



California Regulatory Notice Register

REGISTER 2026, NUMBER 20-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

MAY 15, 2026

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

CALIFORNIA REGULATORY NOTICE REGISTER is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Barclays, a subsidiary of West, a Thomson Reuters Business, and is offered by subscription for \$409.00 (annual price). To order or make changes to current subscriptions, please call (800) 328-4880. The Register can also be accessed at <https://oal.ca.gov>.

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: Delta Conveyance Design and Construction Authority

STATE AGENCY: Department of Managed Health Care

A written comment period has been established commencing on May 15, 2026, and closing on June 29, 2026. Written comments should be directed to the Fair Political Practices Commission, Attention: Maia Kocinsky-Kirkham, 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 re-

turn 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 June 29, 2026. 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 Maia Kocinsky-Kirkham, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email mkocinsky-kirkham@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 Maia Kocinsky-Kirkham, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email mkocinsky-kirkham@fppc.ca.gov.

**TITLE 3. DEPARTMENT OF
PESTICIDE REGULATION**

**PESTICIDE TREATED-SEEDS
DPR REGULATION NUMBER 26-001**

The Department of Pesticide Regulation (DPR) proposes to adopt section 6626.5 and amend sections 6000, 6147, 6691 and 6760 of Title 3, California Code of Regulations (3 CCR). The pesticide regulatory program activities affected by the proposal are those pertaining to the handling of pesticide-treated seeds in California and the reporting and enforcement of their use. In summary, the proposed regulatory action will add a definition for pesticide-treated seed; exempt pesticide-treated seeds from registration when they meet certain conditions specific to California; require the reporting of pesticide-treated seeds planted in California; and provide exemptions to regulatory requirements for the planting of pesticide-treated seeds when certain conditions are met. The proposed rulemaking harmonizes DPR's regulation of pesticide-treated seeds with the United States Environmental Protection Agency's (U.S. EPA) regulation of pesticide-treated seeds as pesticides exempt from registration under Title 40, Code of Federal Regulations (40 CFR) section 152.25(a) and places additional California-specific conditions on the manufacture, import, sale, and use of pesticide-treated seeds.

SUBMITTAL OF COMMENTS

Any interested person may present comments in writing about the proposed regulatory action to the agency contact person named below. Written comments must be received no later than June 29, 2026. Comments regarding this proposed regulatory action may also be transmitted via the SmartComment online public comment portal at <https://cdpr.commentinput.com?id=HYKegrj3J>.

Please note that under the California Public Records Act (Government Code section 7920.000 et seq.), your written and oral comments, attachments, and any associated contact information (e.g., your address, phone

number, or email address) become part of the public record and can be released to the public upon request. You do not have to provide contact information when submitting a comment using the SmartComment portal.

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

EFFECT ON SMALL BUSINESS

DPR has determined that the proposed regulatory action does affect small businesses.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

Background

DPR protects human health and the environment by fostering sustainable pest management and regulating pesticides. DPR strictly oversees pesticides in the State by evaluating and registering products; regulating pesticide sales and use; licensing commercial and private pesticide applicators, pest control businesses, dealers, and advisers statewide; conducting environmental monitoring; and testing pesticide residues on fresh produce. This statutory scheme is set forth primarily in Food and Agricultural Code (FAC) Divisions 6 and 7 and applies to the manufacture, import, sale, and use of "pesticides," defined by FAC section 12753 in relevant part as "[a]ny substance...which is intended to be used for...preventing, destroying, or mitigating any pest...".

Both U.S. EPA and DPR have regulatory authority over the registration, sale, and use of pesticides in California. With limited exceptions, pesticides must be registered by U.S. EPA and DPR before they are sold or distributed into or within California. To obtain registration with U.S. EPA and DPR, applicants are required to submit comprehensive product chemistry, efficacy, and safety data. This data is evaluated to confirm the identity of the product and to assess potential impacts to human health and the environment.

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) grants U.S. EPA discretion to exempt from its requirements "any pesticide" that is "of a character which is unnecessary to be subject to [FIFRA] in order to carry out the purposes of [FIFRA]" (FIFRA 25(b), 7 U.S.C. section 136w(b)). U.S. EPA exempts treated articles, including pesticide-treated seeds, from regulation under FIFRA pursuant to FI-

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

FRA section 25(b). The exemption includes treated articles and substances that are “treated with, or containing, a pesticide to protect the article or substance itself (for example, paint treated with a pesticide to protect the paint coating, or wood products treated to protect the wood against insect or fungus infestation), if the pesticide is registered for such use.” (40 CFR section 152.25(a)).

FAC section 12803 authorizes DPR to adopt regulations to exempt pesticides exempt under FIFRA section 25(b) from all or part of the requirements of FAC Division 7 if both of the following apply: (a) the director individually evaluates each listed substance exempted pursuant to the federal authority and concurs in the decision by U.S. EPA to exempt that substance; and (b) the director excludes from the regulation requirements that are necessary to protect human health or the environment. FAC section 12803(b) also states that “Notwithstanding any other provision of law, the Director shall retain authority to regulate any substance exempted pursuant to this section whether registered or not.” Existing 3 CCR section 6147 lists pesticide products exempted pursuant to FIFRA section 25(b) that are exempt from the requirements of FAC Division 7.

As required by FAC section 12803(a), DPR concurs with U.S. EPA’s decision to exempt pesticide-treated seeds from registration requirements based on its thorough scientific evaluation and assessment of the treating pesticide, and is proposing to exempt pesticide-treated seeds from certain regulatory requirements provided they meet the following two conditions: (1) the seed is treated with a pesticide to protect the seed and (2) any pesticide used to treat the seed is registered by the Department for such use. DPR has individually evaluated each pesticide-treated seed that is currently eligible for the proposed exemption by evaluating the treating pesticide through the registration process. Prospectively, a “new” treated seed cannot qualify for the exemption under this two-condition framework until DPR has individually evaluated it through the treating pesticide’s registration process. To satisfy FAC section 12803(b), DPR is proposing to require that any pesticide used to treat seed be registered by DPR for such use and to require reporting for the planting of pesticide-treated seeds. The proposed regulation would also provide an exemption from pesticide application restrictions for planting pesticide-treated seeds near schoolsites during school hours and exempt the planting of pesticide-treated seeds from certain portions of the field worker protection standards when the

seeds are planted below the soil surface

Summary of the Effect of the Proposed Regulatory Action

The proposed regulatory action will add a definition for pesticide-treated seed; exempt pesticide-treated seeds from registration when they are treated with a pesticide to protect the seed and the pesticide is registered by the Department for such use; require the monthly reporting of pesticide-treated seeds by county in which the seeds were planted; and provide exemptions for the planting of pesticide-treated seeds to certain existing requirements pertaining to pesticide use near schoolsites or field worker safety when certain conditions are met. This action implicitly classifies pesticide-treated seeds as “pesticides” under the state definition of “pesticide” at FAC section 12753..

Anticipated Benefits of the Proposed Regulations

The broad objective of the proposed regulatory action is to benefit human health and the environment in California by:

- applying certain existing pesticide regulatory requirements to pesticide-treated seeds;
- requiring that all pesticide-treated seeds planted in California be treated with a DPR-registered seed treatment ensuring the seeds have been evaluated for potential adverse effects to human health and the environment prior to being planted in California, thereby closing a current loophole on use; and,
- requiring pesticide use reporting for the planting of pesticide-treated seeds to enable DPR to track their use and assess potential impacts.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations

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

Relevant Litigation and Summary of Existing Laws

In 2023, Natural Resources Defense Council, Californians for Pesticide Reform, the Center for Biological Diversity, Friends of the Earth, and Pesticide Action Network North America (the “Plaintiffs”) filed a lawsuit against DPR. Broadly speaking, the lawsuit alleged that DPR’s handling of pesticide-treated seeds constitutes an underground regulation in violation of the Administrative Procedure Act. In October 2024, Plaintiffs and DPR agreed to settle the case. As a result of this settlement, DPR is proposing regulations that will address pesticide-treated seeds.

Beginning January 1, 2027, FAC section 52484 will require agricultural or vegetable seed shipped, delivered, transported, or sold in California and treated with one or more pesticides to be labeled with the U.S. EPA registration number(s) of the products the seed was treated with, the signal word for the substance with the highest level of toxicity, and the quantity applied by weight or amount per seed.

COLLABORATION WITH OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT (OEHHA) PURSUANT TO FAC SECTIONS 12980 AND 12981

As discussed above, 3 CCR section 6760 is a regulation relating to pesticide worker safety. Therefore, DPR and OEHHA jointly and mutually developed the proposed regulations as specified in FAC sections 12980 and 12981. DPR and OEHHA have set forth the rulemaking process used to meet these statutory requirements in a Memorandum of Agreement dated August 13, 2008.

CONSULTATION WITH OTHER AGENCIES

DPR consulted with the California Department of Food and Agriculture (CDFA) during development of the text of the proposed regulations, as specified in FAC section 11454, the Memorandum of Understanding updated on January 15, 2019 that was developed per FAC section 11454.2, and ¶ 3(c) of DPR's settlement agreement with the Plaintiffs of *Natural Resources Defense Council, Inc. et al. v. California Department of Pesticide Regulation et al.* (Feb. 17, 2023, 23CV028215).

DPR consulted with the University of California and the Department of Industrial Relations.

DPR also consulted with County Agricultural Commissioners.

