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**PROPOSED ACTION ON
REGULATIONS**

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**TITLE 2. FAIR POLITICAL
PRACTICES COMMISSION**

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: Westlands Water District
STATE AGENCY: Department of Social Services
California State Lottery
Commission
California Correctional
Training and Rehabilitation
Authority

A written comment period has been established commencing on June 5, 2026, and closing on July 20, 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 return the proposed codes to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments, or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest codes. Any written comments must be received no later than July 20, 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 2. STATE
ALLOCATION BOARD**

TRANSITIONAL KINDERGARTEN

- 1859.2, 1859.33, 1859.35, 1859.42, 1859.42.1, 1859.51, 1859.60, 1859.61, 1859.73.2, 1859.77.2, 1859.77.3, 1859.78.7.1, 1859.81, 1859.82.1, 1859.82.2, 1859.124.1, 1859.163.5, 1859.164, 1859.167.1, 1859.182 AND 1859.183.

**PROPOSED AMENDMENTS TO
THE FOLLOWING FORMS**

- Form SAB 50–01, *Enrollment Certification/Projection*, (Rev. ~~05/09~~ 02/26), which is incorporated by reference and referenced in Regulation Section 1859.2.
- Form SAB 50–02, *Existing School Building Capacity*, (Rev. ~~12/10~~ 02/26), which is incorporated by reference and referenced in Regulation Section 1859.2.
- Form SAB 50–03, *Eligibility Determination*, (Rev. ~~03/25~~ 02/26), which is incorporated by reference and referenced in Regulation Section 1859.2.
- Form SAB 50–04, *Application For Funding*, (Rev. ~~01/26~~ 02/26), which is incorporated by reference and referenced in Regulation Section 1859.2.
- Form SAB 50–09; *Application for Charter School Preliminary Apportionment*, (Rev. ~~01/26~~ 02/26), which is incorporated by reference and referenced in Regulation Section 1859.2.
- Form SAB 195, *Application for Natural Disaster Assistance*, (Rev. ~~01/26~~ 02/26), which is incorporated by reference and referenced in Regulation Section 1859.2.

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to amend the above-referenced regulation sections, including six associated forms, contained in Title 2, California Code of Regulations (CCR). A public hearing is not sched-

uled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, OPSC, at its own motion or at the instance of any interested person, may adopt the proposals substantially as set forth above without further notice.

**AUTHORITY AND
REFERENCE CITATIONS**

The SAB is proposing to amend the above-referenced regulation sections under the authority provided by Sections 17070.35, 17072.13, 17075.15, 17075.20, 17078.64, 17078.72 and 17592.73 of the Education Code. The proposal interprets and make specific reference Sections 8974, 17009.5, 17017.6, 17017.7, 17021, 17047, 17050, 17051, 17052, 17070.15, 17070.51, 17070.51(a), 17070.54, 17070.59, 17070.71, 17070.77, 17071.10, 17071.25, 17071.30, 17071.33, 17071.35, 17071.40, 17071.46, 17071.75, 17071.76, 17072.10, 17072.12, 17072.13, 17072.15, 17072.18, 17072.20, 17072.30, 17072.33, 17072.35, 17073.15, 17073.16, 17073.20, 17073.25, 17074.10, 17074.16, 17074.265, 17074.30, 17074.56, 17075.10, 17075.15, 17075.20, 17077.30, 17077.35, 17077.40, 17077.42, 17077.45, 17078.52, 17078.54, 17078.56, 17078.58, 17078.72, 17078.72(k), 17079, 17079.10, 17079.20, 17079.30, 17280, 17250.30, 17375, 56026, 100420, 100620, 100820, 101012, 101012(a)(1), 101012(a)(8) and 101122, Education Code; Section 53311, Government Code; and Sections 1771.3 in effect on January 1, 2012 through June 19, 2014 and 1771.5, Labor Code.

**INFORMATIVE DIGEST/POLICY
OVERVIEW STATEMENT**

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

OPSC held three stakeholder meetings in the development of these proposed regulations. At its meeting on February 25, 2026, the SAB adopted proposed regulatory amendments that implement the methodology for reporting Transitional Kindergarten (TK) enroll-

ment as its own grade category in current New Construction enrollment projections. TK enrollment is reported as its own grade level to the California Department of Education which will allow OPSC to validate it as applications for New Construction funding are processed from the new SFP bond authority available through Proposition 2. The proposed regulations represent a reasonable approach for projecting a school district's future need for classrooms when TK and Kindergarten enrollment are recognized as separate and distinct grade categories.

Attached to this Notice are the proposed regulations and six associated forms. The proposed regulations can also be reviewed on OPSC's website at: [Laws, Regulations for School Construction Projects](#). Copies of the proposed regulations and the six associated forms will be mailed to any person requesting this information by using OPSC's contact information set forth below in this Notice. The proposed regulations amend the SFP Regulations under the California Code of Regulations, Title 2, Chapter 3, Subchapter 4, Group 1, State Allocation Board, Subgroup 5.5, Regulations relating to the Leroy F. Greene School Facilities Act of 1998.

Background and Problem Being Resolved

The Kindergarten Readiness Act of 2010 was established by Senate Bill (SB) 1381, Chapter 705, Statutes of 2010 (Simitian). The statute shifted the birthday requirements for kindergarten and first grade admission and introduced TK. TK was established as the first year of a two-year kindergarten program with a modified curriculum design to be age and developmentally appropriate and designed to prepare children for kindergarten. The requirement to provide TK was phased in from the 2022–2023 school year to the 2025–2026 school year. It is still difficult to predict TK enrollment year-over-year because TK participation varies across school districts and enrollment is not mandatory. Fluctuating TK enrollment could have a huge impact on projected Kindergarten enrollment; however, the proposed regulations provide TK as a new grade category that has an independent five-year enrollment projection that will not affect the current K–12 five-year enrollment projection model.

The problem being resolved is implementing the approach to phase in the requirement for school districts to report TK enrollment in current New Construction enrollment projections as its own grade category. The way the current Form SAB 50–01 projects kindergarten enrollment is by using a linear weighted average and it is calculated independently from grades 1–12. Adding a separate row to Part A of the Form SAB 50–01 for TK enrollment and using an isolated linear weighted average calculation, the current projections for grades K–12 will not be affected. The new methodology would be phased in for 1) Approved Ap-

plications for New Construction that are currently on OPSC's Workload List and submittals received until the date the proposed regulations become effective, school districts would use the methodology on the current Form SAB 50–01; 2) Approved Applications received on or after the effective date of the regulations through October 31, 2026, school districts would have the option to use the methodology on the current Form SAB 50–01 or the new methodology; and 3) submittals received on or after November 1, 2026, school districts would be required to use the new methodology on the revised Form SAB 50–01. The phase in approach allows school districts to plan their submittals based on current projections, but also account for timing of the approval of the regulations by the Office of Administrative Law. The use of the November 1, 2026 date is intentional as it aligns with the current regulations where the enrollment years reported are determined whether the submittal is made before or on and after November 1 each year.

OPSC performed a search on whether the proposed regulatory amendments were consistent and compatible with existing State laws and regulations and did not identify any inconsistent or incompatible existing State laws or regulations. The proposed regulatory amendments are consistent with and align provisions of statute that implement TK enrollment, and are consistent with New Construction enrollment projections. Proceeding with the implementation of the proposed regulations will provide a positive impact on the state's economy, as well as the creation of an unknown number of jobs in the school construction industry. Once school districts request the release of state funds, manufacturing and construction-related industries such as architecture, engineering, trades and municipalities may expand based on the demand on these industries. School districts will have a period of time in which they can elect to report TK enrollment using either the current or the proposed version of the Form SAB 50–01, followed by the requirement for school districts to begin reporting TK enrollment separately on the Form SAB 50–01 beginning on November 1, 2026. This allows school districts to base their eligibility on anticipated changes to the projection methodology without impacting applications already submitted or in the process of being submitted. The proposed regulations maintain equity, consistency, and the integrity of the SFP.

Anticipated Benefits of the Proposed Regulations

The benefit associated with the proposed regulations is intended to more accurately project TK enrollment on the Form SAB 50–01 so that school districts have the necessary eligibility to construct classrooms needed to house all anticipated TK–12 students within their school districts. Another benefit is implementing a phase in approach, as indicated above, for requir-

ing school districts to report TK enrollment in current New Construction enrollment projections as its own grade category.

In addition, the proposed regulations may have a positive impact on the state's economy, as well as the creation of an unknown number of jobs in the school construction industry, by facilitating funding for school construction. Once school districts request the release of state funds, manufacturing and construction-related industries such as architecture, engineering, trades and municipalities may expand based on the demand on these industries.

Summary of the Proposed Regulations

A summary of the proposed regulations is as follows:

Existing Regulation Section 1859.2 represents a set of defined words and terms used exclusively for these regulations. The proposed amendments: 1) update the revision dates of six associated forms; 2) in four definitions, the word "Kindergarten" is struck out and replaced with the term "Transitional Kindergarten;" and 3) in the definition for "Existing School Site," the "K" in K-12 is struck out and "TK" has been added so it reads TK-12.

Existing Regulation Section 1859.33 delineates the types of classrooms that must be identified in a school district's gross classroom inventory. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as School District and Classroom throughout this section, as well as adds "TK" in lieu of "K" to align with what the proposed regulations are accomplishing.

Existing Regulation Section 1859.35 sets forth the methodology by which a school district's existing school building capacity is calculated. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as School District, Classroom, Portable Classrooms throughout this section, as well as adds "TK" in lieu of "K" to align with what the proposed regulations are accomplishing. There is also one Reference citation struck out as this section no longer exists in the Education Code.

Existing Regulation Section 1859.42 sets forth the methodology school districts use to calculate their enrollment projections, including augmenting their enrollment projections by utilizing dwelling units in approved and valid subdivision maps. This section also provides for the fifth-year and tenth year enrollment projection criteria. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as School District and the words "Transitional Kindergarten and" where the methodology requires the calculation for both Transitional Kindergarten and kindergarten enrollments. In subsection (a)(1) the term "Transitional Kindergarten" is added and the word "kindergarten" is struck out to align with Regulation Section 1859.42.1(b) below.

Existing Regulation Section 1859.42.1 sets forth permissible supplements to the fifth-year projection of pupil enrollment for Non-Special Day Class pupils and not for High School Attendance Area (HSAA) and Super HSAA enrollment projections based on residency. This section provides factors which can augment the enrollment projection include pupils that will reside in dwelling units in an approved and valid subdivision map; children born that will attend kindergarten in the fifth calendar year following birth; and modified weighting of enrollment projections that best represents the enrollment trends of the district, based upon submittal of 18 consecutive years of enrollment used to calculate three sets of ten historical enrollment projections. The proposed amendments add new subsection (b) to provide specificity to school districts on what enrollment and/or birth rate data to provide and how the new linear calculation works for reporting TK enrollment in New Construction enrollment projections. There are other non-substantive changes that renumber subsections due to new subsection (b) and capitalize defined words and terms, such as School District and adds the term Transitional Kindergarten throughout this section to align with what the proposed regulations are accomplishing, such as specifying when TK classrooms and/or enrollment should be included.

Existing Regulation 1859.51 outlines the criteria for adjusting a district's new construction baseline eligibility. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as School District, Modernization, New Construction Grant and Classroom throughout this section, as well as adds "TK" in lieu of "K" to align with what the proposed regulations are accomplishing. There are also Reference citations struck out as these sections no longer exist in the Education Code.

Existing Regulation Section 1859.60 sets forth the criteria for a school district to calculate its modernization baseline eligibility for each school site. This section also includes specific assistance to school districts that have a school facility located on a military installation that is the recipient of a federal grant that requires a local matching share. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as School District, Modernization, New Construction Grant and Classroom throughout this section, as well as adds "TK" in lieu of "K" to align with what the proposed regulations are accomplishing.

Existing Regulation Section 1859.61 sets forth specific factors which impact a school district's capacity to house pupils and therefore require adjustments to the modernization baseline eligibility. The proposed amendments make non-substantive changes that cap-

italize defined words and terms, such as School District, Modernization and Classroom throughout this section, as well as adds “TK” in lieu of “K” to align with what the proposed regulations are accomplishing.

