



California Regulatory Notice Register

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JUNE 12, 2026

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

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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: Tahoe City Public Utility District

A written comment period has been established commencing on June 12, 2026, and closing on July 27, 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 code 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 code will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest code, 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 code 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 code. Any written comments must be received no later than July 27, 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 code should be made to Maia Kocinsky-Kirkham, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email mkocinsky-kirkham@fppc.ca.gov.

AVAILABILITY OF PROPOSED
CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Maia Kocinsky-Kirkham, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email mkocinsky-kirkham@fppc.ca.gov.

**TITLE 3. DEPARTMENT OF
FOOD AND AGRICULTURE**

FRUIT AND VEGETABLE
STANDARDIZATION

NOTICE IS HEREBY GIVEN that the California Department of Food and Agriculture (Department OR CDFA) proposes to amend regulations as described below within the California Code of Regulations Title 3 (3 CCR), Division 3, Chapter 1, Subchapter 4, Articles 4 and 22, Sections 1380.19, 1430.26, and 1430.27.

PUBLIC HEARING

The Department has not scheduled a public hearing on this proposed action. However, any interested person or his or her duly authorized representative may request a public hearing on this proposed action by submitting a written request no later than 15 days before the close of the written comment period noted below.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department by mail or email. The written comment period will close on July 27, 2026. The Department will only consider comments received by that date. Submit written comments to:

Sarah Cardoni, Branch Analyst
Inspection and Compliance Branch
California Department of Food and Agriculture
1220 N Street, Sacramento, CA 95814
Email: sarah.cardoni@cdfa.ca.gov
Telephone: (916) 597-6894

Following the written comment period or public hearing, if one is requested, and after considering all comments, objections, and recommendations regarding the proposed actions, the Department, at its own motion or at the request of any interested person, may

adopt the proposal substantially as set forth without further notice.

AUTHORITY AND REFERENCE

Sections 407 and 42682 of the Food and Agricultural Code authorize the Department to adopt these proposed regulations. The proposed regulations implement, interpret, and make specific Sections 42941 of the Food and Agricultural Code.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

California's standard container requirements for citrus are established under the Food and Agricultural Code and implemented through regulations in Title 3, California Code of Regulations (CCR), Division 3, Chapter 1, Subchapter 4. These regulations specify the types of containers authorized for use in packing and shipping citrus, uniformity requirements, size and count standards, and related packing provisions necessary to promote consistency, quality, and fair trade practices across the citrus industry.

This rulemaking action updates several citrus-related regulations to incorporate the conclusion of the experimental permit period for Container 60 and to formally authorize its continued use as a standard container for grapefruit packed using the volume-fill method. State law allows only limited commercial use of an experimental container for up to three years. After that period, a container must be adopted by regulation to remain in use. The citrus industry has completed the required experimental use period demonstrating the effectiveness, stability, and efficiency of Container 60, necessitating its addition to existing regulatory provisions governing grapefruit packing standards.

The proposed amendments will:

Expand Allowable Standard Containers

This action adds grapefruit as an authorized commodity for Container 60 under Section 1380.19. Container 60 has shown improved stability and reduced pack pressure during shipment, enhancing grapefruit quality and reducing damage and waste. Its adoption provides the industry with an additional standard container for grapefruit.

Align Size, Count, and Average Diameter Standards

Amendments to Section 1430.26 add Container 60 to the existing grapefruit count and average diameter tables. This incorporation ensures uniform sizing standards across all authorized grapefruit containers, helping limit damage during shipment and improving fruit condition upon delivery to consumers.

Update Standard Container Requirements for Grapefruit

Amendments to Section 1430.27 add Container 60 to the list of standard grapefruit containers. This update ensures consistency between the standard container definitions in Section 1380.19 and the commodity-specific requirements in Article 22.

The primary objective of this rulemaking is to finalize the transition of Container 60 from experimental to standard container status, enhance packing efficiency, reduce fruit damage, and provide the citrus industry with an additional stable, effective container option for grapefruit shipments. Adoption of the container will support product quality, reduce waste, and promote consistency throughout the grapefruit supply chain.

The proposed regulations are consistent with existing California law and do not conflict with federal requirements. They update state provisions to maintain clarity, ensure regulatory alignment, and support industry practices that promote high-quality citrus products for consumers.

CONSISTENCY EVALUATION

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

PLAIN ENGLISH REQUIREMENT

The Department prepared the proposed regulations pursuant to the standard of clarity provided in Government Code Section 11349 and the plain English requirements of Government Code Sections 11342.580 and 11346.2(a)(1). The proposed regulations are written to be easily understood by the individuals that will use them.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

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

Significant effect on housing costs: None.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Government Code Section 11346.3(b)(1) requires state agencies to assess the potential economic impacts on California businesses and individuals when proposing to adopt or amend any administrative regulation. The CDFA concludes:

- (1) It is likely that the proposal would not create or eliminate jobs within the state.
- (2) It is likely that the proposal will not create new businesses or eliminate existing businesses within the state.
- (3) It is likely that the proposal will not expand businesses currently doing business within the state.
- (4) It is likely the proposal will benefit the health and welfare of California residents, worker safety, and the environment. The proposed action adds a new standard container for grapefruit packed using the volume-fill method, which is designed to reduce pack pressure and minimize fruit damage. Improved fruit quality and reduced waste support consumer confidence and decrease the amount of fruit discarded due to damage. Additionally, more stable and efficient containers can enhance handling safety for workers and reduce the likelihood of product loss during transport, indirectly benefiting environmental sustainability by decreasing waste and improving resource efficiency.