DPR presented the proposed regulations to the Pesticide Registration and Evaluation Committee (PREC) on November 21, 2025. At the time of the presentation, the proposal did not include the additions to 3 CCR section 6760.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

DPR determined that the proposed regulatory action does not impose a mandate on local agencies or school districts. DPR also determined that there are no costs to any local agency or school district requiring reimbursement pursuant to Government Code section 17500 et seq. County Agricultural Commissioner (CAC) offices will be the local agencies responsible for enforcing the proposed regulations. As stated,

DPR anticipates that there will be no fiscal impact to these agencies. DPR establishes an annual work plan with the CACs, which already requires the CACs to conduct pesticide use inspections and investigations and to enforce compliance with California pesticide regulations.

CAC offices use a mix of State and local funding to fund their local pesticide use enforcement programs. The amount of funding the State gives to the CACs is fixed by FAC section 12841(g)(1)(C), which says DPR must reimburse counties 7.6 mills of mill assessment for costs incurred by the counties for pesticide use enforcement. Pursuant to 3 CCR section 6391, reimbursement shall be made by April 1 of each year. DPR is not authorized to reimburse the counties more than the amount generated from 7.6 mills. Because the total funding level from DPR does not change, the counties' workload from this regulation may be redirected according to county priorities. Further, the overall impact to CACs is expected to be minimal as, according to the CDFA consultative analysis, most persons engaged in the planting of pesticide-treated seeds would already be familiar with pesticide use reporting from the application of other pesticides and no additional operator or site identification numbers would need to be established.

OTHER NONDISCRETIONARY COST OR SAVINGS IMPOSED UPON LOCAL AGENCIES

There are no other nondiscretionary costs or savings imposed upon local agencies that are expected to result from the proposed regulatory action.

COSTS OR SAVINGS TO STATE AGENCIES

The proposed regulations are anticipated to have a fiscal impact on DPR. To expand existing reporting features to include pesticide-treated seeds, DPR anticipates a cost of \$20,000 in State Fiscal Year 26–27.

EFFECT ON FEDERAL FUNDING TO THE STATE

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

EFFECT ON HOUSING COSTS

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

SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT DIRECTLY
AFFECTING BUSINESSES

DPR made an initial determination that this proposal 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. The proposed regulations will harmonize DPR’s regulation of pesticide–treated seeds with U.S. EPA’s regulation of pesticide–treated seeds as pesticides exempt from registration and imposes additional California–specific conditions on the manufacture, import, sale, and use of pesticide–treated seeds, such as adding reporting requirements for the planting of pesticide–treated seeds similar to those required for other pesticide applications. The estimated five–year lifetime cost of the proposed regulations is \$343,107. DPR made this determination based on the economic impact report prepared by the CDFA’s Office of Pesticide Consultation and Analysis, titled, “Economic analysis of proposed changes to regulations on pesticide treated seeds,” dated April 7, 2026, which is listed in the “Documents Relied Upon” section of the Initial Statement of Reasons for this proposed regulatory action and is available from DPR.

COST IMPACTS ON REPRESENTATIVE
PRIVATE PERSONS OR BUSINESSES

Businesses and growers that engage in the sale and planting of pesticide–treated seeds may be impacted through additional licensing, work requirements, and worker protection costs. However, most farms that use pesticide–treated seed would already have personnel on site that are familiar with use reporting from the application of existing pesticides. Likewise, farmers and pest control businesses planting pesticide–treated seeds should already have personnel licensed or certified for pesticide applications. For licensing and certification requirements for pest control dealers, DPR has been informed that growers generally purchase seeds for several commodities (e.g., corn, soybean, cotton) treated from pesticide registrant companies and other untreated seeds would be treated as a service through third–party applicators. In both instances, the businesses applying the pesticide treatment to seeds would be licensed for those applications. Impacts to field worker safety requirements are also expected to be minimal as operations involving the planting of pesticide–treated seeds would have processes, training, and equipment in place for the application of more conventional pesticides.

CDFA’s economic impact report notes that estimating the potential impact of the proposed regulatory ac-

tion is challenging and provides a range of cost estimates for those planting pesticide–treated seeds that may otherwise not be familiar with the handling of pesticides and reporting their use. The report estimates additional costs associated with handler training, which is an existing requirement that will apply once pesticide–treated seeds are designated as pesticides; training on the generation and submission of use reports for the planting of pesticide–treated seeds; and regulatory training to ensure staff understand and comply with the new requirements. The report provides three estimates, depending on the share of operations (10%, 20%, 50%) that would require one employee to undergo handler and reporting training and to read and understand the proposed regulations. To remain conservative, DPR used the upper bound estimate and calculated an average cost of \$60.72 per business in the first year with recurring average annual costs of \$12.14 per business.

BUSINESS REPORTING REQUIREMENT

It is necessary for the health, safety, or welfare of the people of the state that the regulation which requires a report apply to businesses.

RESULTS OF THE ECONOMIC
IMPACT ANALYSIS

Impact on the Creation, Elimination, or Expansion of Jobs/Businesses: DPR determined it is not likely the proposed regulatory action will impact the creation or elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business with the State of California because the proposed regulatory action is not likely to affect employers’ seed–planting activity and will only minimally increase current training and reporting to cover the planting of pesticide–treated seeds.

This regulatory action will benefit human health, worker safety, and the environment in California by subjecting pesticide–treated seeds to existing regulatory requirements for pesticides that are designed to protect human health, workers, and the environment; requiring that all pesticide–treated seeds planted in California use a DPR–registered seed treatment, thereby closing a current loophole on use and ensuring the seeds have been evaluated for potential adverse effects to human health and the environment prior to being planted in California; and requiring pesticide use reporting for planting of pesticide–treated seeds, which will enable DPR to track and assess their use and potential impact.

CONSIDERATION OF ALTERNATIVES

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

AUTHORITY

This regulatory action is taken pursuant to the authority vested by FAC sections 11456, 11502, 12781, 12803, 12976, and 12981.

REFERENCE

This regulatory action is to implement, interpret, or make specific FAC sections 2281, 11501, 11501.5, 11708, 11733, 12753, 12803, 12979, 12980, and 12981.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

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

AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

AGENCY CONTACT

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

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

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

Bryan George, Environmental Program Manager I
Pesticide Evaluation Branch
916-324-3890

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

AVAILABILITY OF FINAL STATEMENT OF REASONS

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

TITLE 11. DEPARTMENT OF JUSTICE

PROTECTING OUR KIDS FROM SOCIAL MEDIA ADDICTION ACT

The Department of Justice (Department) proposes to adopt sections 550 through 581 of title 11, division 1, chapter 5.5 of the California Code of Regulations concerning the Protecting Our Kids from Social Media Addiction Act, Senate Bill 976 (2024), codified at Health and Safety Code sections 27000-27007 ("the Act").

PUBLIC HEARING

The Department will hold a public hearing to provide all interested persons an opportunity to present statements or arguments, either orally or in writing, with respect to the proposed regulations, as follows:

Date: June 30, 2026

Time: 1:00–3:00 p.m.

Location:

Elihu Harris Auditorium
1515 Clay Street
Oakland, CA 94612

Remote Participation:

<https://doj-ca.zoomgov.com/j/1655551112>

Phone Participation:

(669) 254–5252, access code 165 555 1112

Members of the public who wish to speak at the hearing are requested to RSVP in advance on the Department’s website at <https://oag.ca.gov/sb976>. Speakers will be called in the order of the RSVP. The information provided will help the Department plan hearing logistics and accommodate participants.

The Department requests, but does not require, that persons who provide oral comments at the hearing also submit a written copy of their testimony to SB976@doj.ca.gov.

WRITTEN COMMENT PERIOD

Any interested person or their authorized representative may submit written comments relevant to the proposed regulatory action. The written comment period closes on **June 30, 2026 at 5:00 p.m.** Only written comments received by that time will be considered. Please submit written comments to:

Department of Justice
Consumer Protection Section
Attention: D. DuBois
1515 Clay Street
Oakland, CA 94612
SB976@doj.ca.gov

NOTE: Written and oral comments, attachments, and associated contact information (e.g., address, phone, email, etc.) become part of the public record and can be released to the public upon request.

AUTHORITY AND REFERENCE

Authority: Health and Safety Code section 27006
Reference: Health and Safety Code sections 27000, 27000.5, 27001, 27002, 27003, 27004, 27005, 27006 and 27007

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

Summary of Existing Laws and Regulations:

Protecting Our Kids from Social Media Addiction Act

Signed into law in September 2024, the Act makes it unlawful for online platforms, including social media, to provide addictive feeds and certain features to minors without parental consent. Beginning January 1, 2027, an operator of an addictive internet-based service or application cannot provide an addictive feed or send notifications during certain nighttime and school hours to users in California unless the operator (1) has “actual knowledge” that the user is not a minor, (2) reasonably determines that the user is not a minor, or (3) obtains verifiable parental consent to provide the addictive feed or send the notifications to the minor. (Health & Saf. Code, §§ 27001, 27002.) The Act defines a “minor” as a user under the age of 18 who is located in the State of California. (*Id.* at § 27000.5.)

The Act mandates the Attorney General to adopt implementing regulations in furtherance of the purposes of the Act by January 1, 2027, with express requirements regarding the methods of age assurance and verifiable parental consent. (*Id.* at §§ 27001, 27006, subdivision (b).) As part of this rulemaking, the Act requires the Department to solicit public comment regarding the impact that any regulations might have based on the nondiscrimination characteristics set forth in Section 51 of the Civil Code or in any other applicable law. (*Id.* at § 27006, subdivision (c).)

Other Laws

Health and Safety Code section 27004, subdivision (c), provides that the protections provided by the Act are in addition to those provided by any other applicable law.