Existing Regulation Section 1859.73.2 provides additional new construction funding to school districts that demolish one-story school buildings for replacement with multilevel buildings in order to increase pupil capacity. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as School District, Classroom, Modernization, Application, Square Footage, and District Representative throughout this section, as well as adds “TK” in lieu of “K” to align with what the proposed regulations are accomplishing.

Existing Regulation Section 1859.77.2 allows a school district to receive new construction grants that exceed the capacity of a project and to use grant eligibility determined at a grade level other than the proposed project. It also allows school districts to request to use a reasonable number of grants to construct needed facilities, some of which by their nature do not house students (i.e., gymnasiums, libraries, multi-purpose rooms). The proposed amendments make non-substantive changes that capitalize defined words and terms, such as School District, Classroom, New Construction Grants, New Construction Eligibility, and Application throughout this section, as well as replaces the word “Kindergarten” with “Transitional Kindergarten” to align with what the proposed regulations are accomplishing.

Existing Regulation Section 1859.77.3 allows a school district to receive new construction grants that exceed the capacity of a project and to use grant eligibility determined at a grade level other than the proposed project, and ensures that proposed use of grants requests have been discussed at districts’ governing boards regularly scheduled public meetings so the public is aware of the projects and can see how the funds will be spent prior to filing the application. Additionally, districts must self-certify to the SAB that the approvable housing plan includes specific criteria. This ensures the school district adequately houses pupils where grants intended to build classrooms are redirected for other purposes. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as School District, Classroom, New Construction Grant, Square Footage, New Construction Eligibility, and Application throughout this section, as well as replaces the word “Kindergarten” with “Transitional Kindergarten” to align with what the proposed regulations are accomplishing.

Existing Regulation Section 1859.78.7.1 provides a modernization supplemental grant for projects with a scope of work that includes the demolition and replacement of buildings at least 75 years of age or older.

This section sets forth the eligibility criteria and grant calculations for this supplemental grant. The grant amount is aligned with the new construction per pupil grant amount and will be adjusted annually based on the change in the Class B Construction Cost Index as approved by the SAB each January. Recipients of this grant will receive an alternate per-pupil grant amount than provided under the current modernization program and must replace the building that generated the eligibility for this grant. The regulation also requires the replacement of portable buildings with permanent buildings. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as Modernization, as well as replaces the “K” with “TK” to align with what the proposed regulations are accomplishing.

Existing Regulation Section 1859.81 sets forth specific criteria for school districts and county offices of education to qualify for financial hardship status. This section specifies the maximum level of total bonding capacity that a school district can have and still be automatically eligible for financial hardship assistance at either \$5 million to \$15 million, depending on the date the application was received. In addition, subsection (i) outlines the requirements for school districts to utilize bridge financing. These are used as a tool for interfund borrowing for school districts to continue with their projects while waiting for the receipt of financial hardship project funding. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as School District, Modernization, Classroom, New Construction, Modernization Adjusted Grant, Application, and New Construction Eligibility throughout this section, as well as replaces “K” with “TK” to align with what the proposed regulations are accomplishing.

Existing Regulation Section 1859.82.1 informs school districts what a “School Building” means for purposes of the Facility Hardship Program. Other criteria include, but are not limited to, general factors generating program eligibility as well as placing new limits to program eligibility such as disallowing projects solely to replace components that have reached the end of their useful life, for performance of routine maintenance or repair; issues resulting from the deferment of routine maintenance or repair, lack of current code compliance, or the addition of components that were not previously existing; code compliance costs triggered by eligible facility hardship projects may be included as part of the qualified application; time limit on timeframe for application submission for completed projects; and specifies the application documents required to submit a complete Facility Hardship application for the replacement of School Buildings, for School Buildings that are lost, destroyed, or unable to be repaired, and for School Buildings where the esti-

mated cost to rehabilitate exceeds 50 percent of the cost to replace the building. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as School District, Application, Classroom, Modernization, and Square Footage throughout this section, as well as replaces the “K” with “TK” to align with what the proposed regulations are accomplishing.

Existing Regulation Section 1859.82.2 informs school districts what a “School Building” means for purposes of the Seismic Mitigation Program (SMP). Other criteria include, but is not limited to, general factors generating program eligibility including limits to program eligibility; specifies the criteria a project must meet in order to qualify as an SMP project; specifies the application documents required to submit a complete SMP application for the replacement of School Buildings; specifies the documents required to submit an SMP application for the replacement of School Buildings that have been lost, destroyed, or unable to be repaired, and describes a licensed design professional for clarity purposes; and specifies the documents required to submit an SMP application for the replacement of School Buildings with interior square footage to be mitigated. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as School District, Application, and Classroom throughout this section, as well as replaces the “K” with “TK” to align with what the proposed regulations are accomplishing.

Existing Regulation Section 1859.124.1 delineates the maximum square footage and type of facility in the chart for purposes of constructing a Type I or Type II Joint-Use project. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as Square Footage and New Construction throughout this section, as well as replaces the “K” with “TK” to align with what the proposed regulations are accomplishing.

Existing Regulation Section 1859.163.5 provides the calculation that determines a Preliminary Charter School Rehabilitation Apportionment based on the eligible square footage included in the project and additional supplemental grants. This section clarifies the calculation of supplemental grants, and the requirements and calculations for initiating and enforcing a Labor Compliance Program as well as for prevailing wage monitoring and enforcement. This section also aligns Charter Schools Facilities Program (CSFP) rehabilitation supplemental grants with Education Code requirements, specifically Section 17078.54(d). Further, subsections (a)(7) and (a)(8) allow applicants to request and reserve funding for energy efficiency and career technical education components as part of a Preliminary Charter School Apportionment for Rehabilitation. The proposed amendments make non-

substantive changes that capitalize defined words and terms, such as Square Footage, Classroom, and New Construction Grant throughout this section, as well as replaces the “K” with “TK” to align with what the proposed regulations are accomplishing.

Existing Regulation Section 1859.164 sets forth the funding prioritization and processing if the estimated total apportionments for all financially sound Preliminary Charter School Applications exceeds the funds available. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as Applications, Application, New Construction Eligibility, and School District, as well as replaces the “K” with “TK” to align with what the proposed regulations are accomplishing.

Existing Regulation Section 1859.167.1 specifies that the amount of the Final Charter School Apportionment may not be increased for site acquisition costs exceeding those calculated under Section 1859.163.1(b), nor increased for useable acres for the project in excess of the previously approved recommended site size by the California Department of Education. This section also allows applicants to request funding for energy efficiency and Career Technical Education (CTE) components for a Final Charter School Apportionment for a CSFP Rehabilitation project. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as Square Footage, Classroom, and New Construction Grant throughout this section, as well as replaces the “K” with “TK” to align with what the proposed regulations are accomplishing.

Existing Regulation Section 1859.182 specifies the calculations to determine the Overcrowding Relief Grant (ORG) pupil eligibility and how the submittal of the Form SAB 50–11 assists in that determination. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as Portable Classrooms and Classrooms throughout this section, as well as replaces the “K” with “TK” to align with what the proposed regulations are accomplishing.

Existing Regulation Section 1859.183 describes the determination of ORG funding to eligible school districts, and that ORG funds must be used to replace an equivalent number of portable classrooms with permanent classrooms. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as Portable Classrooms, New Construction Eligibility, Permanent Classrooms, and Classroom throughout this section, as well as replaces the “K” with “TK” to align with what the proposed regulations are accomplishing.

Existing Form SAB 50–01, *Enrollment Certification/Projection*, (Rev. 05/09 02/26), (incorporated by reference), is submitted by applicant school districts to determine initial eligibility for funding under the

SFP. The proposed amendments expand the instructions to include TK Pupil Data whether it is by Enrollment/Residency, TK Enrollment Data or TK Residency Data for High School Attendance Area School Districts. School districts are instructed what to include and what not to include for each section under Part A1 that applies to their circumstance in order to complete the Form. There are non-substantive changes that capitalize defined words and terms, as well as the addition of “K–12” to distinguish between “TK” and “K–12” to align with what the proposed regulations are accomplishing, such as specifying when TK classrooms and/or enrollment should be included.

Existing Form SAB 50–02, *Existing School Building Capacity*, (Rev. 12/10 02/26), (incorporated by reference), is submitted by applicant school districts to determine the total number of pupils that may be housed in the district’s gross classroom inventory. The proposed amendments make non-substantive changes that capitalize defined words and terms, as well as replaces the “K” with “TK” to align with what the proposed regulations are accomplishing.

Existing Form SAB 50–03, *Eligibility Determination*, (Rev. 03/25 02/26), (incorporated by reference), is used by school districts to calculate their eligibility for new construction and modernization funding under the SFP. The proposed amendments make non-substantive changes that capitalize defined words and terms, such as School District, Square Footage, Classroom, Modernization, Modernization Apportionment, and Modernization Grants, to name a few, throughout this Form, as well as replaces the “K” with “TK” to align with what the proposed regulations are accomplishing.

Existing Form SAB 50–04, *Application For Funding*, (Rev. 01/26 02/26), (incorporated by reference), is submitted by school districts to apply for State funding for new construction and modernization projects. The proposed amendments make non-substantive changes that capitalize defined words and terms, as well as replaces the “K” with “TK” to align with what the proposed regulations are accomplishing.

Existing Form SAB 50–09, *Application for Preliminary Charter School Apportionment*, (Rev. 01/26 02/26), (incorporated by reference), is used by school districts or charter school entities to apply for preliminary apportionments for qualifying projects. The proposed amendments make non-substantive changes that capitalize defined words and terms, as well as replaces the “K” with “TK” to align with what the proposed regulations are accomplishing.

Existing Form SAB 195, *Application for Natural Disaster Assistance*, (Rev. 01/26 02/26), (incorporated by reference), is required to be submitted by school districts to apply for funding for either interim housing assistance following a natural disaster or other as-

sistance following a natural disaster, pursuant to Education Code Section 17075.20. The proposed amendments make non-substantive changes that capitalize defined words and terms, as well as replaces the “K” with “TK” to align with what the proposed regulations are accomplishing.

Statutory Authority and Implementation

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

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

Determination of Inconsistency or Incompatibility with Existing State Regulations

TK was established as the first year of a two-year kindergarten program with a modified curriculum design to be age and developmentally appropriate and designed to prepare children for kindergarten. The TK age expansion was phased in from the 2022–2023 school year to the 2025–2026 school year. It is still difficult to predict TK enrollment year-over-year because TK enrollment is not mandatory. Fluctuating TK enrollment could have a huge impact on projected Kindergarten enrollment; however, the proposed regulations provide TK as a new grade category that has an independent five-year enrollment projection that will not affect the current K–12 five-year enrollment projection model.

There was support to phase in the requirement for school districts to report TK enrollment in current New Construction enrollment projections as its own grade category. The way the current Form SAB 50–01 projects kindergarten enrollment is by using a linear weighted average and it is calculated independently from grades 1–12. Adding a separate row to Part A of the Form SAB 50–01 for TK enrollment and using an isolated linear weighted average calculation, the current projections for grades K–12 will not be affected. The new methodology would be phased in for 1) Approved Applications for New Construction that are currently on OPSC’s Workload List and submit-

tals received until the date the proposed regulations become effective, school districts would use the methodology on the current Form SAB 50–01; 2) Approved Applications received on or after the effective date of the regulations through October 31, 2026, school districts would have the option to use the methodology on the current Form SAB 50–01 or the new methodology; and 3) submittals received on or after November 1, 2026, school districts would be required to use the new methodology on the revised Form SAB 50–01. The phase in approach allows school districts to plan their submittals based on current projections, but also account for timing of the approval of the regulations by the Office of Administrative Law. The use of the November 1, 2026 date is intentional as it aligns with the current regulations where the enrollment years reported are determined whether the submittal is made before or on and after November 1 each year.

After conducting a review, the SAB has concluded that these are the only regulations on this subject area, and therefore, the proposed regulations are neither inconsistent nor incompatible with existing State laws and regulations. The proposed regulations are within the SAB’s authority to enact regulations for the SFP under Education Code Section 17070.35 and Government Code Section 15503.