SMALL BUSINESS DETERMINATION

The Department has initially determined that the proposed changes to the regulations would result in no added costs to small businesses affected by these proposed changes. This proposed regulatory action would allow packers to pack utilizing a more efficient and stable container. In addition, the proposed regulatory actions were initiated at the request of the impacted industry.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the Department must determine that

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

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

CONTACT PERSONS

Written comments and inquiries concerning the substance of the proposed regulation, initial statement of reasons, proposed actions, location of the rulemaking file, or a request for a public hearing should be directed to:

Sarah Cardoni, Branch Analyst
Inspection and Compliance Branch
California Department of Food and Agriculture
1220 N Street, Sacramento, CA 95814
Email: sarah.cardoni@cdfa.ca.gov
Telephone: (916) 597-6894

The backup contact person for these inquiries is:

Marcee L. Yount, Branch Chief
Inspection and Compliance Branch
California Department of Food and Agriculture
1220 N Street, Sacramento, CA 95814
Email: marcee.yount@cdfa.ca.gov
Telephone: (916) 900-5030

Please direct requests for copies of the proposed text of the regulations, the initial statement of reason, the modified text of the regulation, if any, or other information upon which the rulemaking is based to Sarah Cardoni at the above address.

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

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process. A copy of this notice, the proposed regulation text, and the initial statement of reasons may be obtained by contacting Sarah Cardoni at the address provided in the “Contact Persons” section.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the notice of proposed action, the initial statement of reasons, and the proposed regulation text in underline and strikeout can be accessed through the Department’s website: https://www.cdfa.ca.gov/is/regulations/ic_regulations.html#Standardization.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received during the written comment period, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which differ, but 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 prior to amendment. Please send requests for copies of any modified regulations to the attention of Sarah Cardoni at the address provided in the “Contact Persons” section. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF FINAL STATEMENT OF REASONS

Upon its completion, copies of the final statement of reasons may be obtained by contacting Sarah Cardoni at the address provided in the “Contact Persons” section.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

PINK BOLLWORM INTERIOR QUARANTINE REPEAL

The California Department of Food and Agriculture (Department) proposes to repeal Title 3 California Code of Regulations (CCR) Sections 3409, Pink Bollworm Interior Quarantine. This repeal of these regulations is intended to address the obligation of the Department to regulate the agricultural industry in California.

PUBLIC HEARING

A public hearing is not scheduled. However, a public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no

later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person or their authorized representative may submit written comments relevant to the proposed regulations to the Department. Comments may be submitted by USPS, FAX or email. The written comment period closes on July 27, 2026. The Department will consider only comments received at the Department offices by that date or postmarked no later than July 27, 2026. Submit comments to:

Erin Lovig, Senior Environmental Scientist
Supervisor
California Department of Food and Agriculture
Plant Health and Pest Prevention Services
1220 N Street,
Sacramento, CA 95814
(916) 654–1017
Permits@cdfa.ca.gov

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

AUTHORITY

The Department proposes to repeal Sections 3409, pursuant to the authority vested by Sections 401 and 407 of the Food and Agricultural Code (FAC).

REFERENCE

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

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

In November 2025, the Department ceased enforcement of this regulation following the successful eradication of Pink Bollworm from commercial cotton production areas and the subsequent declaration of eradication by both state and federal authorities. As a result, the quarantine is no longer deemed necessary to protect California’s cotton industry.

EXISTING LAWS AND REGULATIONS

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

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

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

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

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

ANTICIPATED BENEFITS OF THE PROPOSED REPEAL

While there are no monetary benefits from the repeal of these regulations, it is the Department’s responsibility to repeal regulations that no longer serve a purpose. In this would also prevent confusion with the public and bring clarity and transparency in this area.

There are no existing, comparable federal regulations or statutes.

EVALUATION OF INCONSISTENCY/ INCOMPATIBILITY WITH EXISTING STATE REGULATIONS

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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

DISCLOSURES REGARDING
THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district requiring reimbursement pursuant to Gov. Code sec. 17500 et seq. (Gov. Code sec. 11346.5(a)(6)): None.

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

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

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

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

Significant effect on housing costs: None.

Small business determination: The proposed action will not affect small business because this action is a regulation repeal and does not require reporting, recordkeeping, or compliance by businesses.

RESULTS OF THE ECONOMIC IMPACT
ANALYSIS/ASSESSMENT

The repeal of these regulations will cease any activities from the Department regarding Pink Bollworm, due to its eradication.

The Department has made an assessment that the adoption of these regulations will help maintain the economic baseline and (1) will have no significant impact on the creation or elimination of jobs in the State of California, (2) will have no impact on the creation or elimination of businesses within the State of California, (3) will have no impact on the expansion of businesses within the State of California, (4) will benefit the health and welfare of California residents by avoiding confusion and duplication with forthcoming adoption of section 3591.32 and bring clarity and transparency, (5) will have no impact on the state's environment, and (6) is not expected to benefit workers' safety.