The federal Children’s Online Privacy Protection Act (COPPA) regulates the collection of personal information from children under the age of 13. (15 U.S.C. § 6501 et seq.)

The California Consumer Privacy Act prohibits a business from selling or sharing the personal information of a child that is 16 years of age or younger if the business has actual knowledge of the child’s age unless the child, or the child’s parent or guardian in the case of children younger than 13 years old, has affirmatively authorized the selling or sharing of their personal information. (Civ. Code § 1798.100 et seq.)

The California Digital Age Assurance Act, which becomes operative on January 1, 2027, will require operating system providers to develop a digital signal that will be sent to application developers informing them of the age bracket of the user who is downloading their application or entering their website. (Civ. Code § 1798.500 et seq.)

Effect of the Proposed Rulemaking:

The proposed regulations provide specific guidance regarding (1) an operator’s obligation under the Act to make a reasonable determination that a user is not a minor before providing addictive features; and (2) an operator’s obligation under the Act to obtain verifiable parental consent to provide addictive features to minors. Below is a summary of key provisions of the proposed regulations.

Reasonable Determination That the User Is Not a Minor

The proposed regulations establish how to comply with the Act’s requirement that, in the absence of actual knowledge that a user is not a minor, businesses must reasonably determine that a user is not a minor prior to providing the addictive features covered by the Act (namely, notifications during prohibited times or addictive feeds). The proposed regulations require operators to use one or more age assurance methods that perform with measurable consistency and are testable with quantifiable results that show the rate of the method’s accuracy. The proposed regulations provide clarity for compliance by providing a non-exhaustive list of methodologies that would not lead to a reasonable determination.

The proposed regulations require operators to publish and maintain on their website a report describing the measures that the operator takes to ensure that it reasonably determines, in compliance with the Act, whether or not a user is a minor. The operator must include the following information in its report: (1) a description of the age assurance method(s) used, the data relied upon, and how that data is collected; (2) the operator’s basis for relying on that data for age assurance purposes; (3) an explanation of how the operator’s application of the age assurance method(s) yields a reasonable determination that a user is not a minor; and (4) a summary of the measures taken to ensure the accuracy of the age assurance method.

The proposed regulations take a global approach to ensure that operators make reasonable determinations of whether a user is a minor. The proposed regulations require operators to implement an appeals process and take measures to prevent circumvention, fraud, or misuse of an age assurance method. The proposed regulations further require that once an operator has determined that a user is a minor, the operator must apply this determination consistently across all points of access. This requirement is intended to prevent a minor from receiving addictive feeds via the operator’s website after the operator determined the user was a minor via its mobile application.

The proposed regulations also provide clarity on the requirements of Health and Safety Code 27001, subdivision (b), regarding the use and retention of informa-

tion for the purpose of determining whether or not a user is a minor.

Verifiable Parental Consent

The proposed regulations establish requirements for operators obtaining verifiable parental consent to provide minors with addictive features. The proposed regulations require operators to obtain permission from a minor before seeking verifiable parental consent, and to provide specific information to both minors and parents when seeking consent. A minor or parent may withdraw consent at any time.

The proposed regulations also mandate that operators implement, maintain, and document a protocol to prevent circumvention, fraud, or misuse of the method to obtain verifiable parental consent.

Anticipated Benefits of the Proposed Regulations:

The California Legislature explained that some social media platforms have evolved to include addictive features that pose a significant risk of harm to the mental health and well-being of children and adolescents. The Act aims to protect children and adolescents by requiring businesses to obtain verifiable parental consent before they provide children and adolescents with certain addictive features. The proposed regulations will benefit the welfare of California residents because they will facilitate compliance with the Act. The proposed regulations also provide operators with flexibility in how they determine whether a user is a minor while also establishing sensible guardrails. This furthers the purposes of the Act, acknowledges that different operators may approach age assurance differently, and encourages innovation in this evolving field. The proposed regulations’ reporting requirements will benefit the public because they promote transparency about how operators make the age determinations required by the Act and will allow for efficient monitoring of operators’ compliance with the Act. The proposed regulations regarding verifiable parental consent will benefit the public by providing minors the ability to decide whether an operator may seek parental consent, establishing safeguards relating to parental consent, and by providing minors and parents with relevant information that they may consider when deciding whether or not to give consent.

Comparable Federal Regulations:

There are no existing federal regulations or statutes comparable to the proposed regulations.

Determination of Inconsistency/Incompatibility with Existing State Regulations:

The Department has determined that the proposed regulations are not inconsistent or incompatible with existing State regulations because there are no existing regulations that address the specific subject matter of the proposed regulations.

Forms Incorporated by Reference:

None.

Other Statutory Requirements:

Health and Safety Code section 27006, subdivision (c), requires the Department to solicit public comment regarding the impact that any regulation might have based on the nondiscrimination characteristics set forth in Civil Code section 51 or in any other applicable law. During its pre–rulemaking process, the Department held a public meeting and invited the public to submit written comment. A recording of the public meeting is available at <https://oag.ca.gov/sb976>. Members of the public are also invited to submit further public comments regarding this issue during the comment periods described in this notice.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department’s Initial Determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: The proposed regulations may result in costs to the Department relating to the enforcement of the regulations, including the hiring of attorneys and support staff. However, these costs may be offset to the extent that penalty revenue is collected and allocated back to the Department.

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

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

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

Cost impacts on representative person or business: The compliance costs associated with the regulations will vary depending on the maturity of the business’s age assurance systems, the number of users it has, and the number of those users who grant permission for an operator to seek verifiable parental consent. Average first year costs for operators whose user base consists of the largest possible set of users are \$82,707 for age assurance costs, \$4,008 for verifiable parental consent costs, and \$5,490 for reporting and compliance costs. These costs are expected to decrease after the first year. The Attorney General found no cost impact on consumers.

Significant effect on housing costs: None.

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

Results of the Economic Impact Assessment (EIA):

The Department concludes that it is (1) unlikely that the proposed regulations will create or eliminate jobs within the state, (2) unlikely that the proposed regulations will have a significant impact on the creation of new businesses or elimination of existing businesses within the state, (3) unlikely that the proposed regulations will result in the significant expansion of businesses currently doing business within the state.

The Department also concludes that:

- (1) The proposed regulations would benefit the health and welfare of California residents because they implement the Act which provides Californians with agency concerning when operators provide addictive features to minors. By providing clear standards for the measures operators must take to comply with the Act, the proposed regulations reduce the transaction costs of compliance, increase legal certainty, and allow for more efficient implementation.
- (2) The proposed regulations would not benefit worker safety because they do not regulate worker safety standards.
- (3) The proposed regulations would not benefit the state’s environment because they do not regulate any applicable environmental standards.

Business report requirement: Section 561, subdivision (c), of the proposed regulations require an operator to publish and maintain on its website a report describing the measures it takes to reasonably determine that a user is not a minor. The operator must include the following information in its report: (1) a description of the age assurance method(s) used, the data relied upon, and how that data is collected; (2) the operator’s basis for relying on that data for age assurance purposes; (3) an explanation of how the operator’s application of the age assurance method(s) yields a reasonable determination that a user is not a minor; and (4) a summary of the measures taken to ensure the accuracy of the age assurance method. The summary required by section 561, subdivision (c), paragraph (4), requires an operator to include, at a minimum: (i) the measures taken to prevent and account for circumvention, fraud, or misuse of the age assurance method; (ii) the measures taken to avoid the use of low–quality data that could result in incorrectly identifying a minor being as being at least 18 years of age or in an inconclusive age assurance outcome; (iii) a description of how each age assurance method use is testable and how the operator ensures that it is reasonably effective and measurably consistent; (iv) a quantitative description of the effectiveness of the age assurance method(s) used at correctly identifying minors as being under 18 years of age; and (v) a description of

how and how often the operator tests, audits, and reviews each age assurance method used.

The Department finds that the report requirement in proposed section 561, subdivision (c), of the proposed regulations is necessary for the health, safety, and welfare of the people of this State to further the purposes of the Act and to provide transparency about how operators are complying with the Act.

Small business determination: The Department has determined that the proposed action will have a minimal effect on small businesses. In the short term, the proposed regulations may impose relatively greater costs to smaller operators if the operators have limited existing age verification, parental consent, and compliance infrastructure. In the longer term, however, the differential impacts will be smaller as third-party service providers create a competitive market to offer small businesses products that perform age verification and parental consent. As competition increases and technology advances, overall compliance costs are expected to fall.

CONSIDERATION OF ALTERNATIVES

Government Code section 11346.5, subdivision (a)(13), requires that the Department determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Department has determined that the proposed action is the most effective way to further the purposes of the Act. Alternatives to the proposed regulation that the Department itself considered are further described in the Initial Statement of Reasons.

The Department invites interested persons to submit alternatives with respect to the proposed regulations at either the public hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Department of Justice
Consumer Protection Section
Attention: D. DuBois
1515 Clay Street
Oakland, CA 94612
510-879-3992
SB976@doj.ca.gov

Questions regarding procedure, comments, or the substance of the proposed action should be addressed to the above contact person. In the event the contact person is unavailable, inquiries regarding the proposed action may be directed to the following backup contact person:

Department of Justice
Consumer Protection Section
Attention: S. Schesser
1515 Clay Street
Oakland, CA 94612
510-879-3992
SB976@doj.ca.gov

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

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process upon request to the contact person above. As of the date this Notice of Proposed Rulemaking (Notice) is published in the Notice Register, the rulemaking file consists of this Notice, the Text of Proposed Regulations (the “express terms” of the regulations), the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based. The text of this Notice, the express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on the Department’s website at <https://oag.ca.gov/sb976>. Please refer to the contact information listed above to obtain copies of these documents.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the Department analyzes all timely and relevant comments received during the 45-day public comment period, the Department will either adopt the proposed regulations substantially as described in this notice or make modifications based on the comments. If the Department 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 for at least 15 days before the Department adopts the regulations as revised. 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, a copy of the Final Statement of Reasons will be available on the Department’s website at <https://oag.ca.gov/sb976>. Please refer to the contact information included above to obtain a copy of the final statement of reasons.