Documents Incorporated by Reference

- *Form SAB 50–01*, (Rev. 05/09 02/26), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Form SAB 50–02*, (Rev. 12/10 02/26), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Form SAB 50–03*, (Rev. 03/25 02/26), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Form SAB 50–04*, (Rev. 01/26 02/26), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Form SAB 50–09*, (Rev. 01/26 02/26), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Form SAB 195*, (Rev. 01/26 02/26), referenced in Regulation Section 1859.2 and is incorporated by reference.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

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

to incur additional costs in order to comply with the proposed regulations.

DISCLOSURES REGARDING THE PROPOSED REGULATORY ACTION

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

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

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Impact to Businesses and Jobs in California

The proposed regulations promote transparency because school districts and the school district community have been collaborating on the proposed regulations through a series of stakeholder meetings. TK was established as the first year of a two–year kindergarten program with a modified curriculum design to be age and developmentally appropriate and designed to prepare children for kindergarten. The TK age expansion was phased in from the 2022–2023 school year to the 2025–2026 school year. It is still difficult to predict TK enrollment year–over–year because TK enrollment is not mandatory. Fluctuating TK enrollment could have a huge impact on projected Kindergarten enrollment; however, the proposed regulations provide TK as a new grade category that has an independent five–year enrollment projection that will not affect the current K–12 five–year enrollment projection model.

In addition, the proposed regulations will not negatively impact the creation of jobs, the creation of new businesses, and the expansion of businesses in California. It is not anticipated that the proposed regulations will result in the elimination of existing businesses or jobs within California. Additionally, the proposed regulations expand the SFP while maintaining program integrity and equity amongst school district projects.

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

- The proposed regulations promote transparency because school districts and the school district community have been collaborating on the proposed regulations through a series of stakeholder meetings.
- There are continued benefits to the health and welfare of California residents and worker safety. School districts, charter schools, and local educational agencies utilize construction and trades employees to work on school construction projects and although this proposed regulation does not directly impact worker’s safety, existing law provides for the availability of a skilled labor force and encourages improved health and safety of construction and trades employees through proper apprenticeship and training. Further, public health and safety is enhanced because a properly paid and trained workforce will build school construction projects that are higher quality, structurally code-compliant and safer for use by pupils, staff, and other occupants on the site.
- There is no impact to the State’s environment from the proposed regulations.

The SAB finds the proposed regulations fully consistent with the stated purposes and benefits.

EFFECT ON SMALL BUSINESSES

It has been determined that the proposed regulations will not have a negative impact on small businesses in the ways identified in subsections (a)(1)–(4) of Section 4, Title 1, CCR. The proposed regulations only apply to school districts, local education agencies, and charter schools for purposes of funding school facility projects. Manufacturing and construction-related industries such as architecture, engineering, trades and municipalities may expand based on the demand on these industries. This may include new [small] businesses, or the expansion of [small] businesses, which have a positive impact on the state’s economy and may also create an unknown number of jobs.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, email or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, email or fax must be received at OPSC no later than July 20, 2026 end of day. The express terms of the proposed regulations as well as the Initial Statement of Reasons are available to the public.

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

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

AGENCY CONTACT PERSONS

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

ADOPTION OF REGULATIONS

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

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

written comments on the modified regulations during the 15-day period.

**SUBSTANTIAL CHANGES WILL
REQUIRE A NEW NOTICE**

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

RULEMAKING FILE

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

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

As data and other factual information, studies, reports or written comments are received they will be added to the rulemaking file. The file is available for public inspection at OPSC during normal working hours. Items 1 through 3 are also available on OPSC's Internet Web site at: [Laws, Regulations for School Construction Projects](#) then scroll down to School Facility Program, Pending Regulatory Changes, February 25, 2026 Non-Emergency Regulations, and click on the links entitled 45-day Public Notice, Initial Statement of Reasons, Proposed Regulation Text, Forms SAB 50-01 through 50-04 and Forms SAB 50-09 and 195.

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the SAB must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The alternative to these proposed regulations would be the SAB take no action and continue to have school districts report TK enrollment combined with kindergarten enrollment. This could result in school districts not having the necessary eligibility to construct class-

rooms needed to house all TK-12 students within their school districts.

**AVAILABILITY OF THE FINAL
STATEMENT OF REASONS**

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

**TITLE 4. DEPARTMENT OF
CANNABIS CONTROL**

TRACK AND TRACE UPDATES

Notice is hereby given that the Department of Cannabis Control (Department) proposes to adopt the amended regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Department will hold a virtual public hearing on **Tuesday, July 21, 2026**, beginning at **10:00 a.m.**

Attendees may participate via WebEx online meeting platform or telephone conferencing. To participate via WebEx online meeting platform, please contact Lilly Quynn at 1-844-612-2322 or outreach@cannabis.ca.gov by 4:30 p.m. on **Monday, July 20, 2026**, to request a link to the meeting. A link to the meeting will also be posted on the Department's website no later than 9:00 a.m. the day of the hearing.

For those who wish to attend the hearing in person, including those who require reasonable accommodation, limited seating will be available in the Department Hearing Room, 2920 Kilgore Road, Rancho Cordova, CA 95670. Please contact Lilly Quynn at 1-844-612-2322 or outreach@cannabis.ca.gov by 4:30 p.m. on **Monday, July 20, 2026**, to request to attend the hearing in person or by 4:30 p.m. on **Monday, June 26, 2026**, if reasonable accommodations are necessary.

Participants will be given instructions on how to provide oral comments once they have accessed the hearing. The hearing will proceed on the dates noted above until all testimony is submitted or 12:00 p.m., whichever is later. At the hearing, any person may present oral or written statements or arguments relevant to the proposed action. The Department requests, but does not require, that persons who make oral comments at the hearing also submit a written copy of their testimony via email.

WRITTEN COMMENT PERIOD

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

Department of Cannabis Control
 Legal Affairs Division
 2920 Kilgore Road
 Rancho Cordova, CA 95670
 Email: publiccomment@cannabis.ca.gov

The written comment period closes on **Monday, July 20, 2026**. To be considered by the Department, a comment must be received by **Monday, July 20, 2026**.

AUTHORITY

Business and Professions Code section 26013.

REFERENCE

Business and Professions Code sections 26013, 26067, 26069, 26070, 26100, 26104, 26110, 26120, 26140, 26160, and 26161.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Effect of the Proposed Action

The Medicinal and Adult–Use Cannabis Regulation and Safety Act (MAUCRSA) (Bus. & Prof. Code, § 26000 et seq.) generally governs commercial cannabis activity in California. The provisions of California Code of Regulations (CCR), title 4, division 19 further implement, interpret, and make specific many MAUCRSA statutes. These existing laws define commercial cannabis terms, govern sampling and testing of final–form cannabis goods, and establish the California Cannabis Track and Trace (CCTT) system and impose specific use and reporting requirements on all licensees.

The changes proposed in this rulemaking action would provide additional safeguards against fraudulent transactions and other potential abuses of the system to engage in “lab shopping,” including requiring all parties to a transfer of cannabis goods to approve the transfer before a shipping manifest may be generated by the system. The proposed changes would clarify and supplement existing data entry requirements to ensure the accuracy of system data. The proposed changes would require licensed retailers to enter certain tax information when recording sales in the system. The proposed changes would require licensed retailers to provide Certificates of Analysis (COAs) to customers upon request.

Evaluation of Inconsistency with Federal Laws

The United States Drug Enforcement Administration lists cannabis as a Schedule 1 Drug under the Controlled Substances Act (21 U.S.C. § 812). This means that commercial cannabis activity is illegal under federal law. However, California, through the MAUCRSA and other laws, has decriminalized the cultivation, sale, and possession of cannabis goods for persons aged 21 or older and for medicinal patients.

Objectives and Anticipated Benefits of the Proposed Regulations

The objectives of the proposed regulatory changes are strengthening California’s regulated cannabis industry and protecting public health and safety by preventing distributor diversion of cannabis to the illicit market, preventing lab shopping and potency inflation, improving the accuracy and quality of data entered in the CCTT system by licensees, and giving consumers immediate and full access to cannabis test results. The changes will strengthen the integrity of the legal cannabis supply chain and reduce illegal diversion that undercuts the legal market and unfairly disadvantages legal operators. The changes will greatly reduce the volume of adulterated and misbranded products that pass laboratory testing and end up on retail shelves. Other regulators, including the California Department of Tax and Fee Administration (CDTFA), will benefit from improved recordkeeping and reporting of accurate sales data, while consumers will benefit from more transparent sales receipt information, including a clear price breakdown. Consumers will further benefit from increased access to regulatory testing results, allowing for better–informed purchasing decisions and increased confidence and participation in the regulated cannabis market.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations

After careful evaluation, the Department has determined that the proposed changes are not inconsistent or incompatible with existing regulations.

Disclosures Regarding the Proposed Action

The Department has made the following initial determinations:

- Mandate on local agencies or school districts: None.
- Cost to any local agency or school district required to be reimbursed in accordance with Government Code sections 17500 through 17630: None.
- Cost or savings to any state agency: The Department will incur costs of approximately \$555,165 in developing and implementing CCTT system enhancements and monitoring compliance with the new regulations. The proposed regulations are expected to result in unquantified tax revenue increases and significant savings for CDTFA.

- Other nondiscretionary cost or savings imposed upon local agencies: None.
- Cost or savings in federal funding to the state: None.
- Effect on housing costs: None.
- Significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states: None.
- Cost impacts on a representative private person or business: For a typical business, including a small business, one-time up-front expenses of \$2,130. For typical retail businesses, including small businesses, who must upgrade their Point of Sale (POS) system, annual recurring expenses of \$7,800.

Results of the Standardized Regulatory Impact Analysis (SRIA)

The Department believes that the proposal will eliminate approximately 857 existing jobs and 47 existing businesses. The Department believes that larger businesses, especially larger retailers, will generally be at a competitive advantage over smaller businesses when these changes take effect. The Department believes that the proposal would result in an increase in investment in California of approximately \$1.28 million. The Department does not expect the proposal to incentivize any innovation in the regulated commercial cannabis market. The Department believes that the proposal will improve the health of California residents, worker safety, and the state’s environment.

Summaries of, and Responses to, Department of Finance (DOF) Comments on the Standardized Regulatory Impact Analysis

Comment #1: The SRIA must provide an estimated effective date and implementation period of the proposed regulation, even if these periods are subject to uncertainty.

Response #1: The SRIA has been edited to include an estimated effective date and implementation period. The precise date of full implementation is unknown but is generally expected to be shortly after the regulations are implanted. This is defined as approximately fall 2026 through fall 2027.

Comment #2: While the SRIA quantifies 12-month impacts, it does not clarify whether these costs are ongoing or limited to the first year following implementation. The SRIA must assess the estimated economic impacts to businesses and/or individuals over a multi-year period, or the SRIA must explicitly state that the estimated economic impacts only occur within the first 12 months with justification.

Response #2: The SRIA and STD. 399 have been edited to distinguish between one-time and annual recurring costs and benefits (sections 4.5.1, 4.5.8). The

net present value of total costs and benefits to businesses and individuals over a 3-year period following implementation has been included in both the SRIA (section 4.5.1) and the STD. 399. A 3-year period is chosen because costs are expected to decrease over time as producers adjust to regulations and as production from compliant businesses replaces noncompliant production. That is, it is reasonable to expect compliant market participants to quickly expand production in the first few years following implementation, and therefore quantifiable costs and benefits would not persist. However, unquantified human and environmental benefits from reducing potency inflation and preventing harmful products from entering the market would persist.

The components included in total costs and benefits have been defined in the SRIA (section 4.5.1). Costs include:

- Annual recurring direct costs to businesses of \$11.44 million, including \$6.58 million to labs from reduced testing, \$3.85 million in labor costs, and \$1.02 million on POS systems.
- One-time direct costs of \$1.20 million to retail businesses in the first 12 months of implementation, including \$0.26 million for POS systems and \$0.94 million in labor costs for COA disclosures.
- Average annual recurring direct costs of \$47.43 million in decreased gross output from decreased retail spending.
- Average annual recurring direct costs to individuals of \$5.33 million in lost consumer surplus due to market shifts.
- Average annual recurring indirect and induced effects of \$47.05 million.