CONSIDERATION OF ALTERNATIVES

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

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

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

The Department has prepared an initial statement of reasons for the proposed action and has made available all the information upon which its proposal is based and the express terms of the proposed action. The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdfa.ca.gov/plant/Regulations.html). A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

AVAILABILITY OF CHANGED
OR MODIFIED TEXT

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

AVAILABILITY OF THE FINAL
STATEMENT OF REASONS

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

**TITLE 3. DEPARTMENT OF
FOOD AND AGRICULTURE**

LETHAL DECLINE OF PALM
EXTERIOR QUARANTINE

The California Department of Food and Agriculture (Department) proposes to amend Title 3, California Code of Regulations (CCR) Section 3282 Lethal Yellowing and Lethal Decline of Palm Exterior Quarantine to update the host list and add the pest’s current name.

PUBLIC HEARING

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

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed regulations to the Department. Comments may be submitted by USPS, FAX or email. The written comment period closes July 27, 2026. The Department will consider only comments received at the Department offices by that date or postmarked no later than July 27, 2026. Submit comments to:

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

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

Unless there are substantial changes to the proposed regulations prior to adoption, the Department of Food and Agriculture may adopt the proposal as set forth in

this notice without further notice to the public. Following the public hearing, if one is requested, or following the written comment period if none is requested, the Department, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

AUTHORITY

The Department proposes to amend Section 3282 pursuant to the authority vested by Sections 407 5301, and 5302 of the Food and Agricultural Code (FAC).

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301 and 5302 of the FAC.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

This amendment will enable the Department to minimize the chance of lethal yellowing being moved outside any active quarantine zone by having a host list that reflects current knowledge of palm susceptibility. To do so the current host list within the regulation has been updated with three species that were not previously included, these species are:

- *Bismarckia* sp., Bismarck Palm
- *Roystonea regia*, Royal palm
- *Wodyetia bifurcate*, Foxtail Palm

These three species were found infected with lethal yellowing in a 2014 paper (Myrie, 2014) and are not currently included in the regulation host list. By adding these species the Department reduce opportunity for this pathogen to enter the state and infect established palm trees and palm tree nurseries.

The more recent name of the planthopper that causes lethal yellow, *Haplaxius crudus*, has also been added to the regulation to keep it current with the more recent scientific nomenclature.

EXISTING LAWS AND REGULATIONS

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

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

the boundaries of this state or elsewhere within the state.

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

ANTICIPATED BENEFITS OF THE PROPOSED AMENDMENT

The amendment of this regulation provides the necessary regulatory authority for the prevention of movement of a serious plant pest which is a mandated statutory goal.

This amendment is necessary to prevent any future spread of lethal yellowing to un-infested areas of the state. The regulation benefits the environment, and the overall California economy by preventing the spread of lethal yellowing.

Preventing the artificial spread of lethal yellowing economically benefits all Californians and businesses involved in the production or sale of host material located outside the infested regulated area. Tourism in the unregulated area is not negatively impacted by restrictions on access to parks that would be necessary either to prevent disease spread or to ensure protection from hazardous trees, or due to loss of the host trees that would affect parks visual aesthetic. Local governments do not face unexpected costs when they must remove infected dead or hazardous trees in parks, parkways, along roadsides or adjacent to public buildings. Homeowners do not have to use protective sprays to protect their palms or face costs for the removal of hazardous trees and loss of their property values.

By maintaining an accurate host list, the Department will reduce the chances of future incursions and help maintain the economic baseline.

There are no known specific benefits to worker safety.

There are specific benefits to the health of California residents by making it more likely that lethal yellowing would be detected before an infestation can happen, and, if there is an infestation, the Department can react quickly and effectively.

EVALUATION OF INCONSISTENCY/ INCOMPATIBILITY WITH EXISTING STATE REGULATIONS

As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of Section 3282 and has determined that

they are not inconsistent or incompatible with existing state regulations. After conducting a review for any regulations that would relate to or affect this area, the Department has concluded that these are the only regulations that concern lethal yellowing in California.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies or school districts: None.

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

Cost or savings to any state agency: None.

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

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

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

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

Significant effect on housing costs: None.

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

RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

The amendment is designed to prevent or minimize the spread of lethal yellowing by amending Section 3282.

The Department has made an assessment that the amendment to these regulations would: (1) not create

or eliminate jobs within California, (2) not create new business or eliminate existing businesses within California, (3) not affect the expansion of businesses currently doing business within California, (4) is expected to benefit the health and welfare of California residents, (5) is expected to benefit the state's environment, and (6) not expected to benefit workers' safety.

Health and welfare: The proposed action will benefit the health and welfare of California residents by making it more likely that lethal yellowing would be detected before an infestation can happen, and, if there is an infestation, the Department can react quickly and effectively. Speed of response is key to eradicating an incipient pest infestation. Programmatic delays potentially can lead to pest quarantines, as well as increased production costs and potential job loss.

The state's environment: The proposed action will benefit the state's environment by increasing the chance that lethal yellowing would be detected before an infestation can happen. If the Department neglects to regulate the types of hosts, this fungus pest could spread into the local environment via the surrounding non-agricultural ecosystems. This could adversely impact private and commercial landscape plantings, local, regional, state and national parks, other recreational sites, open habitats, and wild lands. Affected plants could become less vigorous and may produce fewer seeds. Plants/trees with low propagule output can result in major changes to plant community structure.