AVAILABILITY OF DOCUMENTS
ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on the Department’s website at <https://oag.ca.gov/sb976>.

**TITLE 17. DEPARTMENT OF
PUBLIC HEALTH**

**CANNERY REGULAR — BATCH
RELEASE ELIMINATION (DPH–24–003)**

Notice is hereby given that the California Department of Public Health (Department) is proposing the regulation described below. This notice of proposed rulemaking commences a rulemaking to make the regulations permanent after considering all comments, objections, and recommendations regarding the regulation.

PUBLIC PROCEEDINGS

The Department is conducting a 45–day written public proceeding during which time any interested person or such person’s duly authorized representative may present statements, arguments or contentions (all of which are hereinafter referred to as comments) relevant to the action described in the Informative Digest/Policy Statement Overview section of this notice.

To request copies of the regulatory proposal in an alternate format, please write or call: Rashmin Shakour, Office of Regulations, 1415 L Street Suite 500, Sacramento, CA 95814, at 279–217–1340, email to name Rashmin.Shakour@CDPH.ca.gov or use the California Relay Service by dialing 711.

PUBLIC HEARING

A public hearing has not been scheduled for this rulemaking. However, the Department will conduct a public hearing if a written request for a public hearing is received from any interested person, or his or her authorized representative, no later than 15 days prior

to the close of the written comment period, pursuant to Government Code Section 11346.8.

Assistive Services:

For individuals with disabilities, the Department will provide assistive services such as conversion of written materials into Braille, large print, audio format, and computer disk. For public hearings, assistive services can include sign–language interpretation, real–time captioning, note takers, reading, or writing assistance. To request these assistive services, please call (916) 558–1710 or (California Relay at 711 or 1–800–735–2929), email Regulations@cdph.ca.gov or write to the Office of Regulations at the address noted above. Note: The range of assistive services available may be limited if requests are received less than 10 business days prior to public hearing.

WRITTEN COMMENT PERIOD

Written comments pertaining to this proposal, regardless of the method of transmittal, must be received by Office of Regulations on July 1, 2026, which is hereby designated as the close of the written comment period. Comments received after this date will not be considered timely.

Written Comments must be submitted as follows:

1. By email to: regulations@cdph.ca.gov. It is requested that email transmission of comments, particularly those with attachments, contain the regulation package identifier “DPH–24–003” in the subject line; to facilitate timely identification and review of the comment;
2. By fax transmission to: (916) 636–6220;
3. By postal service or hand delivered to: California Department of Public Health, Office of Regulations, 1415 L Street, Suite 500, Sacramento, CA 95814.

All comments, including email or fax transmissions, should include the regulation package identifier, DPH–24–003 “Cannery Regular — Batch Release Elimination,” along with your name and your mailing address or email address in order for the Department to provide copies of any notices for proposed changes to the regulation text on which additional comments may be solicited.

AUTHORITY AND REFERENCE

The Department is proposing to repeal, amend, and adopt the proposed rulemaking under the authority provided in Sections 100275, 110065, 112825, and 131200 of the Health and Safety Code.

The Department is proposing to repeal Sections 12400 and 12445, amend Sections 12401, 12470, 12555, and 12560, and adopt Sections 12350, 12355, and 13250 of Article 8 of Group 1 of Subchapter 2 of

Chapter 5 of Division 1 of Title 17, California Code of Regulations (CCR) in order to implement, interpret, or make specific Sections 12405(b), 12455 of the CCR; Sections 110045, 111865, 112675, and 112750 of the Health and Safety Code; and Title 21 Code of Federal Regulations (CFR), Part 108, Sections 108.25 and 108.35, Part 113, Sections 113.3, 113.40, 113.83, 113.89, and 113.100, Part 114, Sections 114.3, 114.89, 114.100, and Part 117, Section 117.305.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

Summary of Proposal:

The proposed regulations will (1) remove the regulatory requirements for batch Releases, (2) update and clarify the notification requirement for spoilage, and (3) create new notification requirements for process deviations and contamination of microorganisms. The proposed regulations will also improve clarity by outlining the application process, modernizing language and adding definitions. Lastly, the proposed regulations will protect public health and safety by more closely aligning with federal requirements and ensuring increased transparency by requiring notification to the Department for any instance of spoilage, process deviation, or contamination with microorganisms in acidified foods (AF) and low-acid foods (LAF).

Background:

Existing state law

The Cannery Inspection Program (CIP) was established in 1925 by the California legislature through the Cannery Inspection Act. As part of the CIP, the Department regulates the commercial manufacturing and packing of AF and LAF products through the Health and Safety Code and the CCR. The CIP established the Cannery Inspection Fund for the collection of fees from licenses to pay for the carrying out and implementation of the CIP, including inspection, laboratory control and research, and other licensing services.

Previously, the Department was required to conduct Releases of AF and LAF products prior to distribution into commerce; an activity both separate and distinct from that of periodic inspections conducted by the Department to assess sanitary operations and overall compliance with state and federal laws and regulations.

Due to the Release requirement, all persons engaged in the commercial manufacture and packing of AF and LAF products were unable to distribute products into commerce until the Department had scrutinized, reviewed, stamped, and signed routine monitoring records of operations showing adherence to, or deviations from, the scheduled processes and critical factors

established by the Department (referred to as Official State Process Letters and Operational Documents).

The Department may investigate adulteration, good manufacturing practices and other issues to determine compliance with the CIP, state and federal laws. Enforcement may include:

- Administrative and civil penalties.
- Suspension or revocation of license.
- Quarantine of products for laboratory examination.
- Seizure and embargo of products.
- Voluntary Condemnation and Destruction (VC&D) of products.

Health and Safety Code Sections 112810 and 112815 state that the Department “may quarantine any food product in violation of this chapter until laboratory examination has established that the product meets the requirements of this chapter,” and that “any person who packs any food product that has been quarantined by the department shall pay the department all reasonable costs of any laboratory examination to be necessary to ascertain that the seized product was packed in violation of this chapter.”

Health and Safety Code Section 112825 states that “the Department may make regulations as it deems necessary for the proper enforcement of this chapter, and the regulations shall have the force and effect of law.”

Federal law

Adopted by the Department in 1979, Title 21 CFR Part 113 and 114 further defines the requirements for AF and LAF products. Additionally, Congress passed the Food Safety Modernization Act (FSMA) in 2010, bolstering federal requirements for food processing businesses nationwide. The Department adopted the federal Good Manufacturing Practice found in FSMA, where such requirements have been, and remain in effect in California.

Current FDA law, as set forth in CFR, Title 21, Chapter 1, Subchapter B, Part 108, Sections 108.25(d) and 108.35(d), require commercial processors engaged in the processing of AF and LAF products to promptly report to the FDA any instance of spoilage, process deviation, or contamination with microorganisms, the nature of which has potential health-endangering significance, where any lot of such food has in whole or in part entered distribution in commerce.

Problem Statement:

The proposed regulations focus on protecting the public, by clarifying and expanding the requirements that must be followed for documentation and reporting, thus creating a more robust framework for regulating compliance. This proposed approach for AF and LAF products more closely aligns California with federal standards.

Objectives (Goals) of the Regulation:

The objectives of the proposed regulations are to more closely align with federal requirements and to ensure increased transparency by requiring notification to the Department for any instance of spoilage, process deviation, or contamination with microorganisms.

Removal of regulatory requirements for Releases.

Previously, regulatory requirements for Releases mandated the Department to scrutinize, review, stamp, and sign routine monitoring records which ensures compliance with the scheduled processes for AF and LAF products before they are distributed into commerce. Since the Cannery Inspection Program (CIP) and Releases were implemented in 1925, there have been many improvements in AF and LAF products, science, processes, and subsequent reductions in food safety risks. The removal of Releases acknowledges the efficacy of these improvements in ensuring food safety and more closely aligns with federal requirements.

Notification requirement for spoilage, process deviations, and contamination of microorganisms.

These proposed regulations ensure increased transparency by requiring notification to the Department for any instance of spoilage, process deviation, or contamination with microorganisms, as in part required by the U.S. Food and Drug Administration (FDA) under CFR, Title 21, Chapter 1, Subchapter B, Part 108, Sections 108.25(d) and 108.35(d).

Anticipated Benefits:

- Added definitions for clarity and consistency with federal regulations.
- Removal of Release requirements.
- Increased clarity in reporting requirements.
- Increased consistency and alignment with federal standards.
- Continued protection of the public health and safety.
- Updated, clear, and consistent regulations.

Evaluation as to Whether the Proposed Regulations Are Inconsistent or Incompatible with Existing State and Federal Regulations:

The Department has made an initial determination that these regulations are not inconsistent or incompatible with existing state regulations as there are no other state regulations that address the same topics.

INCORPORATED BY REFERENCE

1. Request For pH Control Form CDPH 8589 (Rev. 6/2026).
2. Request For Official Sterilization Process Form CDPH 8562 A (Rev. 6/2026).

3. Request for Operational Documents Form CDPH 8562 B (Rev 6/2026).

LOCAL MANDATE DETERMINATION

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

MANDATED BY FEDERAL LAW OR REGULATIONS

The Department has determined that this proposal is not mandated by federal law or regulations.