Of the \$112.45 million in total first-year costs, \$111.25 million are annually recurring costs. The net present value (NPV) of total costs over the first year of implementation and subsequent two years would be \$324.55 million, with a range of \$157.78 million to \$501.46 million. These costs would be primarily imposed on businesses producing or handling noncompliant products.

Consumers and compliant businesses would benefit from the proposed regulations. Benefits include:

- Total direct benefits to businesses of \$12.65 million, including savings on lab spending of \$6.58 million, increased industry labor of \$4.79 million, and \$1.28 million to business management services from spending on POS systems.
- Direct benefits to consumers from reducing potency inflation of \$10.57 million, with a lower bound of \$4.88 million per year and upper bound of \$17.58 million from no longer paying extra for inflated potency.
- Indirect and induced effects of \$5.52 million.

The NPV of total benefits over three years would be \$61.42 million, with a range of \$52.67 million to \$92.27 million.

Estimates of total costs and benefits in the first 12 months of implementation were adjusted to reflect total economic impacts as the sum of the direct, indirect, and induced impacts (sections 4.4, 4.5.1, 4.7), and the components of these costs and benefits were clarified. The previous calculation combined changes in income, value added, and total output in the total impact calculation; however, total output includes income and value added.

Initial costs and ongoing costs in the SRIA and STD. 399 for a typical business have been edited as well to reflect just one-time initial costs (as opposed to all first-year costs) and annual recurring costs, respectively. Initial and annual costs are described for retailers (instead of an average spread across all businesses as in the previous version), which account for 44% of direct costs to businesses (this includes change in gross output at retail). The overall one-time up-front cost increase of \$1.20 million, spread across all 1,560 licensed cannabis retailers, would be \$770 per business. Annual recurring direct costs for retailers, which are \$49.47 million of the \$111.25 million in ongoing costs, would be \$31,700 per business.

Comment #3: The SRIA should provide lower-bound and upper-bound economic impact and revenue estimates due to the wide range of outcomes possible, particularly regarding the regulations' estimated effects on the cannabis market. For example, the SRIA states that there is considerable uncertainty in potency inflation and diversions into the illicit market, with a wide range of outcomes for cannabis retailers. The estimate used for the total impact is the midpoint of a decrease of \$47.7 million but the SRIA states that the decrease could range from \$18.8 million to \$78.1 million, which would accordingly lead to a much larger or lower total economic and revenue impacts. Department of Cannabis Control (DCC) should augment the analysis with a sensitivity analysis to estimate how total economic impacts may vary under different plausible market effects by providing lower bound and upper-bound economic impact and revenue estimates.

Response #3: Lower- and upper-bound ranges have been included for indirect and induced effects estimated via IMPLAN analysis (section 4.4), total benefits and costs in the first 12 months of implementation (section 4.5.1), and the net present value of costs and benefits over 3 years (section 4.5.1).

The revised range of total costs to businesses and individuals is \$112.45 million in the first 12 months of implementation, with a lower bound of \$55.07 million and upper bound of \$173.32 million. The expected benefits of the proposed regulations are \$28.74 mil-

lion. The lower and upper bounds of total benefits are \$21.70 million and \$37.09 million, respectively, in the first 12 months of implementation.

The sensitivity range reflects uncertainty in how the industry and consumers may respond to changes in reported potency and diversions to the illicit market.

Comment #4: The SRIA must quantify fiscal impacts on local revenues. Reductions in cannabis supply and demand in the licensed market will likely impact local government agencies' revenues through the varying local cannabis tax rates across jurisdictions. Changes in state tax revenue should be included in the fiscal impacts section rather than characterized as changes in investment so that the fiscal impacts section fully reflects all impacts to the state.

Response #4: Estimated changes in local and state tax revenues have been included in total fiscal impacts (section 4.6). The overall expected change in fiscal impacts is \$13.39 million, which includes a decrease of \$10.46 million in state tax revenue, a decrease of \$2.37 million in local tax revenue, and \$0.56 million in fiscal costs to the Department of Cannabis Control. Decreased tax revenue is the result of decreased sales revenue from reducing potency inflation and removing products from the market that are potentially harmful to humans and the environment. Potentially offsetting fiscal benefits from decreased enforcement, compliance, and inspection efforts, or higher consumer confidence in the licensed market leading to increased sales and tax revenue, have not been quantified.

Considering the range of impacts to gross output at retail and resulting change in local and state tax revenue, the overall range of fiscal impacts is \$5.63 million to \$21.69 million.

Investment in the state has been revised to only include changes in value added (section 4.5.3), which include a decrease of \$59.02 million from the market adjustment and decreased lab spending, and an increase of \$4.34 million from increased spending on labor and POS systems. The net effect is a decrease of \$54.68 million.

Small Business Determination

The proposed regulations would affect approximately 5,500 licensed businesses of all types, approximately 97 percent of which are estimated by the Department to be small businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), 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, as effective and less burdensome to affected private persons than

the proposed action, or more cost-effective to affected private persons and equally effective in implementing the statutory policies or other provisions of law.

CONTACT PERSONS

Inquiries concerning the proposed rulemaking action may be directed to:

Melissa Brokken
Department of Cannabis Control
2920 Kilgore Road
Rancho Cordova, CA 95670
916-465-9025
Regulations@cannabis.ca.gov

The backup contact person for these inquiries is:

Kaila Fayne
Department of Cannabis Control
2920 Kilgore Road
Rancho Cordova, CA 95670
916-465-9025
Regulations@cannabis.ca.gov

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

The Department will make the entire rulemaking file, including all documents relied upon, available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the proposed text of the regulations, the Initial Statement of Reasons, and the STD. 399. Please direct requests to inspect or copy the rulemaking file to the contact person(s) listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications 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 adopting the regulations as revised. Please direct requests for copies of any modified regulations to the contact person(s) listed above. The Department will accept written comments on the modified regulations for the duration of the period of public availability.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Department will make copies of the Final Statement of Reasons available. Please direct requests for copies to the contact person(s) listed above.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications highlighted, as well as the Final Statement of Reasons, when completed, and modified text and notices thereof, if any, may be accessed via the Department's website at <https://www.cannabis.ca.gov/cannabis-laws/rulemaking/>.

TITLE 14. FISH AND GAME COMMISSION

SPORT FISHING 2026

NOTICE IS HEREBY GIVEN that the California Fish and Game Commission (Commission), pursuant to the authority vested by Sections **110, 200, 205, 219, 255, 265, 270, 275, 315, 316.5, 399, 713, 1050, 1053.1, 1055.1, 2003, 2084, 7149.8, 7380, 7701, 7708** of the California Fish and Game Code and to implement, interpret or make specific Sections **37, 67, 110, 200, 205, 219, 255, 265, 270, 275, 316.5, 711, 713, 1050, 1053.1, 1055.1, 2084, 7060, 7149.8, 7380, 7381, 7382** of said Code, proposes to **amend** Sections **1.62, 1.73, 1.74, 2.10, 2.11, 4.20, 5.00, 5.65, 5.85, 5.88, 6.34, 6.35, 7.00, 7.40, 7.50, 8.00, 8.10, 28.25, 28.30, 28.32, 28.35, 230, and 701**, Title 14, California Code of Regulations, relating to **Sport Fishing 2026 (Inland and Marine)**

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

This regulatory proposal combines California Department of Fish and Wildlife (Department) and public requests for changes to California Code of Regulations (CCR) Title 14, sections 1.62, 1.73, 1.74, 2.10, 2.11, 4.20, 5.00, 5.65, 5.85, 5.88, 6.34, 6.35, 7.00, 7.40, 7.50, 8.00, 8.10, 28.25, 28.30, 28.32, 28.35, 230, and 701, for the 2026 sport fishing regulatory cycle. This proposal contains multiple amendments that would clarify sport fishing regulations, increase angler opportunities, change gear requirements, change fish measurement and sampling protocols, improve the

steelhead report card and low-flow regulations, and protect vulnerable fish populations. These proposed regulatory changes are needed to effectively manage California’s sport fisheries, and correct errors and inaccuracies in the existing regulations to reduce public confusion and improve regulatory enforcement.

The Department is proposing changes to the following regulations in Title 14, CCR:

Regulation Language Clarifications:

The proposed changes are necessary in order to enhance clarity or fix errors, and do not alter the application or enforcement of these regulations:

- **Section 2.11, Special Fishing Methods — Lake County:** In 2014, Clear Lake Hitch were listed under California Endangered Species Act (CESA) as threatened and can no longer be taken without a CESA incidental take permit or Memorandum of Understanding (MOU). The language in Section 2.11 conflicts with the take prohibitions for Clear Lake Hitch and needs to be removed from Title 14 CCR.
- **Section 5.65, Shad, American:** In 2025 there was a regulation change to allow spearfishing as a method of take for American Shad in the Valley District in Section 2.30. The proposed change would add spearfishing as a method of take allowable for American Shad in the Valley District in Section 5.65. This would make Section 5.65 consistent with Section 2.30.
- **Section 5.85, subsection (a)(2), Trout:** This proposal would add Section 7.00, which lists general regulations in each District, to the list of sections excepted from general statewide trout regulations. This proposal would remove ambiguities associated with wardens enforcing fishing regulation violations.
- **Section 6.34, Southern District Definition:** The current regulations definition of the “Southern District” in Section 6.34 erroneously copies the Sierra District definition. This change would correct the language to the as-intended definition of the Southern District.
- **Section 7.50, subsection (b)(90), McCloud River and Tributaries:** This proposal would clean up, reorganize, and group streams with similar regulations in subsection 7.50(b)(90) for the McCloud River and tributaries. This would simplify the regulation, making it easier to understand by grouping waters with similar regulations.
- **Section 7.50(b)(145), Sq. Valley Creek:** The name of Sq. Valley Creek was changed by federal legislation through the Department of Interior’s Order 3404 on September 8, 2022 to Yét Atwam Creek. This proposal would make the regulation text consistent with federal legislation.

- **Section 230, subsection (g)(2), Issuance of Permits for Contests Offering Prize for the Taking of Game Fish:** There is a minor grammar error in subsection 230(g)(2) which has an ungrammatical ‘s’ that would be removed from the word “changes”.
- **Section 7.40, subsection (b):** Updates to other regulations sections have been made in this proposal to update or remove unnecessary references to subsections 7.40(b) and 7.50(b) due to the continual changes in the numbering of these sections when waters are added or removed. There are minor edits to text to align subsection 7.40(b) and 7.50(b) language with the updated Section 8.00 language that is part of this proposal which will clarify boundaries in both sections where descriptions are unclear, provide consistent placement of text, and update subsection references between Section 8.00 and subsection 7.40(b) where needed.

Changes To Increase Fishing Opportunities

The proposed changes described below would increase fishing opportunities in the effected regulation sections.

- **Section 4.20, subsection (d) Bait Fish Use in the Sacramento River (Shasta and Tehama Co.):** This proposed change would move the upper limit of the Sacramento River upstream from Highway 32 Bridge to Deschutes Bridge for bait fish use. Generally, declining fish populations associated with drought and climate change have limited many fishing opportunities. At the same time Striped Bass populations have expanded into more areas of the Sacramento River, especially after the Red Bluff Diversion Dam was permanently opened. This proposed change would allow live fin fish to be used further up the Sacramento River which would increase fishing opportunities for striped bass and other non-native fishes that are currently limited use of lures and other methods. It may also increase harvest of these non-native species which could have a potential benefit on vulnerable salmonid populations.
- **Section 5.00, subsection (b), Black Bass (Lassen and Modoc Co.):** This proposed change would remove the black bass minimum size requirement from waters in Lassen and Modoc counties, except for Mountain Meadows Reservoir where the minimum size would remain at 12 inches. Growth rates of largemouth bass are typically slow within Lassen and Modoc counties due shorter growing season attributable to the high elevation. Additionally, reservoirs containing large bass populations are often overrun with stunted bass and few bass are able to reach the 12-inch minimum size

requirement for harvest. The 12–inch minimum size requirement reduces the number of harvested bass, which could affect the bass populations by further stunting their growth. Removing the minimum size requirement in these locations would increase the harvest of smaller bass and improve the size class structure within the bass populations. Mountain Meadows Reservoir is still recovering from being drained in 2015 and has the potential to grow trophy class bass as it has in the past. The 12–inch minimum size requirement at Mountain Meadows Reservoir would be maintained under the General Statewide Restrictions regulations allowing the bass population to grow and allow more small young bass to grow to the 12–inch size minimum and larger.

