Department of Fish and Wildlife, will implement a series of rock cross–vane step pool structures, as well as excavating accumulated excess fine sediment ma-

terials, to develop pools in four locations on Edson Creek and enhance two existing pools on Sheepheaven Creek. Pool restoration and creation will provide Redband Trout with refugia in hot summer months when flow in both creeks decreases.

Work on Sheepheaven Creek and Edson Creek will primarily be the installation of the rock cross–vane structures. Each cross–vane structure will consist of approximately 30 cubic yards of rock, with less than 10 cubic yards placed below the ordinary high–water mark. Approximately one–third of the rock cross–vane structure will be in the thalweg of the creek.

Currently the two pools on Sheepheaven Creek have filled in with fine sediment and will need to be excavated. Excavation may also be required on the pools on Edson Creek as well, although pool formation will primarily rely on the cross–vane structures as backwater grade control.

Project Size: The total area of ground disturbance associated with the Project is approximately 1 acre and 280 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.

Project Timeframes: Start date: October 2025
Completion date: October 2027
Work window: June 15–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 Central Valley Regional Water Quality Control Board (Regional Water Board) issued a Notice of Applicability (NOA) for Coverage under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects SB12006GN (Order) (Waste Discharge Identification (WDID) Number 5A47CR00067. 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 Redband Trout.

Receiving Water: Sheepheaven Creek and Edson Creek.
Filled or Excavated Area: Permanent area impacted: 0.2 acres maximum
Temporary area impacted: 1.0 acres maximum
Length permanently impacted: 280 linear feet
Length temporarily impacted: 280 linear feet

Discharge Volume: 140 cubic yards (cy) of rock (65 cy in Sheepheaven Creek and 75 cy in Edson Creek).

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 September 18, 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 September 18, 2025, for publishing in the General Public Interest section of the California Regulatory Notice Register (Cal. Reg. Notice File Number Z–2025–0918–02) on October 3, 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 "*McCloud River Redband Trout Refuge Pool Habitat Enhancement Project Additional Pages*" (beginning on page 3).

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 "*McCloud River Redband Trout Refuge Pool Habitat Enhancement Project Additional Pages*" (beginning on page 8).

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 and WDID number with all future inquiries and document submittals. Pursuant to Fish and Game Code section 1653, subdivision (g), the Applicant shall submit the monitoring plan, monitoring report, and notice of completion to CDFW as required by the General Order. Applicant shall submit documents electronically to: Stacey.Alexander@wildlife.ca.gov.

PROJECT AUTHORIZATION

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

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

DEPARTMENT OF FISH AND WILDLIFE

FISH AND GAME CODE SECTION 1653 CONSISTENCY DETERMINATION REQUEST FOR LITTLE RIVER RESTORATION AND BRIDGE REPLACEMENT PROJECT (TRACKING NUMBER: 1653–2025–176–001–R1) MENDOCINO COUNTY

California Department of Fish and Wildlife (CDFW) received a Request to Approve on October 7, 2025, that the California State Parks proposes to carry out a habitat restoration or enhancement project pursuant to Fish and Game Code section 1653. The proposed project involves removing an existing bridge, replacing it with a clear span bridge, and native plant restoration to benefit fish passage. The proposed project will be carried out on Little River, located within Van Damme State Park, Mendocino County, California.

On June 3, 2025, the North Coast Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) to comply with the terms of, and obtain coverage under, the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Little River Restoration and Bridge Replacement Project. The Regional Water Board determined that the Project, as described in the NOI, was categorically exempt from California Environmental Quality Act (CEQA) review (section 15333 — Small Habitat Restoration Projects) and met the eligibility requirements for coverage under the General 401 Order. The Regional Water Board issued a Notice of Applicability (WDID Number 1B25076WNME) for coverage under the General 401 Order on 8/26/2025.

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

In accordance with Fish and Game Code section 1653 subdivision (e), if CDFW determines during the review, based on substantial evidence, that the request is not complete, the California State Parks will have

the opportunity to submit under Fish and Game Code section 1652.