OTHER STATUTORY REQUIREMENTS

The Department has determined there are no other statutory requirements.

FISCAL IMPACT ESTIMATES

Cost to any local agencies or school districts that must be reimbursed pursuant to Section 17561 of Government Code: None.

The 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.

HOUSING COSTS

The Department has determined that the proposed regulations will not have a significant economic impact on California housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE

The Department has determined that the proposed regulatory action would have no significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states.

STATEMENT OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT (EIA)

The Department determined the proposed regulations will affect the following as described:

The creation or elimination of jobs within the state:
The Department determined this proposal will not

result in any increase or elimination of jobs within California.

The creation of new businesses or the elimination of existing businesses within the state: The Department determined this proposal will not have any impact on the elimination of new businesses within the state of California.

The expansion of businesses currently doing business within the state: The Department determined these proposed regulations will not have any impact on the expansion of businesses currently doing business within the state.

The benefits of the regulation to the health and welfare of California residents, worker safety, and the environment: The Department determined the proposed regulations will have benefit the health and welfare of California residents, worker safety, and/or the environment by adding definitions for clarity and consistency with federal regulations, removal of release requirements, increased clarity in reporting requirements, increased consistency and alignment with federal standards, continued protection of the public health and safety, and clear regulations.

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

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

BUSINESS REPORTING REQUIREMENTS

It is necessary for the health, safety, or welfare of the people of the state that the regulation requires a report which applies to the businesses.

EFFECT ON SMALL BUSINESS

The Department has determined that there would not have an effect on small business because the regulations are designed to remove releases and will increase clarity in reporting requirements and alignment with federal standards.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The Department has determined the regulations will have no mandated use of specific technologies, equipment, actions, or procedures.

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 statements or arguments with respect to alternatives to the proposed regulatory action.

Alternatives that the Department itself considered are described in the Initial Statement of Reasons.

CONTACT PERSON

Inquiries regarding the substance of the proposed regulations described in this notice may be directed to Anthony.Garcia@cdph.ca.gov of the Division of Food and Drug Safety.

All other inquiries concerning the action described in this notice may be directed to Rashmin Shakour, Office of Regulations, 1415 L Street Suite 500, Sacramento, CA 95814, at 279-217-1340, or email Rashmin.Shakour@CDPH.ca.gov. **In any inquiries or written comments, please identify the action by using the Department regulation package identifier, DPH-24-003.**

AVAILABILITY STATEMENTS

The Department has prepared and has available for public review an initial statement of reasons for the proposed regulations, all the information upon which the proposed regulations are based, and the text of the proposed regulations. The Office of Regulations, 1415 L Street, Suite 500, Sacramento, CA 95814, will be the custodian of public records, including reports, documentation, and other material related to the proposed regulations (rulemaking file).

In order to request that a copy of this public notice, the regulation text, and the initial statement of reasons or alternate formats for these documents be mailed to you, please Rashmin Shakour, Office of Regulations, 1415 L Street Suite 500, Sacramento, CA 95814, at 279-217-1340, or email Rashmin.Shakour@CDPH.ca.gov (or the California Relay Service at 711), send an email to regulations@cdph.ca.gov, or write to the Office of Regulations at the address previously noted. Upon specific request, these documents will be made available in Braille, large print, audio format, or computer disk.

The full text of any regulation which is changed or modified from the express terms of the proposed action will be made available by the Department's Office of Regulations at least 15 days prior to the date on

which the Department adopts, amends, or repeals the resulting regulation.

FINAL STATEMENT OF REASONS

A copy of the final statement of reasons (when prepared) will be available upon request from the Office of Regulations.

INTERNET ACCESS

Materials regarding the action described in this notice (including this public notice, the text of the proposed regulations, and the initial statement of reasons) that are available via the Internet may be accessed at the Department website (www.cdph.ca.gov) by clicking on these links, in the following order: Decisions Pending & Opportunities for Public Participation, Proposed Regulations.

TITLE 25. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

SPECIAL OCCUPANCY PARKS PROGRAM

NOTICE IS HEREBY GIVEN that the California Department of Housing and Community Development (HCD) proposes to adopt regulations governing the Special Occupancy Parks (SOP) Program, which was established by Health and Safety Code (HSC), section 18860, et seq. If approved, the proposed regulations would maintain minimum health and safety standards within facilities that offer transient lodging accommodations which often include upscale tents and other types of sleeping accommodations, with adjacent private bathing facilities.

PUBLIC HEARING

No public hearing is currently scheduled. However, pursuant to Government Code, section 11346.8, if a written request to hold a public hearing is received no later than 15 calendar days before the close of the written comment period at the address below from any interested person or their authorized representative, HCD shall, to the extent practicable, provide notice of the time, date, and place of the hearing by mailing the notice to every person who has filed a request for notice with HCD.

SUBMISSION OF WRITTEN COMMENTS

Any interested person, or their authorized representative, may submit written comments relevant to this proposed regulatory action. All written comments

must be received by HCD no later than 8:00 a.m. on June 30, 2026 in order to be considered. Written comments may be submitted by mail, comment portal, or fax as follows:

By comment portal:

Visit the [comment portal](#) on the HCD website under the Current Rulemaking Activities accordion (Special Occupancy Parks)

By mail to:

California Department of Housing and
Community Development
Division of Codes and Standards
P.O. Box 277820
Sacramento, CA 95827–7820
Attention: Jenna Kline (Special Occupancy Parks
Regulations)

By fax to:

(916) 854–2564
Attention: Jenna Kline (Special Occupancy Parks
Regulations)

PERMANENT ADOPTION OF REGULATIONS

Following the public comment period, HCD may adopt the proposals, as described below, or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of minor technical or grammatical changes, the text of any modified proposal will be available for at least 15–days prior to its adoption from the contact person(s) designated in this notice and will be mailed to those persons who have submitted written or oral testimony related to this proposal or who have requested notification of any changes to the proposal. HCD will accept written comments on the modified regulations during the 15–day period.

AUTHORITY AND REFERENCE

The authority and reference for this action occurs through both implied and express authority as described below:

Authority

HCD has express and implied rulemaking authority as provided in:

- Special Occupancy Parks Act—HSC, sections 18865, 18865.05, 18865.3, and 18873.

The Legislature, through the HSC, authorizes HCD to administer these laws and adopt regulations that interpret and make specific this Act.

Additionally, HCD has implied authority, as provided by HSC, section 50406, subdivision (n), to “do any and all things necessary to carry out its purposes and

exercise the powers expressly granted by this division [Division 31, commencing with Section 50000].”

Reference

HCD is implementing, interpreting, and making specific the following sections of the HSC:

- HSC, sections 18862.23, 18865, 18865.3, 18871.3, 18872, 18873, 18873.1, 18873.2, and 18873.5.

INFORMATIVE DIGEST

SUMMARY OF EXISTING
LAW AND REGULATIONS

Special Occupancy Parks Act

HCD and local enforcement agencies (LEAs) approved by HCD are responsible for the enforcement and regulation of minimum health and safety standards inside privately owned, operated, and maintained SOPs including, but not limited to, recreational vehicle parks. These minimum health and safety standards regulate the construction, maintenance, occupancy, use, and design of SOPs and are required to guarantee the safety of park occupants and ensure a decent environment for recreation or temporary occupancy.

SUMMARY OF EFFECT OF PROPOSED
REGULATORY ACTION

The purpose of these proposed regulations is to align with an industry desired use of SOPs that offer transient lodging accommodations which often include upscale tents and other types of sleeping accommodations with adjacent private bathing facilities. The current SOP regulations do not align with the desired use of SOPs; therefore, regulatory changes are required to allow flexibility while also ensuring minimum health and safety within these accommodations. If the regulations are not amended, it creates a barrier to establishing a clear pathway forward for integrating industry desired uses in SOPs. These proposed regulations align with Health and Safety Code, section 18863.1, which supports innovative designs that can reduce costs while enhancing the living environment for park occupants and residents.

Sections within Title 25, California Code of Regulations affected by this rulemaking (see “Sections Affected,” below), and the specific purpose for each adoption in these proposed regulations, are set forth in the Initial Statement of Reasons for this regulatory action.

SECTIONS AFFECTED

Following are the specific sections of Chapter 2.2 affected by this proposed action:

Amend: 2002, 2118, 2424, 2443, and 2444.

POLICY STATEMENT OVERVIEW

ANTICIPATED BENEFITS OF THE
PROPOSED ACTION

The proposed rulemaking provides alignment of HCD regulations for SOPs with a new type of camping facility that offers transient lodging accommodations which often include upscale tents and other types of sleeping accommodations, with adjacent private bathing facilities. Amendments are required to allow flexibility while also ensuring minimum health and safety within these accommodations

EVALUATION OF INCONSISTENCY/
INCOMPATIBILITY WITH EXISTING
STATE REGULATIONS

After conducting a review for any other regulations in this area, the Department has found that these are the only state regulations concerning the maintenance, use, and operations of SOPs. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

SMALL BUSINESS IMPACT STATEMENT

The proposed regulations may affect small businesses. However, HCD has determined that the effect will not be adverse because the regulations only seek to clarify and make specific the governing statute.

DISCLOSURES REGARDING THE
PROPOSED ACTION

- Mandate on local agencies and school districts: NONE.
- Costs or savings to any state agencies: NONE.
- Costs or savings to local agencies or school districts, which must be reimbursed in accordance with Part 7 (commencing with Section 17500) of Division 4 of the Government Code: NONE.
- Other nondiscretionary costs or savings imposed on local agencies: NONE.
- Costs or savings in federal funding to the state: NONE.
- Costs to housing: NONE.