- **Section 7.00, subsection (b)(2), District General Regulations—Sierra District (Shasta and Tehama Co.):** This proposed change would increase fishing opportunity by allowing the use of bait during summer months within anadromous streams in Shasta and Tehama counties when anadromous fish are not present. Declining fish populations associated with drought and climate change have limited many fishing opportunities. At the same time, striped bass populations have expanded into more areas of the Sacramento River, especially after the Red Bluff Diversion Dam was permanently opened. The proposed split season with June 16 to September 30 dropped the artificial lure requirement for allowable use of live fin fish as bait during this period when bass.
- **Section 7.40, subsection (b)(11), Battle Creek (Shasta and Tehama Co.):** This proposed change would re–open lower Battle Creek from 1,250 feet below Coleman Fish Hatchery weir to its confluence with the Sacramento River from June 30 to December 31, with the restriction that only artificial lures with barbless hooks may be used. This change would provide recreational angling opportunities for native and non–native warm–water fish species and hatchery–origin trout and steelhead.
 - Lower Battle Creek from the mouth to Coleman Fish Hatchery weir is currently closed to angling year–round. Allowing angler access to lower Battle Creek beginning June 30 will increase fishing opportunities on Striped and Black Bass. Battle Creek was historically a popular steelhead fishery but was closed to angling in the early 1990’s to ensure that Coleman National Fish Hatchery would annually secure sufficient adult steelhead broodstock.

- Returns of hatchery–origin steelhead to Coleman National Fish Hatchery are now routinely in excess of broodstock collection targets. Presently these fish are only available to recreational anglers in the mainstem Sacramento River. However, due to a variety of factors, contact with these fish in the mainstem Sacramento River is extremely low. Furthermore, the mainstem Sacramento River steelhead fishery is primarily boat–based. Shore–based steelhead fishing on lower Battle Creek would provide opportunity to much broader angling interest groups.
- **Section 7.40, subsection (b)(50), Klamath River Basin Regulations:** This proposed change would increase fishing opportunity in the Klamath River by allowing catch and release fishing within anadromous sections of the mainstem Klamath River from the Copco Road bridge at Copco to Lakeview Road bridge near Iron Gate (Siskiyou County). The open season would be a summer season from the fourth Saturday in May through August 31, with a restriction that only artificial lures with barbless hooks may be used. Additional restrictions include a zero harvest limit for hatchery trout and steelhead as well as being closed to the take and possession of Chinook Salmon. This change would provide a recreational angling opportunity for freshwater fish during the summer months within the Klamath Dam Removal project area. The proposed summer season regulations would provide consistency with currently open waters adjacent to and upstream of this subsection.
- **Section 7.50, subsection (b)(47), Fall River Complex (Shasta and Siskiyou Co.):** This proposed change would remove subsections (47)(L) Fall River Pond and (47)(M) Fall River Lake from 7.50(b)(47) Fall River Complex (Shasta and Siskiyou Co.). If removed from 7.50(b) Fall River Pond and Fall River Lake would then fall under regulation Section 5.85(a)(1) statewide general trout regulations for take allowances.
- **Section 7.50, subsection (b)(149), Susan River (Lassen Co.) and Section 8.10, Susan River Youth Derby:** This proposed change would revert fishing regulations to the previous trout opener (Last Saturday in April through Nov. 15). The proposed change would also update language to include a special open season for youth participating in the Youth Fishing Derby in Section 8.10 to start prior to the proposed earlier season start. Reverting to the traditional trout season will increase angler opportunity by lengthening

the season in the spring and shortening the winter season. During much of the winter the river is typically unfishable (due to ice and snow), so the winter provides little to no opportunity. Water in the Susan River can warm significantly in the late spring and early summer, as releases from McCoy Flat and Hog Flat reservoirs increase. Having the season open earlier will provide more opportunity while angling conditions are good, while not impacting spawning.

Changes to Fishing Gear, Measuring, and Sampling

The following proposed changes are related to fishing gear, measuring and sampling regulation restrictions:

- **Sections 1.62, 28.25, 28.30, 28.32, and 28.35, Minimum and Maximum Size and Alternate Length:**

This proposed change would amend Section 1.62 to more clearly define the method to determine total length of finfish. The proposal would clarify that total length is measured with the fish's mouth closed, lying flat on a horizontal surface, and that the tail may be pinched, fanned, or naturally swung. Fanning and swinging of a fish's tail is expressly allowed for salmon and halibut but not specified in the general maximum length in Section 1.62. It has been a long-time practice for our law enforcement officers to allow this technique, but it is not consistently understood by anglers. Importantly, crew onboard Commercial Passenger Fishing vessels have requested clarification, to ensure they are measuring passenger's fish correctly.

The proposed change also includes changing the phrase "fish, mollusks or crustaceans" to "finfish or invertebrates" and clarifies that measurement of invertebrate species is specified within the individual invertebrate regulations. The proposal also changes existing language that refers to "mollusks, or crustaceans" to the term "invertebrates" which is more inclusive and encompasses other groups like echinoderms. It clarifies that methods to determine length for invertebrates are found in the individual sub sections for those species.

The proposed change additionally removes alternate length measurements from Section 1.62, and from the sections for barracuda, kelp and sand basses, and white sea bass, sections 28.25, 28.30, and 28.35 respectively. Alternate length is proposed to be removed as it causes unnecessary confusion and concerns with law enforcement. The allowance of retaining filleted fish, with associated minimum fillet lengths provided for these species, makes the use of an alternate length unnecessary. A provision to use either total length or a 5-pound minimum weight limit for bonito, found in section 28.32, was established to make recreational catch limits consistent with commercial catch limits.

- **Section 1.73, Salmon:**

This proposed change would require any person in possession of a recreationally taken salmon in which an adipose fin is present to provide the Department a tissue sample upon request. This includes the additional requirement of all persons fishing for salmon to provide a tissue sample from unmarked (i.e., adipose fin present) salmon upon request by an authorized agent or employee of the Department. Amending biological sample collection requirements to allow for use of Parentage-Based Tagging (PBT) in fisheries surveys advances fisheries monitoring in a number of ways. PBT is highly efficient, as the tagging process requires only genotyping the parents to produce a 100% tag rate of offspring, which can lead to higher tag recovery rates and improved statistical precision of estimates. Additionally, there is no physical tag loss or handling mortality associated with PBT, parentage assignments can be obtained non-lethally via a small tissue sample, and large-scale tagging can occur at a much lower cost compared to physical marking and tagging methods. This proposal would allow the Department to integrate PBT recovery data into the current salmon management framework, allowing tissue samples to be collected from unmarked salmon contacted in monitoring programs.

- **Section 2.10(b)(3) and (b)(4), Hook and Weight Restrictions:**

This proposed change would allow for the usage of a small lightweight weight directly attached below a hook and expansion of fishable waters with treble hooks on non-buoyant lures. The amendment of subsections 2.10(b)(3) and (4) would clarify regulations for the public and wildlife officers. The change to weights being allowed below a hook would not apply to lakes and reservoirs, the Sacramento-San Joaquin Delta, or the Colorado River as outlined in subsection 2.10(b). The change to the use of treble hooks on non-buoyant lures would have an expanded boundary within the Valley District. The use of treble hooks on non-buoyant lures would be permissive in portions of the mainstem Sacramento, American, Feather, and Yuba rivers. The gear type allowed in the newly permissive sections would be limited to lures made of soft or hard plastics, or wood, which would reduce snagging risk to salmonid species while creating more opportunity for non-salmonid angling.

In the angling community there is confusion about the legality of techniques and tackle. This confusion stems from the popularity of the techniques that utilize this configuration in other states, similar fisheries occurring here in California, and because the method is permissible in lakes, reservoirs, and the Delta. This change would improve law enforcement's ability to

enforce these regulations consistently across the state and reduce the need to intervene as frequently.

- **Section 7.40(b)(40)(A)1. and 2., Eel River:**

This proposed change would update the gear restriction boundary to align with more recognizable features providing clarity for both anglers and law enforcement. The boundary line would change from the mouth of the Eel River to Fulmor Road, and instead be the mouth to Cock Robin Island, resulting in a slight shift downstream (~.5 miles).

Protective Changes for Vulnerable Populations

The following proposed changes are recommended to protect vulnerable populations while preserving fishing opportunities:

- **Sections 6.35 and subsection 7.00(b)(2), Sierra District Definition and District General Regulations:** This proposed change would modify the Sierra district boundary in Section 6.35 to include a small section of Yuba County (“Yuba County east of New Bullards Bar Dam;”) to protect experimentally reintroduced Chinook fish. This change would also close Chinook Salmon fishing in the North Fork Feather River (NFFR) above Chester Diversion Dam, and on the North Yuba River (NYR) above New Bullards Bar Dam all year in Section 7.00(b)(2). This proposal will also add two specific subsections in Section 7.00, the Sierra District (adding (b)(3) and (b)(4)), the NFFR above Chester Diversion Dam, and on the NYR above New Bullards Bar Dam, which will be closed to Chinook Salmon fishing all year. This closure does not include New Bullards Bar, just the tributaries. Scientific studies are currently being implemented within the NFFR, led by the California Department of Water Resources, and in the NYR, led by the Department, evaluating Spring–Run Chinook Salmon reintroduction to these historical habitats. Changing the regulation to close fishing of Chinook Salmon at all times of the year in these waterways will allow for study fish through various developmental stages (eggs, alevin, fry, parr, smolt, adult) to remain in the study area informing study results and reintroduction efforts.
- **Section 7.40, subsection (b) addition of Creeks with Special Regulations:** This proposed change would recommend adding new special regulation sections for Clear Creek (added as subsection (b)(28)), Cow Creek (added as subsection (b)(36)), Cottonwood Creek (added as subsection (b)(35)), and Paynes Creek (added as subsection (b)(74)). This proposal would also change the Antelope Creek boundary from the confluence with the North Fork downstream to Ponderosa Way crossing on the North Fork and South Fork to

make angling more protective for Central Valley steelhead in this subsection. Local fishing opportunities are currently very limited due to a variety of overlapping regulations, some of which are not necessary. Allowing the public, especially children to catch warm water fish with bait in anadromous streams in the middle of the summer when anadromous fish species are not present would be very beneficial to the public and the Department’s Recruit, Retain, Reactivate (R3) goals. With the exception of Clear Creek, Cow Creek, Cottonwood Creek, and Paynes Creek, the majority anadromous tributaries have specific protective regulations already present in 7.40; adding Clear Creek, Cow Creek, Cottonwood Creek, and Paynes Creek will complete this protective set of regulations. These additions will result in renumbering most of subsection 7.40(b) bodies of water to maintain alphabetical listing.

- **Section 7.50(b)(6), Arroyo Seco River (Monterey Co.):** On the Arroyo Seco River (Monterey Co.), above the waterfall located approximately 3.5 miles above the U.S. Forest Service Ranger Station, change the trout bag limit from 5 trout to 5 Brown Trout and 0 Rainbow Trout, and add a Special Restriction of “only artificial lures with barbless hooks may be used”. The upper Arroyo Seco River contains a population of native Coastal Rainbow Trout (*Oncorhynchus mykiss*), offering a unique sport fishing opportunity in the Salinas River watershed in Monterey County. Like other trout populations throughout California, this population of native Coastal Rainbow Trout has likely been negatively impacted by increasingly severe drought conditions. The population has also likely been impacted by degradation of in-stream habitat conditions due to recent wildfires, such as the Dolan fire. The current fishing regulations allow for the harvest of 5 trout per person per day above the waterfall on the Arroyo Seco River. The upper Arroyo Seco River is in relatively close proximity to urban areas; thus, with the current 5 trout bag limit, there is the potential for high angler harvest of Coastal Rainbow Trout. The lack of a gear restriction for trout currently allows the potential for high deep–hooking and catch and release mortality rates that can be associated with the use of bait and barbed hooks when angling non–anadromous salmonids. Additionally, the upper Arroyo Seco contains a non–native population of Brown Trout (*Salmo trutta*) which offers sport fishing opportunities, though they may negatively impact native Coastal Rainbow Trout through competition and predation. Changing trout regulations in the upper Arroyo Seco to a 5 Brown Trout and 0 Rainbow Trout bag limit

with an artificial lures with barbless hooks only special restriction will ensure that this recreational Rainbow Trout fishery is protected and sustainable, while allowing recreational anglers the option of harvesting non–native brown trout.