DEPARTMENT OF FISH AND WILDLIFE

HABITAT RESTORATION AND ENHANCEMENT ACT CONSISTENCY DETERMINATION NUMBER 1653–2025–0909–03–R1

Project: Little Springs Fish Passage Restoration Project

Location: Siskiyou County

Applicant: Cleo Woelfle–Hazard (Karuk Tribe of California)

BACKGROUND

Project Location: The Little Springs Fish Passage Restoration Project (Project) is located along Little Springs Creek, a tributary to the Shasta River, approximately 15 miles north of Weed California at a property owned by the California Department of Fish and Wildlife, at Assessor Parcel Number (APN) 020–020–0–90. Latitude: 41.59219 and longitude: –122.41964.

Project Description: Karuk Tribe of California (Applicant) in collaboration with the Mid Klamath Watershed Council proposes to enhance or restore habitat within Little Springs Creek to provide a net conservation benefit for Coho Salmon (*Oncorhynchus kisutch*). The Project will reconnect the head of Little Springs Creek and an adjacent, disconnected, historic wetland channel to the Little Springs Creek channel by breaching a levee and restoring up to three acres of side channel and wetland habitat The project will also reconnect a 1.65–acre off–channel pond to provide juvenile Coho Salmon rearing habitat.

The Project involves removing 20 cubic yards of material from the riparian area where the historic channel connects to the main body of Little Springs Creek, followed by minimal grading at the connection point to ensure suitable conditions for fish passage. Additionally, approximately 130 cubic yards of material will be removed from an existing levee to create a breach to reconnect it to the historic channel. The spoils material generated from the excavation will be spread along the access road that runs across the top of the levee. An existing fence that crosses the new channel alignment will be removed and relocated to tie to an existing cattle exclusion fencing near the site.

Equipment will access the site through existing roads that traverse the property and that sit atop the levee, however, equipment will need to leave the existing road network to access the stream edge. An excavator and 10–yard dump will be used for the excavation and grading work. A smaller machine will be used to remove and replace the cattle exclusion fence.

Project Size: The total area of ground disturbance associated with the Project is approximately 0.25 acres and 100 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: soil.

Project Timeframes: Start date: September 2025
Completion date: October 2026
Work window: September 1–October 15

Water Quality Certification Background: Because the Project's primary purpose is habitat restoration intended to improve the quality of waters in California and improve fish spawning and 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 1A25124WNSI 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 salmonid species.

Receiving Water: Little Springs Creek, tributary to the Shasta River.
Filled or Excavated Area: Permanent area impacted: None.
Temporary area impacted: 0.25 acres maximum
Length permanently impacted: 0 linear feet
Length temporarily impacted: 100 linear feet
Discharge Volume: 1 cubic yard of soil

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 September 9, 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 mea-

sures 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 September 9, 2025, for publishing in the General Public Interest section of the California Regulatory Notice Register (Cal. Reg. Notice File Number Z– 2025–0909–03) on September 19, 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 titled "*Little Springs Channel Fish Passage Improvement Project HREA Addendum*".

MONITORING AND REPORTING

As required by Fish and Game Code section 1653, subdivision (g), the Applicant included a copy of the monitoring and reporting plan. The Applicant's Monitoring and Reporting Plan provides a timeline for restoration, performance standards, and monitoring parameters and protocols. Specific requirements of the plan are found in an attachment to the NOI, titled "*Little Springs Fish Passage Restoration Project Monitoring and Reporting Plan*".

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 submittals. Pursuant to Fish and Game Code section 1653, subdivision (g), the Applicant shall submit the monitoring plan, monitoring report, and notice of completion to CDFW as required by the General Order. Applicant shall submit documents electronically to: Stacey.Alexander@wildlife.ca.gov.