CONSIDERATION OF ALTERNATIVES

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

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

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

The Department has prepared an initial statement of reasons for the proposed action, and has made available all the information upon which its proposal is based and the express terms of the proposed action. The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdffa.ca.gov/plant/Regulations.html). A copy of

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

AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

GUAVA ROOT-KNOT NEMATODE ERADICATION AREA

The California Department of Food and Agriculture (Department) proposes to adopt Title 3, California Code of Regulations (CCR) Section 3591.34 Guava Root-Knot Nematode Eradication Area, which will allow the Department to create an eradication area for guava root-knot nematode if found within the State of California.

PUBLIC HEARING

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

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed regulations to the Department. Comments may be submitted by USPS, FAX or email. The written comment period closes July 27, 2026. The Department will consider only comments received at the Department offices by that date or postmarked no later than July 27, 2026. Submit comments to:

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

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

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

AUTHORITY

The Department proposes to amend Section 3591.34 pursuant to the authority vested by Sections 407 and 5322 of the Food and Agricultural Code (FAC).

REFERENCE

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

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

This regulation will provide authority for the State to perform specific detection, control, and eradication activities against guava root-knot nematode in California. This will allow targeted actions for eradication of guava root-knot nematode and reduce the chance of natural and artificial dispersal and the subsequent spread of the pest in California. Any eradication actions taken by the Department will be in cooperation

with the USDA and the affected county agricultural commissioners.

EXISTING LAWS AND REGULATIONS

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

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

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

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

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

ANTICIPATED BENEFITS OF THE PROPOSED AMENDMENT

The amendment of this regulation provides the necessary regulatory authority for the prevention of movement of a serious plant pest which is a mandated statutory goal.

This amendment is necessary to prevent any future spread of guava root-knot nematode to un-infested areas of the State. The regulation benefits the environment, and the overall California economy by preventing the spread of guava root-knot nematode.

There are economic benefits to the State's general fund from these regulations. Guava root-knot nematode, *Meloidogyne enterolobii*, is considered one of the most important pathogenic nematode species because of its ability to overcome the plant genes that

provide resistance to the many other *Meloidogyne* spp. in important crops, thereby causing much greater damage and a substantial reduction in crop yields.

If guava root–knot nematode were allowed to be introduced into California, many agricultural industries would be severely impacted due to decreased yields. There would be rising costs associated with crop rotations, and increased pesticide use. Also, if this pest were introduced, there would be a possible loss of markets if other states or counties established quarantines against California agricultural products due to this pest. Several ornamental and perennial shrub plants are known or probable hosts of the nematode species. Infestations of *M. enterolobii* may lower biodiversity, disrupt natural plant communities, and endanger critical habitats. Home gardening and ornamental plantings may also be impacted. Therefore, it is necessary to add Section 3591.34 to prevent any spread of guava root–knot nematode should it be detected within the State.

By adding have a statewide eradication area we will reduce the chances of future incursions and help maintain the economic baseline.

There are no known specific benefits to worker safety.

There are specific benefits to the health of California residents.

EVALUATION OF INCONSISTENCY/
INCOMPATIBILITY WITH EXISTING
STATE REGULATIONS

As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of Section 3591.34 and has determined that they are not inconsistent or incompatible with existing state regulations. After conducting a review for any regulations that would relate to or affect this area, the Department has concluded that these are the only regulations that concern spongy moth eradication areas in California.

CALIFORNIA ENVIRONMENTAL
QUALITY ACT (CEQA)

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

DISCLOSURES REGARDING THE
PROPOSED ACTION

The Department has made the following initial determinations:

- Mandate on local agencies or school districts: None.
- Cost to any local agency or school district requiring reimbursement pursuant to 17500 et seq.: None.
- Cost or savings to any state agency: None.
- Other nondiscretionary cost or savings imposed on local agencies: None.
- Cost or savings in federal funding to the state: None.
- Cost impacts on a representative private person or business: The agency is not aware of any cost impacts that a representative person or business would necessarily incur in reasonable compliance with the proposed action.
- Significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states: The cost impacts are expected to be none and minimal/non–consequential. The Department makes the initial determination that the proposed action will not have a significant, statewide adverse economic impact.
- Significant effect on housing costs: None.

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

RESULTS OF THE ECONOMIC IMPACT
ANALYSIS/ASSESSMENT

The amendment is designed to prevent or minimize the spread of guava root–knot nematode by amending Section 3591.34. The Department has made an assessment that the amendment to this regulation would: (1) not create or eliminate jobs within California, (2) not create new business or eliminate existing businesses within California,(3) not affect the expansion of businesses currently doing business within California, (4) is expected to benefit the health and welfare of California residents, (5) is expected to benefit the state’s environment, and is (6) not expected to benefit workers’ safety.

Health and welfare: The proposed action will benefit the health and welfare of California residents by making it more likely that guava root–knot nematode would be detected before an infestation can happen, and, if there is an infestation, the Department can react quickly and effectively. Speed of response is key to eradicating an incipient pest infestation. Programmatic delays potentially can lead to pest quarantines,

as well as increased production costs and potential job loss.