- **Section 7.50, subsection (b)(90), McCloud River and Tributaries (Shasta and Siskiyou Cos):** This proposed change would add Trout Creek into subsection 7.50(b)(90), McCloud River and Tributaries under proposed paragraph (G), to provide angling regulation protections for McCloud River Redband Trout (MRRT), consistent with other streams in the MRRT Refugium. Trout Creek has been identified as a high priority conservation stream, but not included as a “Core Conservation Stream” in MRRT Conservation Agreement (CA) (2017). Confounding genetic results prior to the completion of the CA was the justification for Trout Creek to be excluded as a core conservation stream. However, since the genetics results, the Department has identified a “95% barrier” where MRRT collected upstream of the barrier were shown to be genetically distinct, and Rainbow Trout collected downstream of the barrier were shown to be slightly introgressed (Rainbow Trout cross with MRRT). Additionally, non–native Brown Trout are found downstream of the barrier but not upstream. The Department is currently working with the private landowner to improve the 95% barrier to ensure introgressed and non–native trout are unable to pass upstream at all flows, thence protecting the genetically distinct population upstream. In addition to improving the barrier, angling regulation changes are necessary to provide further protection for this population. The proposed angling regulations are consistent with Swamp Creek in the Refugium which provides a stable MRRT population where catch and release recreational angling will have no population level impacts.

Steelhead Fishing Report and Restoration Card Changes, Sections 1.74, 5.88, and 701

To better align with seasonal adult steelhead run timing, improve data management, and assess non–compliant reporting, the Steelhead Fishing Report and Restoration Card (Card; steelhead report card) reporting period is proposed to be changed from a 12–month calendar period to a 9–month reporting period. The adjusted Card reporting period would be August 1st through April 30th the following year and required to be returned or reported to the Department by May 31st. The Card would be required for anglers targeting any steelhead or Rainbow Trout in anadromous waters during this 9–month period. Anglers would be able to obtain the subsequent season Card

starting July 1st to allow time for the Department to process the previous season’s Cards returned by May 31st. Any Card holder who fails to return or report by the May 31st deadline shall be subject to a non–refundable non–return fee and will not be able to obtain the subsequent season Card until that fee is paid. From May 1st through July 31st of each year, anglers would not need a Card to fish for steelhead or Rainbow Trout in anadromous waters.

Shifting the reporting months to mirror the 9–month period run timing of steelhead would allow the Department to process Cards more efficiently and have data readily available to inform management strategies for the steelhead fishery statewide. By shifting the reporting period to 9 months, the Department will have time between seasons to assess non–compliance and can implement penalties prior to the subsequent year’s Card is issues, including fees and prohibitions for non–compliant report card holders.

Shifting the reporting period to mirror the seasonal run timing of returning and spawning steelhead between August to April will increase the ability to more accurately analyze data and manage steelhead runs. Adult steelhead are generally not present in most anadromous waters from May through July, so there is not a need to collect angler data during these months.

Anglers will still be able to fish for Rainbow Trout/steelhead during these months in waters open to angling, however a Card will not be required. Anglers will also be able to continue to harvest a hatchery steelhead if caught during these months and not have to report on the Card.

Additionally, the proposal would clarify that the Card is required when targeting Rainbow Trout, *Oncorhynchus mykiss*, in anadromous waters. There is currently a loophole in the language that allows an angler to state they are not fishing for steelhead, only Rainbow Trout, which technically does not require a Card. For improved enforcement, the language would be updated to include both terms and would require anglers to have a report card and fill it out when targeting either Rainbow Trout or steelhead in anadromous waters

Low–Flow Regulation Changes, Sections 7.00, 7.40 subsection (b), 7.50 subsection (b), and 8.00

This proposed change would reorganize, condense, and clean up the language in the low–flow regulations, standardize the identification of stream gauges, and remove streams from 8.00 that lack low–flow criteria.

- **Section 7.00, District General Regulations:** This proposal would add Section 8.00, which lists low–flow restrictions to the to the paragraph about existing restrictions (such as methods, gear, fishing hours, and use of bait) when angling in District waters. This proposal would remove ambiguities associated with anglers following reg-

ulations for low flow conditions, as well as wardens enforcing fishing regulation violations.

- **Section 7.40, subsection (b) and 7.50, subsection (b), Updates to Special Water Bodies regarding Low–Flow:** Proposed changes throughout the special waters tables in subsections 7.40(b) and 7.50(b) serve to better align subsection 7.40(b) language with the updated Section 8.00 language that is part of this proposal. Organizational changes, improves consistency informing the angler to be aware of low–flow considerations for the re–organized subsections 8.00(a), (b), or (c). These changes are necessary to clarify boundaries in both sections where descriptions are unclear, provide consistent placement of text, and update subsection references between 8.00, 7.40(b), and 7.50(b) as needed. In subsection (b) for Arroyo Seco Corralitos Creek, Llagas Creek, Pajaro River, Salinas River and tributaries, Uvas or Carnadero Creek references to Section 8.00 are removed, as these waters are proposed as being removed from the Low Flow restrictions due to lack of low flow threshold.
- **Section 8.00, Low–Flow Restrictions:** This proposed change would rewrite, reorganize, and simplify the low–flow regulations. A new website for low–flow fishing restrictions was launched in early 2025, which brought more attention to the language and content in Section 8.00. Subsections 8.00(a) and (b), which previously directed anglers to different regional phone lines, may now be combined and condensed into the revised subsection 8.00(a) now that there is an online platform during the time period of September 1 through April 30. Subsection 8.00(c) for the San Mateo, Santa Clara, Santa Cruz, and Monterey county water bodies is restructured to the revised subsection 8.00(b). This effort began as an initiative to remove redundancies and improve stylistic inconsistencies in the regulation (i.e. standardized identification of stream gauges with U.S. Geological Survey (USGS) gauging station number, stream, and nearest town), and turned into a more expansive effort to improve Section 8.00 in its entirety for conciseness, clarity, and consistency in language, after input from Department regional staff. These changes will make the regulations easier to understand, thereby reducing angler confusion.
- The proposed changes described in subsections 8.00(a)(1) through (3) and (b)(1) through (3), would allow the ability to make split block decisions instead of solid block decisions. Allowing split block decisions has the potential to provide additional opportunity by adding angling days

and reduce angler frustration. The current regulations specify the days when Department staff will determine low–flow fishing closures, and fishing on all days between Department updates shall either be opened or closed (solid block decision). Now with the new website, it is easier to display and update information, and the Department could provide more flexibility in determining low–flow fishing closures. Instead of closing or opening fishing for an entire two–to–four–day period, the Department could choose to close fishing for only part of the two–to–four–day period (split block decision). Split block decisions will allow the Department to be more flexible and precise in applying closures only to days when flows are predicted to fall below minimum thresholds.

- New subsection 8.00(a): consolidate and update the low–flow conditions for river and stream closures including those water bodies listed from north to south within Del Norte, Humboldt, Mendocino, Sonoma, Napa, and Marin counties.

New subsection 8.00(b): consolidate and update the low–flow conditions for river and stream closures including those water bodies listed from north to south within San Mateo, Santa Clara, Santa Cruz, and Monterey counties.

BENEFITS OF THE PROPOSED REGULATIONS

As stated in Fish and Game Code Section 1700, Conservation of Aquatic Resources, it is the policy of this state to encourage the conservation, maintenance, and utilization of the living resources of the ocean and other waters under the jurisdiction and influence of the state for the benefit of all the citizens of the state and to promote the development of local fisheries and distant water fisheries based in California in harmony with international law, respecting fishing and the conservation of the living resources of the ocean and other waters under the jurisdiction and influence of the state. The objectives of this policy include, but are not limited to, the maintenance of sufficient populations of all species of aquatic organisms to ensure their continued existence, and the maintenance of a sufficient resource to support a reasonable sport use. Adoption of scientifically–based sport fish seasons, size limits, and bag and possession limits provides for the maintenance of sufficient populations sport fish to ensure their continued existence.

The benefits of the proposed regulations are consistent with the sustainable management of California’s sport fisheries, general health and welfare of California residents, and promotion of businesses that rely on sport fishing throughout California.

CONSISTENCY AND COMPATIBILITY WITH EXISTING REGULATIONS

Article IV, Section 20 of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to regulate recreational fishing in waters of the state (Fish and Game Code sections 200, 205, 315, and 316.5). The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the California Code of Regulations and finds no other state agency regulations pertaining to sport fishing seasons, bag, gear and possession limits

PUBLIC PARTICIPATION

Comments Submitted by Mail or Email

It is requested, but not required, that written comments be submitted on or before **5:00 p.m. on July 30, 2026** at the address given below, or by email to FGC@fgc.ca.gov. Written comments mailed, or emailed to the Commission office, must be received before **12:00 noon on August 7, 2026**. If you would like copies of any modifications to this proposal, please include your name and mailing address. Mailed comments should be addressed to Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244–2090.

Meetings

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the **California Natural Resources Headquarters Building, Second Floor, 715 P Street, Sacramento, California**, which will commence at **8:00 a.m. on June 17, 2026**, and may continue at **8:00 a.m. on June 18, 2026**. The Commission will make a reasonable effort to provide the public additional opportunities to observe or provide comment in the meeting through the Zoom videoconference platform by computer, mobile device, or telephone connections. However, the Commission cannot guarantee the accessibility or functionality of the remote connection options. Should technical issues affect remote attendee access or quality, an attempt will be made to resolve them, but the meeting will continue with in-person attendees. Instructions for participation in the webinar/teleconference hearing will be posted at www.fgc.ca.gov in advance of the meeting or may be obtained by calling (916) 653–4899. Please refer to the Commission meeting agenda, which will be available at least 10 days prior to the meeting, for the most current information.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the **California Natural Resources Headquarters Building, Second Floor, 715 P Street, Sacramento, California**, which will commence at **8:00 a.m. on August 12, 2026** and may continue at **8:00 a.m. on August 13, 2026**. The Commission will make a reasonable effort to provide the public additional opportunities to observe or provide comment in the meeting through the Zoom videoconference platform by computer, mobile device, or telephone connections. However, the Commission cannot guarantee the accessibility or functionality of the remote connection options. Should technical issues affect remote attendee access or quality, an attempt will be made to resolve them, but the meeting will continue with in-person attendees. Instructions for participation in the webinar/teleconference hearing will be posted at www.fgc.ca.gov in advance of the meeting or may be obtained by calling (916) 653–4899. Please refer to the Commission meeting agenda, which will be available at least 10 days prior to the meeting, for the most current information.

AVAILABILITY OF DOCUMENTS

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

AVAILABILITY OF MODIFIED TEXT

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes

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

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

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

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

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

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed changes provide clarification of existing regulations that are necessary for the continued preservation of fisheries resources, while providing sport fishing opportunities and thus, the prevention of adverse economic impacts.

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

The Commission does not anticipate adverse impacts on the creation or elimination of jobs within the state. The Commission does not anticipate adverse impacts on the creation of new business, the elimination of existing businesses or the expansion of businesses in California. The proposed changes are to provide clarification of existing regulations or that provide minor increases in fishing opportunities. These changes are not anticipated to change the level of fishing activity enough to affect the demand for goods and services

related to sport fishing enough to impact the demand for labor, nor induce the creation of new businesses, the elimination, nor the expansion of businesses in California.