PROJECT AUTHORIZATION

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

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

FISH AND GAME COMMISSION

NOTICE OF RECEIPT OF PETITION: WESTERN SPADEFOOT

NOTICE IS HEREBY GIVEN pursuant to the provisions of Fish and Game Code Section 2073.3, the California Fish and Game Commission (Commission), on September 24, 2025 received a petition from Sofia Prado–Irwin, Ph.D., Center for Biological Diversity to list the northern population of western spadefoot (*Spea hammondii*) as threatened species and the southern population of western spadefoot as an endan-

gered species under the California Endangered Species Act.

The western spadefoot is a small– to moderate–sized, round anuran. Despite commonly being referred to as the "western spadefoot toad," they are not true toads, as they are not members of the family Bufonidae. The two populations of western spadefoot, northern and southern, are genetically distinct and separated by a geographical barrier, the Transverse Ranges in Southern California.

Little is known about the terrestrial activity of western spadefoots. They spend most of their lives in self–made underground burrows, though sometimes they temporarily take refuge in burrows constructed by small mammals, like gophers, squirrels, or kangaroo rats. They go into long–term dormancy during the dry season. Adults are nocturnal and emerge from their summer burrows to forage and breed after rains in the late fall through late spring.

Pursuant to Section 2073 of California Fish and Game Code, the Commission transmitted the petition to the California Department of Fish and Wildlife (Department) for review pursuant to Section 2073.5 of said code. The Commission will receive the petition at its October 8–9, 2025 meeting, in Sacramento. It is anticipated that the Department's evaluation and recommendation relating to the petition will be received by the Commission at its February 11–12, 2026 meeting.

For information about the petition or to submit information to the Department relating to the petitioned species, interested parties may contact Neil Clipperton, CESA and Scientific Collecting Permit Supervisor, California Department of Fish and Wildlife, by mail at P.O. Box 944209, Sacramento, California 94244–2090, telephone at (916) 373–6620, or email at wildlifemgt@wildlife.ca.gov.

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65)

REQUEST FOR RELEVANT INFORMATION ON THE REPRODUCTIVE TOXICITY OF P,P′–BISPHENOL CHEMICALS

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) has selected *p,p′*–bisphenol chemicals for the Developmental and Reproductive Toxicant Identification Committee (DARTIC)'s review for possible listing under Proposition 65 and is soliciting information relevant to the assessment of its reproductive toxicity. *p,p′*–Bisphenol chemicals include *p,p′*–bisphenols, and ethers and esters of *p,p′*–bisphenols.

Relevant information on *p,p′*–bisphenol chemicals includes but is not limited to:

- Animal studies examining reproductive toxicity (evidence of developmental and male and female reproductive toxicity).
- Epidemiological studies in humans.
- Studies related to mechanisms of reproductive or developmental toxicity.
- Other pertinent studies on:
  - Pharmacokinetics.
  - Effects on biochemical and physiological processes, including findings in humans.

Interested parties wishing to provide such information should submit it in accordance with the instructions given below.

The publication of this notice marks the start of a 45–day data call–in period, ending on **Monday, December 1, 2025**. The information received during this period will be reviewed and considered by OEHHA as it prepares the hazard identification materials on the reproductive toxicity of *p,p′*–bisphenol chemicals.

BACKGROUND

OEHHA is the lead agency for the implementation of Proposition 65[1]. The DARTIC of OEHHA's Science Advisory Board serves as the state's qualified experts and renders an opinion about whether a chemical has been clearly shown to cause reproductive toxicity[2]. Chemicals identified by the DARTIC are added to the Proposition 65 list.

Hazard identification materials will be made available to the public for comment prior to the DARTIC's consideration of the chemical for possible listing. The availability of hazard identification materials will be announced in the *California Regulatory Notice Register* and on OEHHA's website.

COMMENT SUBMITTAL

All written comments must be submitted to OEHHA by electronic submission, mail, or in person hand–delivery, by **Monday, December 1, 2025.** OEHHA strongly recommends that comments be submitted electronically through our website at https://oehha.ca.gov/comments rather than in paper form. Alternatively, comments can be submitted in paper form, either by mail or delivered in person.