The state’s environment: The proposed action will benefit the state’s environment by increasing the chance that guava root-knot nematode would be detected and treated before an infestation happens. If the Department neglects to regulate the types of hosts, this pest could spread into the local environment via the surrounding non-agricultural ecosystems. This could adversely impact private and commercial landscape plantings, local, regional, state and national parks, other recreational sites, open habitats, and wild lands. Affected plants could become less vigorous and may produce fewer seeds. Plants with low propagule output can result in major changes to plant community structure.

CONSIDERATION OF ALTERNATIVES

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

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

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

The Department has prepared an initial statement of reasons for the proposed action, and has made available all the information upon which its proposal is based and the express terms of the proposed action. The Department has posted the information regarding this proposed regulatory action on its Internet website (www.cdffa.ca.gov/plant/Regulations.html). A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the comment period and considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as de-

scribed in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised.

Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer named herein. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

TITLE 3. DEPARTMENT OF PESTICIDE REGULATION

ENFORCEMENT RESPONSE

DPR REGULATION NUMBER 26-002

The Department of Pesticide Regulation (DPR) proposes to adopt Title 3, California Code of Regulations (3 CCR) section 6132 and to amend sections 6128 and 6130. The pesticide regulatory program activities affected by the proposal are those pertaining to pesticide enforcement. In summary, the proposed action will revise appropriate enforcement responses to be taken by the county agricultural commissioner (CAC) each time a violation(s) occurs to improve effectiveness and clarity of the regulations. The proposed amendments establish clear standards for determining penalty amounts, ensure that serious and repeat violations receive appropriately elevated consequences consistent with progressive enforcement, and reduce variations in enforcement practices among counties. This proposed action will also add 3 CCR section 6132 to require transparent reporting by DPR on the use of its pesticide use enforcement authority under Food and Agricultural Code (FAC) section 12999.6(c). By providing refined definitions, structured penalty criteria, and explicit decision-making guidelines, the updated regulatory language improves transparency, promotes predictable and equitable enforcement outcomes, and supports DPR’s mandate to protect human health and the environment.

SUBMITTAL OF COMMENTS

Any interested person may present comments in writing about the proposed action to the agency contact person named below. DPR will accept written comments that are submitted via U.S. mail and post-marked no later than July 28, 2026. Comments regarding this proposed action may also be transmitted via email to <dpr26002@cdpr.ca.gov> or via SmartComment online public comment portal at <<https://cdpr.commentinput.com?id=GRjbWU6P7>> and must be received no later than July 28, 2026.

Please note that under the California Public Records Act (Government Code section 7920.000 et seq.), your written and oral comments, attachments, and any associated contact information (e.g., your address, phone number, or email address) become part of the public record and can be released to the public upon request. You do not have to provide contact information when submitting a comment using the SmartComment portal.

PUBLIC HEARINGS

Three virtual public hearings have been scheduled for the times and places stated below to receive oral or written comments regarding the proposed action.¹ A presentation on the proposed regulations will be given prior to the start of each hearing at the times and places stated below.

DATE: Wednesday, July 8, 2026
 TIME: 5:30 p.m.: Pre-hearing presentation
 6:00–8:00 p.m.: Public hearing
 PLACE: Zoom (Virtual)
 Webinar ID: 832 9520 4795
 Direct link to join the meeting from a web browser or Zoom client:
 <<https://us02web.zoom.us/j/83295204795?pwd=bv062kPB8FhEUMMI5JJPg3mghbae6Y.1>>
 One tap to join from a mobile phone:
 +16699009128,,83295204795#
 Or call from a landline: +1 669 900 9128 — and enter the Webinar ID (above) when prompted

DATE: Tuesday, July 21, 2026
 TIME: 9:30 a.m.: Pre-hearing presentation
 10:00 a.m.–12:00 p.m.: Public hearing
 PLACE: Zoom (Virtual)
 Webinar ID: 829 0059 2159

¹ If you have special accommodation or language needs, please provide notice at least 10 business days before the public meeting by contacting the person named below. TTY/TDD speech-to-speech users may dial 7–1–1 for the California Relay Service.

Direct link to join the meeting from a web browser or Zoom client:
 <<https://us02web.zoom.us/j/82900592159?pwd=5c7miCEYQBwTaxHmuonDDa4el5OYcJ.1>>
 One tap to join from a mobile phone:
 +16699009128,,82900592159#
 Or call from a landline: +1 669 900 9128 — and enter the Webinar ID (above) when prompted

DATE: Tuesday, July 28, 2026
 TIME: 5:30 p.m.: Pre-hearing presentation
 6:00–8:00 p.m.: Public hearing
 PLACE: Zoom (Virtual)
 Webinar ID: 856 9295 3662
 Direct link to join the meeting from a web browser or Zoom client:
 <<https://us02web.zoom.us/j/85692953662?pwd=ShwY7HDb4Nsm7vi5YuNILgkVb2dHc0.1>>
 One tap to join from a mobile phone:
 +16699009128,,85692953662#
 Or call from a landline: +1 669 900 9128 — and enter the Webinar ID (above) when prompted

A DPR representative will preside over each virtual hearing. Persons joining the hearing through the web browser or Zoom client who wish to make comments orally during the hearing may raise their hand using the Zoom functions and make oral comments when called upon. Persons calling into the Zoom meeting who wish to make a comment orally during the hearing may raise their hand by dialing *9 on their phone’s dial pad. This will indicate to DPR representatives that the person on the phone has raised their hand. Generally, persons will be heard in the order in which they raised their hand. Participants will also be given instructions on how to provide oral comments once they have accessed the hearing. If persons experience technical difficulties during the hearing, persons may electronically submit written comments through SmartComment online comment portal at <<https://cdpr.commentinput.com?id=GRjbWU6P7>> or via email to <dpr26002@cdpr.ca.gov>. DPR will also accept written comments that are submitted via U.S. mail and postmarked on the day of the hearing. If the number of persons in attendance warrants, the hearing officer may limit the time for each oral comment in order to allow everyone wishing to speak the opportunity to be heard. The format of submitting a public comment — orally or in writing — does not impact DPR’s consideration of, or weight given to, the comment.