The Commission anticipates benefits to the environment by the sustainable management of fishery resources throughout the state. The Commission anticipates general benefits to the health and welfare of Californians through expanded outdoor recreational opportunities and responsible management of public resources. The Commission does not anticipate any benefits to the health and welfare of California residents or to worker safety.

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

The Commission is not aware of any cost impacts that a business would necessarily incur in reasonable compliance with the proposed action. The proposed non–reporting fee for steelhead report cards introduces a \$20 fee to any card holder failing to return/report by the May 31st deadline. Any angler who doesn’t pay the non–reporting fee after the deadline will not be able to obtain any subsequent season’s card until that fee is paid. This fee can be entirely avoided if the angler returns the card in compliance with the regulation, or if anglers choose to fish in anadromous waters from May 1st through July 31st of each year, as they would not need a card to fish for steelhead or Rainbow Trout during that period.

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

None. No changes to costs or savings to federal funding are anticipated by the proposed clarification of existing regulations. The Department program implementation and enforcement are projected to remain the same with a stable volume of fishing activity.

Department staff estimate that currently 30–35% of anglers return their steelhead report card, with an average of approximately 43,500 cards sold over the last six years¹, for an average of 30,450 to 28,275 non–returned cards. The proposed \$20 non–return fee would mean a maximum potential of \$609,000–\$565,500 would be accrued in fines, representing additional revenue for the Department. However, this does not take into account a likely increase in return rates or the fact that not everyone will pay the fine, as suggested by the exact same changes from the lobster report card, which had an approximate 16% return rate from 2008–2011 without a non–return fee and increased reporting to 39%–54% from 2014 to 2025.²

¹ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=178047&inline>

² <https://wildlife.ca.gov/Conservation/Marine/Invertebrates/Lobster>

If the steelhead report card increased reporting rates similarly by 20–30%, the Department would have a projected 50–65% return rate and could potentially see 21,750 to 13,050 unreturned cards with a maximum revenue potential of \$435,000 to \$261,000 in accrued fines (average of \$348,000). See STD 399 addendum for further details.

(e) Nondiscretionary Costs/Savings to Local Agencies:

None.

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

None.

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

None.

(h) Effect on Housing Costs:

None.

(i) Business Reporting Requirements:

The proposed action does not impose a business reporting requirement.

EFFECT ON SMALL BUSINESS

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

CONSIDERATION OF ALTERNATIVES

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

TITLE 22. DEPARTMENT OF TOXIC SUBSTANCES CONTROL

LISTING CLEANING PRODUCTS CONTAINING HYDROFLUORIC ACID AS A PRIORITY PRODUCT

CONTROL REFERENCE NUMBER: R–2025–09R

NOTICE IS HEREBY GIVEN that the Department of Toxic Substances Control (DTSC) proposes to amend the California Code of Regulations, title 22, division 4.5, chapter 55, article 11, section 69511, and adopt section 69511.11. This proposed amendment pertains to the identification of a Priority Product under the Safer Consumer Products (SCP) Regulations, approved by the Office of Administrative Law (OAL) and filed with the Secretary of State on August 28, 2013 (effective date: 10/01/2013; OAL Regulatory Action Number: Z–2012–0717–04).

COMMENT PERIOD

A public comment period for the rulemaking has been established commencing on June 5, 2026, and closing on July 20, 2026.

Statements, arguments, or contentions regarding the rulemaking and/or supporting documents must be submitted in writing (electronically or in hard-copy) or presented orally or in writing at a public hearing, if a hearing is requested, for them to be considered by DTSC before it adopts or amends these regulations. Only comments received or postmarked on or before that date will be considered.

Written comments may be submitted electronically through the SCP Information Management System, CalSAFER at: <https://calsafertsc.ca.gov/>. While DTSC prefers comments to be submitted through the CalSAFER system, interested persons may also submit their comments in an email to: SaferConsumerProducts@dtsc.ca.gov or through the DTSC regulations email address at regs@dtsc.ca.gov. Please include the DTSC reference number for this rulemaking package in the subject of your message. Direct hard-copy written comments to the Director's Office — Regulatory Review Unit, as specified below.

PUBLIC HEARING

A public hearing has not been scheduled for this rulemaking. However, DTSC will conduct a hearing if a written request for a public hearing is received from any interested person, or their duly authorized representative, no later than 15 days pri-

or to the close of the written comment period, pursuant to Government Code section 11346.8. Submit a written request for a public hearing in an email to SaferConsumerProducts@dtsc.ca.gov or to the Office of Legislation and Regulatory Review, as specified below.

Notice Pertaining to Accessibility and Reasonable Accommodation

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

Director’s Office — Regulatory Review Unit (25th floor)
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812–0806
Email: regs@dtsc.ca.gov
Phone Number: (916) 302–0360
Fax Number: (916) 324–1808

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

AUTHORITY & REFERENCE

Authority: Health and Safety Code (HSC) sections 25252, 25253, and 58012 (added by Gov. Reorg. Plan Number 1, section 146, eff. July 17, 1991).

Reference: HSC sections 25252 and 25253.

INFORMATIVE DIGEST

Policy Statement Overview:

DTSC proposes to add cleaning products containing hydrofluoric acid as a Priority Product to the Priority Products List and move directly to a regulatory response in lieu of an Alternatives Analysis per HSC section 25253(d). DTSC determined a sales prohibition in California to be the most effective regulatory response for this Priority Product listing.

Following an extensive review of the scientific literature and analysis of the known hazard traits of hydrofluoric acid (HF), DTSC concluded that there is a potential for humans to be exposed to HF during the normal use of cleaning products. HF is an acutely toxic chemical, and exposures could potentially contribute to or cause significant adverse health impacts, in-

cluding severe, permanent injuries and death. Alternatives to HF in these products are already available and widely in use. DTSC based this determination on an evaluation of available, reliable scientific information pertinent to the regulatory criteria.

Benefits of the Proposed Regulatory Action:

The primary goal of the SCP Regulations is to protect public health and the environment by reducing exposures to potentially harmful chemicals. By listing cleaning products containing HF as a Priority Product following the direct-to-regulatory-response pathway per HSC section 25253(d), DTSC prohibits manufacturers of these products from placing the product into the stream of commerce in California. This reduction in exposure to HF would benefit California’s workers, consumers, and employers. Reducing exposure to HF could reduce health effects such as skeletal fluorosis, asthma, and death in the general population of California.

Existing Laws and Regulations:

The SCP Regulations established a unique approach to regulating Chemicals of Concern in consumer products that grants DTSC authority to take actions to protect people and the environment when such actions are outside the scope of other regulatory programs. There are no equivalent federal or state regulations applicable to HF-containing cleaning products in California.

Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state or federal regulations.

Related State and Federal Laws and Regulations:

DTSC has assessed all applicable state and federal laws and regulations, as well as international treaties or agreements with the force of domestic law, related to the proposed Priority Product and the Candidate Chemical in the product. DTSC has determined that the proposed regulation does not duplicate or conflict with any of these regulations, which are discussed below.

There are federal and state regulations in place to minimize environmental and occupational exposures to HF. At the federal level, HF is regulated under the Toxic Substances Control Act (TSCA) and has been designated by U.S. EPA as an “Extremely Hazardous Substance” under the Emergency Planning and Community Right-to-Know Act (EPCRA). As part of EPCRA section 313, facilities and manufacturers using or processing HF are required to report environmental emissions and pollution prevention actions related to HF. EPCRA-associated HF data can also be tracked through U.S. EPA’s Toxic Release Inventory (TRI), which acts as a resource for local communities, government agencies, and companies to learn about the potential for toxic chemical releases and to inform pollution prevention activities.

HF is also regulated under the U.S. EPA’s Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), which provides federal support to clean up hazardous pollutants and the Resource Conservation Recovery Act (RCRA), which gives U.S. EPA “cradle-to-grave” authority over hazardous waste. Furthermore, HF is considered a hazardous air pollutant under the Clean Air Act, and it is recognized as a toxic air contaminant by the California Air Resources Board. HF is also regulated as a hazardous substance under the Clean Water Act.

U.S. EPA has established Acute Exposure Guideline Levels (AEGs) for emergency planners and responders in the event of an accidental airborne release of HF. Multiple federal and state agencies have established regulations regarding occupational exposure to HF. For example, both the National Institute of Occupational Safety and Health (NIOSH) and the Occupational Safety and Health Administration (OSHA) have a recommended exposure limit time-weighted average (REL-TWA) and permissible exposure limit (PEL) of 3 ppm for average exposures over 8–10 hours, while the California Division of Occupational Safety and Health (Cal/OSHA) has a PEL of 0.4 ppm. The California Office of Environmental Health Hazard Assessment (OEHHA) also has established reference exposure levels (RELs) for HF with 0.3 ppm as the acute REL and 0.02 ppm as the chronic REL. California employers must also follow Title 8 of the California Code of Regulations, which includes conducting hazard assessments and established safety standards for handling hazardous materials. Specific occupational sectors may be subject to additional regulations or recommendations on their environmental emissions. For example, car wash businesses in California may be required to follow specific guidelines for wastewater to ensure it is properly treated before disposal.

Cleaning products available to the public are required to contain warning labels per the Federal Hazardous Substances Act. For HF, these warnings should include “KEEP OUT OF REACH OF CHILDREN” and “DANGER” but may sometimes say “CAUTION.” The “DANGER” or “CAUTION” warning may contain additional language to indicate that the product may be fatal, can cause permanent damage, or can cause severe burns that may not be immediately painful or visible. Some products also warn that HF vapor can be harmful.

OTHER APPLICABLE REQUIREMENTS
PRESCRIBED BY STATUTE

California Environmental Quality Act (CEQA):

DTSC has no evidence that this regulation would result in a change in any of the physical conditions

within the environmental factors that are analyzed under CEQA. DTSC has determined that this rulemaking would be exempt from CEQA (Public Resources Code section 21000, et seq.) under the general rule exemption. (Cal. Code Regs., title 14, section 15061, subdivision (b)(3).) A draft Notice of Exemption (NOE) is available for review during the public comment period upon request and will be filed with the State Clearinghouse if the regulation is finalized.

California Environmental Policy Council Review:

Under the provisions of Health and Safety Code section 25252.5, the California Environmental Policy Council (CEPC) reviewed the framework SCP Regulations prior to their adoption in October 2013 (the CEPC Resolution may be viewed at: <http://www.calepa.ca.gov/cepc/>). Under HSC section 25252.5(f), the CEPC determined that the proposed regulations would not have any significant adverse impact on public health or the environment and could be adopted by DTSC without undergoing a multimedia life cycle evaluation. DTSC determined that further review by the CEPC is not warranted for this rulemaking because the requirements of HSC section 25252.5 apply only to the creation of the SCP program and not regulations that may be required to implement this program.

Scientific Peer Review:

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

DISCLOSURES REGARDING THE
PROPOSED ACTION

Mandate on Local Agencies or School districts: None.

Cost or Savings to Any State Agency: DTSC will absorb additional costs associated with compliance and enforcement activities such as monitoring the California market for cleaning products containing HF or product testing to verify compliance because DTSC has been budgeted to verify and ensure compliance with Priority Product listings. DTSC estimates that the total fiscal costs to state government for adopting this regulation will range from \$7,000 to \$18,000 per year. No impact is expected on DTSC fees arising from this regulation.

Cost to any Local Agency or School District Which Must be Reimbursed in Accordance with Government Code Sections 17500 through 17630: None.

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

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

Local Mandate: None.

Types of Businesses Affected: Manufacturers of cleaning products containing HF have the principal duty to comply with the regulation’s requirements.

Projected Reporting, Recordkeeping, or other Compliance Requirements: Under HSC section 25253(d), DTSC has the option to list a Priority Product that will proceed directly to regulatory response in lieu of requiring an Alternatives Analysis. Proposals under HSC section 25253(d) must be based on reliable studies or other scientific information that meets a two–part reliability standard (HSC section 25253(d)(2)) and must address any relevant factors listed in subdivision (c) of section 69506 of the California Code of Regulations (HSC section 25253(d)(4)).