[1] The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5 *et seq.*

[2] Title 27, Cal. Code of Regs., section 25302 *et seq.*

Mailed submission via United States Postal Service:

Attention: Tina Cox
Office of Environmental Health Hazard Assessment
P.O. Box 4010
Sacramento, California 95812–4010

In–person delivery submission:

Attention: Tina Cox
Office of Environmental Health Hazard Assessment
1001 I Street
Sacramento, California 95814

OEHHA encourages all commenters to submit their comments in a format compliant with Section 508 of the federal Rehabilitation Act, Web Content Accessibility Guidelines 2.1 (https://www.w3.org/WAI/standards–guidelines/wcag) and California Government Code sections 7405 and 11135, so that they can be read using screen reader technology.

OEHHA is subject to the California Public Records Act and other laws that require the release of certain information upon request. If you provide a submission, your comment may be available to third parties.

If you have any questions, please contact Tina Cox at tina.cox@oehha.ca.gov or at (916) 327–7338.

RULEMAKING PETITION DECISION

DEPARTMENT OF CORRECTIONS AND REHABILITATION

NOTICE OF DECISION ON PETITION TO AMEND REGULATIONS PURSUANT TO GOVERNMENT CODE 11340.7

PETITIONER

Humberto, Diaz #F97270
Housing: C–14–22–4
PO BOX 4000
Vacaville, CA 95696

AUTHORITY

The authority granted by Government Code (GC) section 12838.5 vests to the California Department of Corrections and Rehabilitation (CDCR or the department) all the powers, functions, duties, responsibilities, obligations, liabilities, and jurisdiction of the abolished Youth and Adult Correctional Agency, California Department of Corrections, Department of the Youth Authority, Commission on Correctional Peace Officer Standards and Training, Board of Corrections, and the State Commission on Juvenile Justice, Crime and Delinquency Prevention. Penal Code (PC) section 5050 provides that commencing July 1, 2005, any reference to the Director of Corrections refers to the Secretary of the CDCR. PC section 5054 vests with the Secretary of the CDCR the supervision, management, and control of the state prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein. PC section 5055 provides that commencing July 1, 2005, all powers/duties previously granted to and imposed upon the CDC shall be exercised by the Secretary of the CDCR. PC section 5058 provides that the Director may prescribe and amend regulations for the administration of prisons.

CONTACT PERSON

Please direct any inquiries regarding this action to Ying Sun, Associate Director, Regulation and Policy Management Branch, California Department of Corrections and Rehabilitation, P.O. Box 94283, Sacramento, CA 94283–0001.

AVAILABILITY OF PETITION

The petition to amend regulations is available upon request directed to the department's contact person.

SUMMARY OF PETITION

The Petitioner requests to amend the California Code of Regulations (CCR), Title 15, Division 3, section 3177(b)(1)(C) to remove the restriction; or decrease the Rules Violation Report (RVR) 10–year clean time requirement to, one, two or three years, a thorough screening process, and a case–by–case evaluation. The Petitioner states these considerations can help strike a balance between security and the rehabilitative benefits of strong family ties. Further, urges the request to consider the numerous advantages of promoting family visits and recognize the positive impact it can have on reducing recidivism rates, improving employment outcomes, and alleviating the burden on our criminal justice system.

DEPARTMENT DECISION

Mr. Diaz's request is denied. California is one of only four states that grants family visits. CDCR's

mission is to protect the public by safely and securely supervising incarcerated persons to provide effective rehabilitation and treatment, and to successfully reintegrate incarcerated persons into the community. CDCR recognizes the value of visitation, as well as establishing and maintaining meaningful connections with family and the community; however, family visits are a privilege granted to incarcerated persons, and not a right. Institutions shall maintain family visiting policies and procedures. Family visits shall not be permitted for incarcerated persons convicted of a violent offense where the victim is a minor or family member, or any sex offense, which includes but is not limited to the following Penal Code sections: 187 (when the victim is an immediate family member as defined in Section 3000, or a minor); 192 (when the victim is an immediate family member as defined in Section 3000, or a minor); 243.4; 261; 261.5; 264.1; 266c; 266j; 273a; 273d; 273.5; 273.6; 285; 286; 287; 288; 288.2; 288.5; 289; 289.5; 311.1; 311.2; 311.3; 311.4; 313.1; 314; or 647.6.