The virtual hearings will also be accessible via public webcast for persons who would like to watch this hearing without participating. The public webcast can

be accessed by visiting the following web address:
<<https://video.calepa.ca.gov/#/>>.

LANGUAGE ACCESS

Spanish language interpretation will be provided at the virtual public hearings on July 8, 2026, July 21, 2026, and July 28, 2026. To request interpretation in another language or sign language services, please email your request to languageaccess@cdpr.ca.gov or call 916–322–4553 by June 23, 2026. DPR will make a best effort to accommodate the request.

EFFECT ON SMALL BUSINESS

DPR has determined that the proposed regulatory action does not affect small business that operates lawfully. There will be some impact to small businesses if they are found to be in violation of California pesticide laws and regulations under FAC section 12999.5.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

DPR’s mission is to protect human health and the environment by fostering sustainable pest management and regulating pesticides. FAC section 2281 distributes responsibility for pesticide use enforcement between state and local authorities. The CACs and their staff, operating across 58 counties, are responsible for ensuring compliance with and enforcing pesticide use laws and regulations at the local level. The existing regulations in 3 CCR section 6128 provide a structure for progressive discipline by authorizing the CACs to pursue compliance actions with a decision report in limited situations while also preserving their discretion to bypass lower-level action and pursue enforcement actions (fines) for a violation, as appropriate. The FAC provides that in lieu of civil prosecution by DPR, the CAC may levy a civil penalty for violations of pesticide use laws and regulations, as specified in FAC section 12999.5, subdivision (a) and its implementing regulations at 3 CCR sections 6128, 6130, and 6131.

Under existing regulations, 3 CCR section 6128 establishes the enforcement response that CACs must follow each time an incident or violation of a law or regulation occurs related to the agricultural or structural use of a pesticide or any use of a fumigant. The regulation defines terms and specifies the enforcement response options for violations classified under 3 CCR section 6130.

3 CCR section 6130 implements, interprets, and makes specific FAC section 12999.5 by designating violations by Class (Class A, B, or C) and assigning a fine range for each class (the maximum and minimum fine levels). CACs must use this section to classify and

set the fines within the ranges for the class for incidents or violations related to agricultural or structural pesticide use and all fumigant uses.

The proposed regulations will amend 3 CCR sections 6128 and 6130 to improve effectiveness of the CAC’s enforcement response to pesticide use violations and clarity of the regulations. The proposed regulations include new definitions, clearer referral processes, expanded reporting requirements, and strengthened enforcement parameters for CACs. The proposed amendments clarify when the CAC must notify or involve prosecuting authorities or the Director, require referrals of multijurisdictional priority investigations to the Director, and mandates initiating civil penalties based on the highest violation class. The proposed amendments redefine violation classification, raise minimum fines for Class A and B violations, lengthen the compliance history a CAC must consider before taking an action, and introduce a requirement to use statewide enforcement history to increase penalties for repeat Class A violations. This regulatory action also requires the Director review certain notice of proposed actions and adds a new requirement in 3 CCR section 6132 for DPR to annually report on actions taken pursuant to FAC section 12999.6.

The broad objective of the proposed regulations is to ensure appropriate statewide enforcement responses are taken by the CAC each time a violation(s) occurs related to agricultural or structural use of a pesticide and any use of a fumigant. The proposed action provides a benefit to the public, including California residents, and the environment by strengthening enforcement response regulations to further deter pesticide misuse and by reinforcing a consistent statewide enforcement program.

During the process of developing these proposed regulations, DPR conducted a search of any similar regulations on this topic and has concluded that these proposed regulations are neither inconsistent nor incompatible with existing state regulations. DPR is the only state agency that has authority to regulate the use of pesticides under the authority of FAC section 12781 to implement FAC section 12999.5.

Document Incorporated by Reference:

Three Party Memorandum of Understanding on Pesticide Episodic Reporting, Investigation, and Enforcement in the State of California, issued December 13, 2024.

CONSULTATION WITH OTHER AGENCIES

DPR consulted with the CACs in drafting these regulations.

**IMPACT ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**

DPR determined that the proposed regulatory action does not impose a mandate on local agencies or school districts. DPR also determined that there are no costs to any local agency or school district requiring reimbursement pursuant to Government Code section 17500 et seq. DPR determined that with the increase in minimum fine amounts, this would also increase revenue collected by the CACs when violation(s) occur. The anticipated increase in revenue resulting from the proposed regulations is estimated at \$390,735 and annually thereafter.