BUSINESS IMPACT

HCD has initially determined that this regulatory action would not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

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

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

- The proposed regulations will neither create nor eliminate jobs within California.
- The number of businesses that will be created or eliminated is indeterminate.
- There are no businesses currently doing business within the State of California that would be expanded as a result of this regulation.
- The proposed regulations will positively affect the health and welfare of California.
- There are no anticipated benefits to worker safety or the state's environment.

CONSIDERATION OF ALTERNATIVES

HCD 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. HCD has determined that this proposed regulatory action represents the most cost-effective, efficient, and practical action to maintain adequate funding for the effective delivery of critical services.

AVAILABILITY OF DOCUMENTS AND CONTACT PERSON

HCD has prepared an Initial Statement of Reasons for the proposed regulatory action and has available all the information upon which the proposal is based. Copies of the exact language of the proposed regulations, the Initial Statement of Reasons, the rulemaking file, the Final Statement of Reasons (when available)

and other information, if any, may be obtained upon request from HCD at the following location or from the contact people listed below:

California Department of Housing and
Community Development

Division of Codes and Standards

P.O. Box 277820

Sacramento, CA 95827-7820

Fax: (916) 263-3383

Main Contact: Jenna Kline, (916) 841-5286

Alternative Contact: Mitchel Baker,
(916) 214-8097

In addition, the Notice of Proposed Action, the exact language of the proposed regulations, and the Initial Statement of Reasons may be found on the HCD's Title 25 Rulemaking website at the following address: <https://www.hcd.ca.gov/building-standards/title-25-rulemaking>.

Questions regarding the regulatory process or clarification on the substance of this regulatory proposal may be directed to:

Housing Regulations Team

Telephone: (916) 841-5286

Fax: (916) 854-2564

Email: Title25@hcd.ca.gov

**TITLE 28. DEPARTMENT OF
MANAGED HEALTH CARE**

AMEND CONFLICT-OF-INTEREST CODE

NOTICE IS HEREBY GIVEN that the DMHC, pursuant to the authority vested in it by Section 87306 of the Government Code, proposes amendments to its Conflict-of-Interest Code. A comment period has been established commencing on May 15, 2026 and closing on June 29, 2026. All inquiries should be directed to the contact listed below.

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

Changes to the Conflict of Interest Code include deleting obsolete classifications, adding new classifications, and also making other technical changes. Information on the code amendment is attached to this email.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than June 29, 2026, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than June 14, 2026.

The DMHC has determined that the proposed amendment:

1. Imposes no mandate on local agencies or school districts.
2. Imposes no costs or savings on any state agency.
3. Imposes no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to: Mary Peterson, Attorney III, Office of Legal Services, mary.peterson@dmhc.ca.gov, (916) 414–0194.

GENERAL PUBLIC INTEREST

**DEPARTMENT OF HEALTH
CARE SERVICES**

APRIL 29, 2026
KAYLA COLLINS

**RESPONSE TO REQUEST
FOR RECONSIDERATION OF
PETITION DECISION**

Dear Kayla Collins:

This letter is in response to your Request for Reconsideration, received by the Department of Health Care Services (Department) on April 3, 2026, relating to the Department’s decision on your Petition issued on April 1, 2026.

The Department reviewed your Request for Reconsideration in accordance with Government Code section 11340.7 and, after thorough consideration, the Department denies your request for the reasons discussed below.

Your request includes a Request for Reconsideration of the Department’s April 1, 2026, decision to deny your Petition regarding proposed amendments to California Code of Regulations, Title 9, Division 4, Chapter 3 governing Driving–Under–the–Influence (DUI) programs. Pursuant to Health and Safety Code section 11836.15, the Department possesses the authority to promulgate regulations regarding the licensure and oversight of DUI programs. The Request for Reconsideration does not provide additional information that would change our denial of your Petition. Therefore, the Department affirms its April 1, 2026, decision to deny your Petition to amend California Code of Regulations, Title 9, Division 4, Chapter 3 and denies your Request for Reconsideration.

Your Request for Reconsideration also seeks the Department’s interpretation of existing regulations, specifically, whether the California Code of Regulations, Title 9, section 9878 allows for the retroactive application of reduced fees in the DUI program setting. The Department reiterates here, as it stated in its April 1, 2026, decision, that current regulations do not expressly address whether reduced–fee determinations should be applied retroactively or prospectively. Existing regulations, however, do require DUI programs to expeditiously conduct a financial assessment and document a participant’s ability to pay within five days of the participant’s request and prohibits a DUI program from requiring payment greater than the assessed ability. As stated in the Department’s April 1, 2026, decision, the Department is currently developing amendments to regulations. Proposals to address policies that are not currently included in existing regulations will be considered during the development of these regulations.

In sum, while the Department appreciates the concerns you brought forward in your Request for Reconsideration, your concerns are either addressed through current regulations or will require substantive changes that warrant broader evaluation, including consideration of DUI program administration and financial impacts, and require additional stakeholder input. Accordingly, the Department denies your Request for Reconsideration in its entirety. The Department will consider your concerns, as appropriate, as part of the current regulatory package that is in development. Denial of the Request for Reconsideration does not preclude the Department from considering the issues raised in its current development of the California Code of Regulations, Title 9, Chapter 3 regulatory package or programmatic oversight activities.

If you would like to discuss the decision outlined above, please contact DHCS’ DUI Licensing Section Chief, Glenn Spellman, at (916) 345–7524.

The Department will provide a copy of the Request for Reconsideration to any interested person upon re-

quest. A copy of this decision will be provided to the Office of Administrative Law for publication in the California Regulatory Notice Register.

Sincerely,

/s/

Janelle Ito–Orille

Division Chief

Licensing and Certification Division

Department of Fish and Wildlife, Wildlife Diversity Program, Attention: CESA and Scientific Collecting Permit Supervisor, Neil Clipperton, via email at wildlifemgt@wildlife.ca.gov with “Bendire’s Thrasher” and/or “LeConte’s Thrasher” in the subject line. Alternatively, comments or data may be submitted by mail to P.O. Box 944209, Sacramento, CA 94244–2090. Submitting information via email is preferred.

FISH AND GAME COMMISSION

NOTICE OF FINDINGS OF CANDIDACY

BENDIRE’S THRASHER (*TOXOSTOMA BENDIREI*) AND LECONTE’S THRASHER (*TOXOSTOMA LECONTEI*)

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2074.2 of the California Fish and Game Code (Fish and Game Code), the California Fish and Game Commission (Commission), at its April 15–16, 2026 meeting, accepted for consideration the petition submitted to list Bendire’s thrasher (*Toxostoma bendirei*) and LeConte’s thrasher (*Toxostoma lecontei*) as a threatened or endangered species under the California Endangered Species Act.

Pursuant to subdivision (e)(2) of Section 2074.2 of the Fish and Game Code, the Commission determined that the amount of information contained in the petition, when considered in light of the California Department of Fish and Wildlife (Department) written evaluation reports, the comments received, and the remainder of the administrative record, would lead a reasonable person to conclude there is a substantial possibility the requested listings could occur.

Based on its determination and acceptance of the petition, the Commission is also providing notice that Bendire’s thrasher and LeConte’s thrasher are candidate species as defined by Section 2068 of the Fish and Game Code.

Within one year of the date of publication of this notice of findings, the Department shall submit a written report, pursuant to Section 2074.6 of the Fish and Game Code, indicating whether the petitioned actions are warranted. Copies of the petition and minutes of the April 15–16, 2026 Commission meeting are on file and available for public review on the Commission’s website at fgc.ca.gov. If you would prefer to view the documents at the Commission’s office, please make an appointment by phone at (916) 653–4899 or by sending an email to fgc@fgc.ca.gov.

Written comments or data related to the petitioned actions should be directed to the California

FISH AND GAME COMMISSION

NOTICE OF FINDINGS FOR BEAR LAKE BUCKWHEAT (*ERIOGONUM MICROTHECA* VAR. *LACUS–URSI*)

APRIL 9, 2026

NOTICE IS HEREBY GIVEN that the California Fish and Game Commission (Commission), at a meeting on December 10–11, 2025, found pursuant to California Fish and Game Code Section 2075.5, that the information contained in the petition to list the species Bear Lake buckwheat (*Eriogonum microtheca* var. *lacus–ursi*) and other information in the record before the Commission, warrants adding Bear Lake buckwheat to the list of endangered species under the California Endangered Species Act (CESA; Fish and Game Code Section 2050 et seq.). (See also California Code of Regulations, Title 14, Section 670.1, subsection (i).)

NOTICE IS ALSO GIVEN that, at its April 15–16, 2026 meeting, the Commission adopted the findings herein outlining the reasons for its determination.

I. Background and Procedural History

Petition History

On July 16, 2024, the Commission received a petition from the California Department of Fish and Wildlife (Department) to list Bear Lake buckwheat as an endangered species under CESA, pursuant to Section 2072.7 of the California Fish and Game Code. A Department recommendation under this section is considered a petition with a Departmental recommendation to accept and consider the petition, as described in subdivision (a)(2) of Section 2073.5 of the Fish and Game Code. The Commission gave public notice of its receipt of the petition on August 9, 2024 (California Regulatory Notice Register 2024, Number 32–Z, p.1017). At its August 14–15, 2024 meeting, the Commission publicly received the Department’s petition as part of its meeting materials.

At its October 9–10, 2024 meeting, the Commission determined that listing may be warranted and subsequently provided notice regarding the Bear Lake buck-

wheat’s status as a candidate species (California Regulatory Notice Register 2024, Number 43–Z, p. 1396).