Incarcerated persons may be prohibited from family visiting where substantial documented evidence or information of the misconduct described in section 3177(b)(1) exists, without a criminal conviction. The evidence or information appropriate for the purpose of this regulation shall include RVRs as well as the standard described in section 3173.1.

Family visits occur in designated private units on prison grounds. As such, incarcerated persons and their overnight visitors are not subject to constant and direct supervision by custody staff. Because family visits are not constantly and directly supervised, staff's supervision of incarcerated persons with violent and serious offenses, prior arrests or convictions, or in–custody misconduct documented in RVRs would be limited and pose a risk to the safety and security of the institutions. In general, such incarcerated persons require a higher degree of direct supervision than the incarcerated persons with less serious histories of criminal offenses and in–custody misconduct.

Family visits can be prohibited to maintain the safety and security of the institutions when conduct detailed under CCR Section 3177(b)(1) is determined to exist. These current regulations are very clear and specific to those who are allowed these privileges to date. Currently, there are no provisions in the law or regulations to allow certain case factors to participate in this program.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH THE SECRETARY OF STATE

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

California Department of Tax and Fee Administration

File # 2025–0820–01

Gross Receipts from Sales of Cannabis and Cannabis Products

This timely certificate of compliance action by the Department of Tax and Fee Administration makes permanent, with amendments, emergency regulations that further specify the meaning of "gross receipts of any retail sale by a cannabis retailer," as used in Revenue and Taxation Code section 34011.2, for purposes of the cannabis excise tax imposed under that section.

Title 18
Adopt: 3802
Filed 10/02/2025
Effective 10/02/2025
Agency Contact: Kim DeArte (916) 309–5227

Air Resources Board

File # 2025–0922–01

Emergency Amendment and Adoption of Vehicle Emissions Regulations

This emergency rulemaking action by the California Air Resources Board adopts criteria pollutant standards and associated on–board diagnostic requirements.

Title 13, 17
Adopt: 1900.0.1, 1956.8.1, 1961.2.1, 1961.3.1, 1962.2.1, 1962.3.1, 1965.0.1, 1968.2.1, 1968.5.1, 1969.0.1, 1971.1.1, 1971.5.1, 1976.0.1, 1978.0.1, 2035.0.1, 2036.0.1, 2037.0.1, 2038.0.1, 2040.0.1, 2111.0.1, 2112.0.1, 2113.0.1, 2114.0.1, 2115.0.1, 2116.0.1, 2117.0.1, 2118.0.1, 2119.0.1, 2121.0.1, 2123.0.1, 2125.0.1, 2126.0.1, 2127.0.1, 2128.0.1, 2129.0.1, 2130.0.1, 2131.0.1, 2133.0.1, 2137.0.1, 2139.0.1, 2140.0.1, 2141.0.1, 2142.0.1, 2143.0.1, 2144.0.1, 2145.0.1, 2146.0.1, 2147.0.1, 2148.0.1, 2149.0.1, 2317.0.1, 2423.0.1, 2485.0.1, 2903.0.1 95300.0.1, 95301.0.1, 95302.0.1, 95303.0.1, 95304.0.1, 95305.0.1, 95306.0.1, 95307.0.1, 95308.0.1, 95309.0.1, 95310.0.1, 95311.0.1, 95312.0.1, 95660.0.1, 95661.0.1, 95662.0.1, 95663.0.1, 95664.0.1
95300.0.1, 95301.0.1, 95302.0.1, 95303.0.1, 95304.0.1, 95305.0.1, 95306.0.1, 95307.0.1, 95308.0.1, 95309.0.1, 95310.0.1, 95311.0.1, 95312.0.1, 95660.0.1, 95661.0.1, 95662.0.1, 95663.0.1, 95664.0.1
Amend: 1900, 1956.8, 1961.2, 1961.3, 1962.2, 1962.3, 1965, 1968.2, 1968.5, 1969, 1971.1, 1971.5,1976, 1978, 2035, 2036, 2037, 2038, 2040, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2121, 2123, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2133, 2137, 2139, 2139.5, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2166, 2166.1, 2167, 2168, 2169, 2169.1, 2169.2, 2169.3, 2169.4, 2169.5, 2169.6, 2169.7, 2169.8, 2170, 2317, 2423, 2485, 2903
95300, 95301, 95302, 95303, 95304, 95305, 95306, 95307, 95308, 95309, 95310, 95311, 95312, 95660, 95661, 95662, 95663, 95664
Filed 10/02/2025
Effective 10/02/2025
Agency Contact: Lindsay Garcia (916) 546–2286