**OTHER NONDISCRETIONARY
COST OR SAVINGS IMPOSED
UPON LOCAL AGENCIES**

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

COSTS OR SAVINGS TO STATE AGENCIES

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

**EFFECT ON FEDERAL
FUNDING TO THE STATE**

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

EFFECT ON HOUSING COSTS

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

**SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT DIRECTLY
AFFECTING BUSINESSES**

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

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

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

tion. The proposed regulatory action will have no impact on lawful operations or pesticide users, pest control advisers, or pesticide dealers. Fines are incurred only for violations of FAC and 3 CCR. DPR anticipates an average cost of \$324.80 among non-compliant businesses cited for Class A, B, or C violations.

**RESULTS OF THE ECONOMIC
IMPACT ANALYSIS**

Impact on the Creation, Elimination, or Expansion of Jobs/Businesses: DPR determined it is not likely the proposed regulatory action will impact the creation or elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business with the State of California. The proposed regulatory action has no impact on the lawful operations of pesticide users or pesticide businesses, including pest control advisers and pesticide dealers. The proposed regulatory amendments revise appropriate enforcement responses to be taken by the CAC each time a violation(s) occurs to improve effectiveness and clarity of the regulations.

The proposed regulations are designed to promote the public health and welfare of California residents, promote worker health and safety and safeguard California's environment and natural resources by strengthening the deterrence pesticide use violations and local implementation of the statewide pesticide compliance and enforcement program by revising the appropriate enforcement responses to be taken by the CAC each time a violation(s) occurs to improve effectiveness and clarity of the regulations. The proposed amendments will permit CACs to effectively administer local enforcement of pesticide use laws and regulations, aimed at protecting human health and the environment. In this way, the proposed amendments will benefit the public, including California residents and workers, by promoting compliance with pesticide law, regulations and lawful orders and deterring unlawful actions.

CONSIDERATION OF ALTERNATIVES

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

AUTHORITY

This regulatory action is taken pursuant to the authority vested by FAC section 12781.

REFERENCE

This regulatory action is to implement, interpret, or make specific FAC sections 12999.5 and 12999.6.

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

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

**AVAILABILITY OF CHANGED
OR MODIFIED TEXT**

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

AGENCY CONTACT

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

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

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

Sidney Bastura, Environmental Program
Manager I
Enforcement Headquarters Branch
916–603–7753

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

**AVAILABILITY OF FINAL
STATEMENT OF REASONS**

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

**TITLE 4. DEPARTMENT OF
ALCOHOLIC BEVERAGE CONTROL**

**ADMINISTRATIVE WITHDRAWAL OF AN
APPLICATION AND DISBURSEMENT OF
REFUNDABLE APPLICATION FEES**

The Department of Alcoholic Beverage Control (ABC) proposes to amend Section 61 of the California Code of Regulations to clarify the administrative withdrawal of alcoholic beverage license and permit applications and to establish procedures for refunding applicable application fees, following consideration of all comments, objections, and recommendations received regarding the proposed action.

PUBLIC HEARING

ABC has not scheduled a public hearing on this proposed action. However, the ABC will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed amendments to section 61 to the Department of Alcoholic Beverage Control. Comments may also be submitted by email to RPU@abc.ca.gov. The written comment period begins on June 12, 2026, and closes at 12:00 p.m. on July 28, 2026. The Department

will only consider comments received at ABC Headquarters by that time. Submit comments to:

Law and Policy Unit — Administrative
Withdrawal
Department of Alcoholic Beverage Control
3927 Lennane Drive, Suite 100
Sacramento, CA 95834

AUTHORITY

Business and Professions Code Sections 23320, 23958, and 25750 Business and Professions Code; Section 22, Article XX, California Constitution.

REFERENCE

Business and Professions Code Sections 23054, 23320, 23958, 23959, 23961, 23985, 24044, 24045, 24045.5, 24048, 24070, 24072 and 25761 Business and Professions Code

INFORMATIVE DIGEST

Summary of Existing Laws and Effect of Proposed Action

Existing law authorizes the Department of Alcoholic Beverage Control (ABC) to administer and enforce the licensing provisions of the Alcoholic Beverage Control Act, including the processing of applications for new licenses, permits, and license transfers. Current statutes and regulations do not expressly define when an application is considered abandoned, nor do they establish uniform procedures for administratively withdrawing such applications or for refundable application fees when an applicant ceases participation in the licensing process.

The proposed regulation establishes clear criteria for determining when an alcoholic beverage license or permit application is deemed abandoned, including failure to respond to a formal written request from ABC within sixty calendar days or the revocation or cancellation of a license that is pending transfer. The proposal authorizes ABC to administratively withdraw abandoned applications and requires the Department to notify former applicants of any refundable application fees, the process for requesting a refund, and applicable deadlines.

The proposed regulation also creates procedures for handling refund checks that remain uncashed for one calendar year, including cancellation of the check and issuance of a new written notice to the former applicant. The regulation further limits ABC to issuing only one replacement refund check, and any additional checks will not be automatically reissued. Former applicants may still request the issuance of a new

check at any time provided that the funds have not yet been deemed abandoned. Additionally, the regulation provides that refundable application fees not requested within sixty calendar days of ABC's written notice will be deemed abandoned and revert to the ABC fund balance. The regulation clarifies when refund requests are considered received and standardizes communication requirements by directing notices to the contact information provided on the original application.