DTSC does not require Priority Product Notifications or Removal/Replacement Notifications for the proposed regulatory action as manufacturers must ensure cleaning products containing HF are no longer placed in the stream of commerce for sale in California upon adoption of the regulation.

Cost Impacts on Representative Private Persons or Businesses: DTSC relied on a variety of sources to estimate the number of California–based manufacturers of cleaning products containing HF potentially impacted by this proposed regulation. DTSC searched lists of manufacturers provided in Data Axle Reference Solutions and U.S. Census Bureau for manufacturers of products containing these chemicals. DTSC then searched manufacturers’ websites and safety data sheets (SDSs) to refine the list of companies manufacturing these products.

DTSC determined that there are up to 10 manufacturers of cleaning products containing hydrofluoric acid (HF) based in California that could be impacted by this proposed regulation. DTSC estimates total statewide costs for California–based businesses to comply with this regulation could range from \$25,000 to \$300,000. DTSC estimates costs for individual businesses could range between \$0 and \$50,000.

Effect on Housing Costs: None.

Effect on Small Businesses: DTSC made an initial determination that the adoption of this regulation may affect small businesses. DTSC estimates that 8 of the 10 potentially impacted manufacturers are small businesses. Regulatory compliance costs are expected to be the same for all impacted businesses.

Significant, Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States: None.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

Creation of New Businesses or Elimination of Existing Businesses:

DTSC determined that this proposal is unlikely to result in the elimination of any cleaning products manufacturers. DTSC expects that the one–time costs associated with this regulation are low enough for all potentially impacted manufacturers to comply without eliminating their businesses.

Expansion of Businesses Currently doing Business:

DTSC determined that this proposal is unlikely to result in the expansion of any businesses currently doing business in California.

Creation of New Jobs or Elimination of Existing Jobs:

DTSC determined that this proposal is unlikely to result in the elimination of any jobs in California. DTSC expects that the one–time costs associated with this regulation are low enough for all potentially impacted manufacturers to comply without impacting the number of jobs at their businesses.

Benefits of the Regulation on the Health and Welfare of California Residents, Worker Safety, and the State’s Environment:

DTSC made an initial determination that the adoption of this regulation may positively affect the health and welfare of California residents. A reduction in exposure to HF could benefit California’s workers, consumers, and employers. Exposure to HF from cleaning products has the potential to cause severe, permanent injuries requiring significant treatment costs. Based on data from the National Poison Data System and the California Department of Health and Human Services, DTSC estimates 13 Californians per year receive injuries requiring medical treatment associated with HF in cleaning products, resulting in treatment costs in excess of \$1.9 million per year.

CONSIDERATION OF ALTERNATIVES

DTSC must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of DTSC would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost–effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. DTSC’s consideration of alternatives is available in the Initial Statement of Reasons included as part of this proposed regulation.

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

Copies of the Notice of Proposed Action, Initial Statement of Reasons, all the information upon which this proposal is based, and the express terms of the proposed regulation (also known as the proposed regulatory text) are available for inspection and copying throughout the rulemaking process at DTSC’s Director’s Office — Regulatory Review Unit at the aforementioned address under “*Notice Pertaining to Accessibility and Reasonable Accommodation*” section. The rulemaking documents are also posted to DTSC’s Internet website at <https://dtsc.ca.gov/regs/>.

After the close of the comment period, DTSC may adopt the proposed regulation. If substantial, sufficiently related changes are made to the regulatory text, the modified full text (with the changes clearly indicated) will be made available for comment for at least 15 days prior to adoption to those who 1) submitted written comments during the comment period; 2) submitted written or oral comments at the public hearing, if a hearing is held; and 3) specifically requested notification of the availability of such changes.

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

CONTACT PERSONS

Inquiries regarding technical aspects of the proposed regulation, CEQA document, or CalSAFER may be directed to Janna Jacobs of DTSC at Janna.Jacobs@dtsc.ca.gov or (626) 639–0268, or, if unavailable, David Rist of DTSC at David.Rist@dtsc.ca.gov or (510) 540–3763. However, such oral inquiries are not part of the rulemaking record.

ALL OTHER QUESTIONS/COMMENTS/
INQUIRIES/UPDATES

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

GENERAL PUBLIC INTEREST

**DEPARTMENT OF
FISH AND WILDLIFE**

FISH AND GAME CODE SECTION 1653
CONSISTENCY DETERMINATION
REQUEST FOR MEYER GULCH FISH
PASSAGE IMPROVEMENT PROJECT
(TRACKING NUMBER:
1653–2024–185–001–R1)
MENDOCINO COUNTY

California Department of Fish and Wildlife (CDFW) received a Request to Approve on May 20, 2026, that Trout Unlimited proposes to carry out a habitat restoration or enhancement project pursuant to Fish and Game Code section 1653. The proposed project involves restoring access for adult and juvenile salmonids by replacing the existing undersized, perched, and deteriorating culvert and concrete sill with a multi-plate arch culvert on concrete footings, containing a concrete fishway. The proposed project will be carried out on Meyer Gulch approximately 30 feet upstream of the confluence with Mill Creek, located at the Holmes Ranch Road crossing over Meyer Gulch, near Philo, Mendocino County, California.

On April 17, 2026, the North Coast Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) to comply with the terms of, and obtain coverage under, the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Meyer Gulch Fish Passage Improvement Project. The Regional Water Board determined that the Project, as described in the NOI, was categorically exempt from California Environmental Quality Act (CEQA) review (section 15333 — Small Habitat Restoration Projects) and met the eligibility requirements for coverage under the General 401 Order. The Regional Water Board issued a Notice of Applicability (WDID Number 1B26060WNME) for coverage under the General 401 Order on May 20, 2026.

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

In accordance with Fish and Game Code section 1653 subdivision (e), if CDFW determines during the review, based on substantial evidence, that the request is not complete, Trout Unlimited will have the opportunity to submit under Fish and Game Code section 1652.

**SUMMARY OF
REGULATORY ACTIONS**

**REGULATIONS FILED WITH THE
SECRETARY OF STATE**

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

Department of Fish and Wildlife
File # 2026-0408-08
Rescind Commission Groundfish Management Measures

In this certificate of compliance pursuant to Government Code section 11346.1(e), the Department of Fish and Wildlife makes permanent amendments made in emergency OAL Matter Nos. 2025-0811-05E and 2026-0206-01EE. The amendments rescind the application of the Commercial Groundfish Restriction Area (CGRA) and associated 20-fathom boundary line for commercial groundfish fisheries north of 37° 07' North latitude (Año Nuevo). The amendments also extend federal trip limits for non-nearshore groundfish stocks into state waters north of 37° 07' North latitude, while commercial retention of quillback rockfish would remain prohibited, statewide.

Title 14
Amend: 150.06, 150.16
Filed 05/20/2026
Effective 05/20/2026
Agency Contact: Mike Randall (916) 902-9109

Capital Programs and Climate Financing Authority
File # 2026-0512-02
Rate Reduction Bonds

This emergency rulemaking by the Capital Programs and Climate Financing Authority, as authorized by Government Code section 6588.7(b)(7), amends regulations pertaining to the Authority's review of rate reduction bonds to expand the authorized

scope for those bonds to include local publicly owned electrical utilities, as authorized by Assembly Bill 758 (Chapter 233, Stats. 2021). The emergency rulemaking also makes additional technical changes for statutory consistency and nonsubstantive changes.

Title 04
Amend: 8130, 8131, 8132, 8133, 8134, 8135, 8136, 8137
Filed 05/21/2026
Effective 05/21/2026
Agency Contact: Morgan Matz (916) 654-6061

Department of Justice
File # 2026-0514-02
Unflavored Tobacco List

In this emergency readoption action pursuant to Government Code section 11346.1, the Department of Justice adopts a process for applying to place products on the Unflavored Tobacco List, as well as to maintain and enforce that list.

Title 11
Adopt: 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957
Filed 05/21/2026
Effective 05/27/2026
Agency Contact:
Marlon Martinez (213) 269-6437

Department of Insurance
File # 2026-0416-03
CAARP Rules and Rate Manual Commercial Automobile Insurance Procedure (CAIP) Rates

The Department of Insurance submitted this action for filing and printing pursuant to Government Code section 11343.8. This action makes changes to Rules 57 (Uninsured Motorists Insurance), 73 (Premium Development — Zone Rated Autos), 75 (Truckers Liability Coverage), 123 (Hired Autos), and 124 (Nonowned Auto Liability Coverage), of the California Automobile Assigned Risk Plan (CAARP), which is incorporated by reference in title 10, California Code of Regulations, section 2498.5. This action is exempt from the Administrative Procedure Act pursuant to Insurance Code section 11620(c).

Title 10
Amend: 2498.5
Filed 05/27/2026
Effective 05/27/2026
Agency Contact:
Michael Riordan (415) 538-4226

Board of Equalization
 File # 2026–0416–01
 Chief Deputy Director Approval Required for Refunds Over \$100,000

This section 100 action pursuant to California Code of Regulations, title 1, section 100, by the Board of Equalization, amends the timing regarding the availability of refund determinations of more than \$50,000 as a public record. This regulatory change is based on statutory changes made through Senate Bill 889 (Chapter 511, Statutes of 2023).

Title 18
 Amend: 5237
 Filed 05/26/2026
 Agency Contact: Eric Boeing (916) 274–3514

Board of Optometry
 File # 2026–0408–04
 Mobile Optometric Office Requirements

This action submitted by the Board of Optometry pursuant to California Code of Regulations, title 1, section 100, amends mobile optometric office requirements to align with Business and Professions Code section 3070.2, as amended by Senate Bill 776 (Stats. 2025, chapter 788, section 28).

Title 16
 Amend: 1584.5, 1586, 1587
 Filed 05/20/2026
 Agency Contact: Serena St. Mary (279) 895–1466

California Department of Tax and Fee Administration
 File # 2026–0413–02
 Filing a Claim for Refund, Review of a Request for Relief

In this action pursuant to California Code of Regulations, title 1, section 100, the California Department of Tax and Fee Administration updates the department names, email addresses, and fax numbers in response to agency reorganization.

Title 18
 Amend: 35039, 35053
 Filed 05/20/2026
 Agency Contact: Kim DeArte (916) 309–5227

Division of Workers’ Compensation
 File # 2026–0415–04
 Utilization Review Standards

In this section 100 action pursuant to California Code of Regulations, title 1, section 100, the Division of Workers’ Compensation, Department of Industrial Relations seeks to amend the Form IMR to revise the fax number and incorporate by reference the form.

Title 08
 Amend: 9792.9.5, 9792.10.1, 9792.10.3, 9792.10.4, 9792.10.5, 9792.10.6, 9792.10.8, and 9792.12
 Repeal: 9792.10.2
 Filed 05/27/2026
 Agency Contact: River Sung (510) 286–0637

Department of Food and Agriculture
 File # 2026–0410–04
 Spotted Lanternfly Exterior Quarantine

In this rulemaking action, the California Department of Food and Agriculture amends requirements for and exemptions to the Spotted Lanternfly exterior quarantine.

Title 03
 Amend: 3287
 Filed 05/21/2026
 Effective 07/01/2026
 Agency Contact: Rachel Avila (916) 698–2947

Department of Pesticide Regulation
 File # 2026–0410–03
 Heat Illness and Personal Protective Equipment — Chemical — Resistant Suits

This rulemaking action by the Department of Pesticide Regulation (“Department”) clarifies chemical-resistant suit requirements and removes a duplicative and obsolete heat illness prevention requirement concerning employees wearing required chemical-resistant suits.

Title 03
 Amend: 6738.1
 Filed 05/20/2026
 Effective 07/01/2026
 Agency Contact: Lauren Otani (916) 445–5781

Department of Food and Agriculture
 File # 2026–0410–02
 Spotted Lanternfly Interior Quarantine and Eradication Area

In this rulemaking action, the Department of Food and Agriculture is adopting regulations to create interior quarantine and eradication areas for spotted lanternfly (*Lycorma delicatula*) in California.

Title 03
 Adopt: 3446, 3591.31
 Filed 05/21/2026
 Effective 07/01/2026
 Agency Contact: Rachel Avila (916) 698–2947

**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.