Status Review Overview

The Commission’s action designating Bear Lake buckwheat as a candidate species triggered the Department’s process for conducting a status review to inform the Commission’s decision on whether to list the species.

On September 5, 2025, the Department transmitted to the Commission the Department’s report to the Commission, *Status Review for Bear Lake Buckwheat* (*Eriogonum microtheca* var. *lacus–ursi*), dated August 2025. The Commission publicly noted receipt of the Department’s status review report as part of the Commission’s October 8–9, 2025 meeting materials. On December 10, 2025, the Commission found that the information contained in the petition to list Bear Lake buckwheat and other information in the record before the Commission warranted listing Bear Lake buckwheat as an endangered species under CESA.

Species Description

Bear Lake buckwheat is a subshrub in the buckwheat family with only a single known occurrence on the south shore of Big Bear Lake in San Bernardino County, California. Bear Lake buckwheat grows on a unique substrate of gray, silty, clay soil in Jeffrey pine and juniper woodland. Bear Lake buckwheat occupies an area of less than 1.5 acres, with 836 plants counted in 2024.

II. Statutory and Legal Framework

The Commission, as established by the California State Constitution, has exclusive statutory authority under California law to designate endangered, threatened, and candidate species under CESA (California Constitution, Article IV, Section 20, subdivision (b); Fish and Game Code Section 2070). The CESA listing process for this species began with a petition submitted to the Commission. The regulatory and legal process that ensued is described in some detail in the preceding section, along with related references to the Fish and Game Code and controlling regulations. The CESA listing process generally is also described in some detail in published appellate case law in California, including:

- *Natural Resources Defense Council v. California Fish and Game Commission* (1994) 28 Cal. App.4th 1104;
- *Mountain Lion Foundation v. California Fish and Game Commission* (1997) 16 Cal.4th 105;
- *California Forestry Association v. California Fish and Game Commission* (2007) 156 Cal. App.4th 1535;
- *Center for Biological Diversity v. California Fish and Game Commission* (2008) 166 Cal.App.4th 597;

- *Central Coast Forest Association v. California Fish and Game Commission* (2017) 2 Cal.5th 594;
- *Central Coast Forest Association v. California Fish and Game Commission* (2018) 18 Cal. App.5th 1191; and,
- *Almond Alliance of California v. California Fish and Game Commission* (2022) 79 Cal.App.5th 337.

The Commission’s “is warranted” determination stems from obligations established by Fish and Game Code Section 2075.5. Under that provision, the Commission is required to make one of two findings for a candidate species at the end of the CESA listing process: whether listing a species is warranted or is not warranted. Here, the Commission made the finding under Section 2075.5, subdivision (e)(2), that listing is warranted.

The Commission was guided in making its determination by statutory provisions and other controlling law. Section 2062 of the Fish and Game Code, for example, defines an endangered species under CESA as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.” Similarly, Section 2067 of the Fish and Game Code defines a threatened species under CESA as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required” by CESA.

The Commission also considered California Code of Regulations, Title 14, Section 670.1, subsection (i)(1)(A), in making its determination. The provision provides, in pertinent part, that the Commission will list a species or subspecies as endangered or threatened under CESA if the Commission determines that the species’ continued existence is in serious danger or is threatened by any one or any combination of six factors:

1. Present or threatened modification or destruction of its habitat,
2. overexploitation,
3. predation,
4. competition,
5. disease, or,
6. other natural occurrences or human–related activities.

Fish and Game Code Section 2070 provides similar guidance, providing that the Commission shall add

or remove species from the lists of endangered and threatened species under CESA only upon receipt of sufficient scientific information that the action is warranted. CESA also provides that it is the policy of the state that all state agencies, boards, and commissions shall seek to conserve endangered and threatened species and shall utilize their authority in furtherance of the purposes of CESA (Fish and Game Code Section 2055). This statutory guidance does not compel a particular determination by the Commission in the CESA listing context. Nevertheless, “[l]aws providing for the conservation of natural resources’ such as the CESA are of great remedial and public importance and thus should be construed liberally.” (*California Forestry Association v. California Fish and Game Commission*, supra, 156 Cal.App.4th at pp. 1545–1546, citing *San Bernardino Valley Audubon Society v. City of Moreno Valley* (1996) 44 Cal.App.4th 593, 601; Fish and Game Code sections 2051 and 2052.)

Finally, in considering the six factors set forth above, CESA and controlling regulations require the Commission to actively seek and consider related input from the public and any interested party (see, e.g., Fish and Game Code sections 2071, 2074.4 and 2078; California Code of Regulations, Title 14, Section 670.1, subsection (h)). The related notice obligations and public hearing opportunities before the Commission are also considerable (Fish and Game Code sections 2073.3, 2074, 2074.2, 2075, 2075.5, and 2078; California Code of Regulations, Title 14, Section 670.1, subsections (c), (e), (g) and (i); see also California Government Code Section 11120 et seq.). The referenced obligations are in addition to the requirements prescribed for the Department in the CESA listing process, including an initial evaluation of the petition, a related recommendation regarding candidacy, and a review of the candidate species’ status, culminating with a report and recommendation to the Commission as to whether listing is warranted based on the best available science (Fish and Game Code sections 2073.4, 2073.5, 2074.4 and 2074.6; California Code of Regulations, Title 14, Section 670.1, subsections (d), (f) and (h)).

III. Factual and Scientific Bases for the Commission’s Final Determination

The factual and scientific bases for the Commission’s determination that designating Bear Lake buckwheat as an endangered species under CESA is warranted are set forth in detail in the Commission’s record of proceedings, including the petition; the Department’s petition evaluation report; the Department’s status review report; written and oral comments received from members of the public, the regulated community, tribal entities, and the scientific community; and other evidence included in the Commission’s record of proceedings, which is incorporated herein by reference.

The Commission determines that the continued existence of Bear Lake buckwheat in the state of California is in serious danger or threatened by one or a combination of the six factors set forth in California Code of Regulations, Title 14, Section 670.1, subsection (i)(1)(A):

1. Present or threatened modification or destruction of its habitat,
2. overexploitation,
3. predation,
4. competition,
5. disease, or,
6. other natural occurrences or human-related activities.

The Commission also determines that the information in the Commission’s record constitutes the best scientific information available and establishes that designating Bear Lake buckwheat as an endangered species under CESA is warranted. Similarly, the Commission determines that Bear Lake buckwheat is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.

The items highlighted here and detailed in the following threats section represent only a portion of the complex issues aired and considered by the Commission during the CESA listing process for Bear Lake buckwheat. Similarly, the issues addressed in these findings represent some, but not all, of the evidence, issues, and considerations affecting the Commission’s final determination. Other issues aired before and considered by the Commission are addressed in detail in the record before the Commission.

Background

The Commission bases its “is warranted” finding for Bear Lake buckwheat most fundamentally on the species’ rarity. Bear Lake buckwheat’s small range and low abundance is a significant factor influencing the ability of the species to survive and reproduce.

Threats

Bear Lake buckwheat is endangered due to:

- Present or threatened modification or destruction of its habitat (see, e.g., Department’s status review report at pages 18–23, and references cited therein), including impacts associated with:
 - Development in and around the population (see, e.g., Department’s status review report at pages 18–20, and references cited therein).
 - Recreational use, foot traffic, littering, and other human disturbances on the land where Bear Lake buckwheat occurs (see, e.g., Department’s status review report at pages 18

and 20–22, and references cited therein); and,

- Wildfire and fuel reduction activities (see, e.g., Department’s status review report at pages 22–23, and references cited therein).
- Competition with non–native plants (see, e.g., Department’s status review report at pages 23–24, and references cited therein).
- Other natural occurrences or human–related activities. In particular, natural occurrences or human–related activities of significance include:
 - Small population size (see, e.g., Department’s status review report at pages 18–19 and 22, and references cited therein) and,
 - Climate change (see, e.g., Department’s status review report at pages 24–25, and references cited therein).

The Commission finds these factors result in a significant threat to the continued existence of Bear Lake buckwheat, as explained in the Department’s status review report. This finding and the Department’s explanation are supported by the whole of the record before the Commission.

IV. Final Determination by the Commission

The Commission has weighed and evaluated the information for and against designating Bear Lake buckwheat as a threatened or endangered species under CESA, including scientific and other general evidence in the petition; the Department’s petition evaluation report; the Department’s status review report; the Department’s related recommendations; written and oral comments received from members of the public, the regulated community, various public agencies, and the scientific community; and other evidence included in the Commission’s record of proceedings.

Based upon the evidence in the record, the Commission has determined that the best scientific information available indicates the continued existence of Bear Lake buckwheat is in serious danger or threatened by modification or destruction of the species’ habitat or other natural occurrences or human–related activities, where such factors are considered individually or in combination (see, generally, California Code of Regulations, Title 14, Section 670.1, subsection (i)(1)(A); Fish and Game Code sections 2062 and 2067).

The Commission determines that there is sufficient scientific information to indicate that designating Bear Lake buckwheat as an endangered species under CESA is warranted, and that, with adoption and publication of these findings, Bear Lake buckwheat shall be listed as endangered for purposes of its legal status under CESA.

DECISION NOT TO PROCEED

AIR RESOURCES BOARD

NOTICE OF DECISION NOT TO PROCEED

**PUBLIC HEARING TO CONSIDER
PROPOSED AMENDMENTS TO
THE ADVANCED CLEAN TRUCKS
REGULATION AND THE
ZERO–EMISSION POWERTRAIN
CERTIFICATION TEST PROCEDURE**

By notice dated May 13, 2025, and published in the May 30, 2025, California Regulatory Notice Register, Register 2025, Number 39–Z, the California Air Resources Board (CARB) announced the original notice of public hearing scheduled for July 24, 2025, to consider approving the Proposed Amendments to the Advanced Clean Trucks Regulation and the Zero–Emission Powertrain Certification Test Procedure.