Department of Justice
File # 2025–0822–03
Unsafe Handgun Act — Removing Microstamp Provisions

This action removes regulatory microstamping provisions based on Penal Code section 31910 that are no longer operative pursuant to Senate Bill 452 (2024) and is exempt from the Administrative Procedure Act pursuant to Penal Code section 27534.2.

Title 11
Amend: 4049, 4052, 4058, 4059, 4060, 4061,4062, 4070
Repeal: 4075
Filed 10/06/2025
Effective 10/06/2025
Agency Contact: Erin Kennedy (916) 210–6057

Public Employment Relations Board
File # 2025–0917–02
Conflict–of–Interest Code

This is a Conflict–of–Interest code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

Title 08
Amend: 31100
Filed 10/07/2025
Effective 11/06/2025
Agency Contact: Susan Davey (916) 298–7824

Department of Consumer Affairs
File # 2025–0825–01
Immigration Consultants Standard Contract

This action without regulatory effect amends requirements pertaining to the Immigration Consultants Standard Contract to conform it to changes made to the governing statute (Business and Professions Code section 22442) by Assembly Bill 630 (Chapter 605, Statutes of 2006) and Assembly Bill 1159 (Chapter 574, Statutes of 2013).

Title 16
Amend: 3840
Filed 10/07/2025
Agency Contact:
Elizabeth Dietzen–Olsen (916) 803–7018

Department of Food and Agriculture
File # 2025–0828–02
Emerald Ash Borer Eradication Area

In this regular rulemaking action, the California Department of Food and Agriculture seeks to establish a statewide eradication area for the emerald ash borer.

Title 03
Adopt: 3591.33
Filed 10/07/2025
Effective 01/01/2026
Agency Contact: Rachel Avila (916) 698–2947

Department of Transportation
File # 2025–0819–03
Automatic Vehicle Identification Specifications

Automatic vehicle identification equipment is required to be compliant with Type C of the International Standards Organization document(s). In this rulemaking action, the Department amends its regulation to add an additional document incorporated by reference, the ISO/IEC 18000–63 Second edition 2021–11–21 Information technology — Radio frequency identification for item management — Part

63: Parameters for air interface communications at 860 MHz to 960 MHz Type C. The amendment also replaces the California 6C Electronic Toll Collection Standard Version 1.0 dated May 5, 2017, with the 6C Coalition AVI Standard Version 4.0 dated October 10, 2023.

Title 21
Amend: 1707.1
Filed 10/01/2025
Effective 01/01/2026
Agency Contact:
Rupinder Jawanda (916) 639–6101

Board of Forestry and Fire Protection

File # 2025–0902–03

Fire Risk Reduction Community List Amendments 2025

This regular rulemaking makes changes to the application process and timelines associated with the Fire Risk Reduction Community List while also updating outdated references.

Title 14
Amend: 1268.00, 1268.01, 1268.03, 1268.04
Filed 10/01/2025
Effective 10/01/2025
Agency Contact: Alexandra Vest (916) 531–8600

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

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