Please be advised that the Proposed Amendments to the Advanced Clean Trucks Regulation and the Zero–Emission Powertrain Certification Test Procedure including test procedures and other rulemaking documents relating to these rules have been withdrawn. Pursuant to Government Code section 11347, publication of this Notice of Decision Not to Proceed hereby terminates the rulemaking action, as published on May 30, 2025, in the California Regulatory Notice Register.

CARB staff may propose new regulatory action that is similar or identical to the regulatory action that is subject to this notice. If proposed, a subsequent notice will follow in the future with more information, including the date, time, and location of the hearing.

**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.

State Allocation Board

File # 2026-0424-01

Leroy F. Greene School Facilities Act of 1998;
Five-Year Master Plans

This emergency action pursuant to Government Code section 11346.1 by the State Allocation Board establishes deadlines and further specifies required informational contents for the five-year school facilities master plan that a school district must submit to the Office of Public School Construction within the Department of General Services, pursuant to Education Code section 17070.54. Education Code section 17070.54 provides that submission of a five-year school facilities master plan including certain minimum information to the Department of General Services is a mandatory condition for a school district to participate in the School Facility Program that provides state funding for construction and modernization of school facilities. Section 17070.54 was added to the Education Code by the Kindergarten Through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024 (Proposition 2) and Assembly Bill 247 (Muratsuchi, Chapter 81, Statutes of 2024).

Title 02
Adopt: 1859.18, 1859.18.1
Amend: 1859.2
Filed 05/04/2026
Effective 05/04/2026
Agency Contact: Lisa Jones (279) 946-8459

Department of Corrections and Rehabilitation

File # 2026-0410-01

Restricted Housing Units and Incarcerated Person
Privilege Groups

This action by the California Department of Corrections and Rehabilitation (CDCR) is submitted to OAL as an emergency based on operational necessity pursuant to Penal Code section 5058.3. CDCR is amending regulations governing Restricted Housing Units and the Privilege Group system (Groups C and D) for incarcerated persons.

Title 15
Amend: 3000, 3044, 3190, 3312, 3312.1, 3337, 3338, 3339, 3340, 3341, 3345, 3376, 3376.1
Filed 04/30/2026
Effective 05/01/2026
Agency Contact: Sarah Pollock (279) 223-2308

Department of Human Resources

File # 2026-0319-01

Professional Dues — Excluded Employees

In this file and print action pursuant to Government Code section 3539.5, the California Department of Human Resources updates the benefits given to employees excluded from the Ralph C. Dills Act who are tied to bargaining unit nine (professional engineers).

Title 02
Amend: 599.922.2
Filed 04/30/2026
Effective 04/30/2026
Agency Contact:
Patrick Campion (916) 909-2854

State Personnel Board

File # 2026-0319-03

Waiver of Appointment

This file and print action pursuant to Government Code section 18214 by the State Personnel Board amends and repeals administrative personnel regulations governing appointments. This action is exempt from the Administrative Procedure Act pursuant to Government Code section 18211 and is submitted to the Office of Administrative Law for filing with the Secretary of State and publication in the California Code of Regulations pursuant to Government Code section 18214, subdivision (d)(2).

Title 02
Adopt: 260
Amend: 249.5, 254, 254.2, 258, 261
Repeal: 260.1, 261.1, 260
Filed 04/29/2026
Effective 07/01/2026
Agency Contact:
Joseph Ruggiero (916) 653-0920

Department of Resources Recycling and Recovery

File # 2026-0320-01

Model Water Efficient Landscape Ordinance

In this action pursuant to California Code of Regulations, title 1, section 100, the Department of Resources Recycling and Recovery updates a cross reference to the Model Water Efficient Landscape Ordinance.

Title 14
Amend: 18989.2
Filed 05/04/2026
Agency Contact: Kris Chisholm (916) 322-2404

Office of Health Care Affordability
File # 2026–0407–03
Promotion of Competitive Health Care Markets, Cost
and Market Impact Reviews

This Section 100 action filed by the Office of Health
Care Affordability pursuant to California Code of
Regulations, title 1, section 100, renumbers an existing
regulation regarding pre-filing questions about notic-
es for a material change transaction.

Title 22
Amend: 97437 [Renumber to 97432]
Filed 05/04/2026
Agency Contact: Kristen Colburn (213) 897–0171

Board of Accountancy
File # 2026–0323–02
Disciplinary Guidelines and Model Orders

In this regular rulemaking action, the Board of Ac-
countancy incorporates its revised disciplinary guide-
lines and model orders into section 98 of title 16 of the
California Code of Regulations.

Title 16
Amend: 98
Filed 05/05/2026
Effective 07/01/2026
Agency Contact: Deanne Pearce (916) 651–1740

Board of Barbering and Cosmetology
File # 2026–0324–03
Disciplinary Guidelines

In this regular rulemaking action, the Board of
Barbering and Cosmetology updates its disciplinary
guidelines.

Title 16
Amend: 972
Filed 05/06/2026
Effective 07/01/2026
Agency Contact: Allison Lee (279) 278–5107

Commission on Peace Officer Standards and Training
File # 2026–0323–03
Peace Officer Background Investigation

This rulemaking action by the Commission on Peace
Officer Standards and Training (POST) revises reg-
ulations pertaining to background investigations for
peace officer appointments. Specifically, the rulemak-
ing updates the revision date for POST’s Background
Investigation Manual, which is partially incorporated

by reference and deletes a repetitive provision regard-
ing updated background investigations for reappoint-
ed peace officers.

Title 11
Amend: 1953
Filed 04/29/2026
Effective 04/29/2026
Agency Contact: Kelli Surawski (916) 894–9523

Fish and Game Commission
File # 2026–0318–03

Processing and Donating Sport–Caught Fish

In this rulemaking action, the Fish and Game Com-
mission amends its regulation related to sport–caught
fishing. The regulatory amendments address the per-
mit fee, terms under the permit, record keeping re-
quirements, marking of fish, and permit revocation
and suspension procedures. Further, the amendments
allow sport–caught fish processing permit holders to
donate fish directly to a nonprofit organization that
directly supports food access distribution, Califor-
nia tribe, school, or California city/county govern-
ment program that directly supports food access or
distribution.

Title 14
Amend: 231
Filed 04/30/2026
Effective 04/30/2026
Agency Contact:
Sherrie Fonbuena (916) 902–9284

San Francisco Bay Conservation and Development
Commission

File # 2026–0320–04

Commission Permits and Permitting

This San Francisco Bay Conservation and Devel-
opment Commission rulemaking action combines
permitting processes and standards under (1) under
the McAteer–Petris Act (“MPA”); and (2) the Suisun
Marsh Preservation Act (“SMPA”), into a single reg-
ulatory framework, adopts and amends definitions,
creates new categories of permit types, applicable to
both Acts, and repeals regulations applicable under
the MPA.

Title 14

Adopt: 10112, 10300, 10301, 10302, 10303, 10304, 10305, 10306, 10307, 10308, 11700, 11701, 11702, 11710, 11711, 11712, 11713, 11714, 11720, 11721, 11722, 11723, 11724, 11730, 11731, 11732, 11733, 11734, 11735, 11736, 11737, 11738, 11739, 11740, 11741, 11742, 11743, 11744, 11745, 11746
 Amend: 10125, 10130, 10133, 10601, 10620, 10654, 10710, 10810, 10822, Appendix D
 Repeal: 10300, 10600, 11700, 11700.1, 11710, 11711, 11712, 11713, 11714, 11715, 11716, 11717, 11718, 11719, 11720, 11721, Appendix N
 Filed 05/04/2026
 Effective 07/01/2026
 Agency Contact: Marc Zeppetello (415) 352–3655

Title 14

Adopt: 18980.1, 18980.1.1, 18980.2, 18980.2.1, 18980.2.2, 18980.2.3, 18980.2.4, 18980.2.5, 18980.2.6, 18980.2.7, 18980.3, 18980.3.1, 18980.3.2, 18980.3.3, 18980.3.4, 18980.3.5, 18980.4, 18980.4.1, 18980.4.2, 18980.4.3, 18980.5, 18980.5.1, 18980.5.2, 18980.6, 18980.6.1, 18980.6.2, 18980.6.3, 18980.6.4, 18980.6.5, 18980.6.6, 18980.6.7, 18980.6.8, 18980.7, 18980.7.1, 18980.7.2, 18980.7.3, 18980.7.4, 18980.7.5, 18980.7.6, 18980.7.7, 18980.8, 18980.8.1, 18980.8.2, 18980.9, 18980.9.1, 18980.10, 18980.10.1, 18980.10.2, 18980.11, 18980.11.1, 18980.11.2, 18980.12, 18980.13, 18980.13.1, 18980.13.2, 18980.13.3, 18980.13.4, 18980.13.5, 18980.14, and 18981
 Filed 05/01/2026
 Effective 05/01/2026
 Agency Contact: Kris Chisholm (916) 322–2404

Department of Resources Recycling and Recovery

File # 2026–0319–02

SB 54 Regulations

This rulemaking action by the Department of Resources Recycling and Recovery establishes requirements for the Plastic Pollution Prevention and Packaging Producer Responsibility Program in response to Senate Bill 54 (Stats. 2022, chapter 75).

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.