Anticipated Benefits

ABC anticipates several benefits from the proposed regulation. Establishing clear standards for determining when an application is abandoned will improve consistency and transparency in the licensing process. The procedures for notifying former applicants of refundable fees and refund deadlines are expected to reduce confusion, minimize disputes, and ensure that applicants receive timely information about their refund rights.

The regulation is also expected to enhance administrative efficiency by reducing the number of inactive or dormant applications that remain open indefinitely. Clear timelines for refund requests and the reversion of unclaimed funds will support more accurate accounting and reduce the administrative burden associated with managing outstanding refunds. Overall, the proposed regulation promotes fairness, clarity, and operational efficiency in ABC's handling of withdrawn or abandoned applications.

Evaluation of Inconsistency or Incompatibility with Existing Regulations

ABC has evaluated the proposed regulation and determined that it is not inconsistent or incompatible with existing state regulations. No other regulation currently establishes criteria for administrative withdrawal of alcoholic beverage license or permit applications or sets forth procedures for refunding refundable application fees. The proposed regulation fills a gap in existing regulatory guidance without conflicting with other provisions of state law.

DISCLOSURES REGARDING THE PROPOSED ACTION

ABC has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: ABC does not anticipate any additional costs or savings for state agencies. The proposed regulation primarily clarifies existing administrative practices related to abandoned applications and refund processing. Although these changes are expected to enhance administrative efficiency by reducing inactive applications and outstanding refunds, they are not expected to create any measurable fiscal impact for state agencies. ABC may ab-

sorb a small amount of abandoned fees however, this amount is expected to be minimal, as the intent is to return all eligible funds to the applicants who submitted them. Any abandoned funds that are not returned will be deposited into the ABC fund. While ABC does not anticipate these additions to be a significant amount, if abandoned funds rise to a sizable level over time, they could help to offset operational costs and potentially allow ABC to delay future fee increases.

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.

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: ABC has determined that this proposal will not have a significant adverse economic impact on businesses. The regulation establishes administrative procedures for handling abandoned applications and refund requests and does not impose new operational or financial requirements on licensees or applicants.

Significant effect on housing costs: None.

Cost impacts on a representative private person or business: ABC is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed regulation. The regulation affects only applicants who abandon their applications and provides a clear process for requesting refunds.

Effect on small business: This proposed regulation is not expected to affect small businesses as it primarily establishes administrative procedures for processing abandoned alcoholic beverage license applications and refunding associated fees. Furthermore, this proposed regulation only applies in limited circumstances where an applicant fails to respond to Department communications or does not request a refund in a timely manner.

Results of the Economic Impact Assessment

ABC has assessed the potential economic impacts of the proposed regulation and does not anticipate that it will have a significant effect on the creation or elimination of jobs within the state. The regulation is administrative in nature and does not alter the substantive requirements for obtaining an alcoholic beverage license or permit.

ABC does not anticipate that the proposed regulation will significantly affect the number of businesses operating in California or the ability of existing businesses to expand. The regulation is expected to improve administrative efficiency by reducing the number of dormant applications and by establishing predictable timelines for refund processing, but these im-

provements do not create economic effects of a magnitude that would influence statewide employment or business formation.

ABC also does not anticipate that the proposed regulation will have a significant impact on the health and welfare of California residents, worker safety, or the state's environment. The regulation clarifies internal procedures for application withdrawal and refund handling and is not expected to produce environmental or public-health effects.

CONSIDERATION OF ALTERNATIVES

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

ABC invites interested persons to submit alternatives during the comment period.

CONTACT PERSONS

Inquiries concerning the proposed rulemaking action may be directed to:

Robert de Ruyter
Department of Alcoholic Beverage Control
3927 Lennane Drive, Suite 100
Sacramento, CA 95834
Phone: (916) 419-8958
Email: Robert.deRuyter@abc.ca.gov

The backup contact person for these inquiries is:

Shelby Pender
Department of Alcoholic Beverage Control
3927 Lennane Drive, Suite 100
Sacramento, CA 95834
Phone: (916) 662-3600
Email: Shelby.Pender@abc.ca.gov

During the public comment period, comments or questions should be directed to:

RPU@abc.ca.gov

AVAILABILITY OF RULEMAKING DOCUMENTS

The rulemaking file, including the Notice, the Initial Statement of Reasons, and the proposed text, as

well as all the information upon which the proposal is based, is available for public inspection at the above address. If ABC makes changes to the proposed text, the modified text will be made available for at least 15 days before adoption. The Final Statement of Reasons will be available upon completion. All documents will be posted on ABC’s website at <https://www.abc.ca.gov/law-and-policy/regulations-rulemaking/>.

TITLE 4. DEPARTMENT OF CANNABIS CONTROL

GROUP TAGGING OF CANNABIS PLANTS

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 28, 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 27, 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 accommodations, 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 27, 2026**, to request to attend the hearing in person or by 4:30 p.m. on **Tuesday, July 14, 2026**, if reasonable accommodations are necessary.

Participants will be given instructions on how to provide oral comment 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 described in the Informative Digest. 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 the interested person’s 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 27, 2026**. To be considered by the Department, a comment must be received by **Monday, July 27, 2026**.

AUTHORITY

Business and Professions Code sections 26013.

REFERENCE

Business and Professions Code sections 26013, 26050.1, 26060, 26067, 26069, 26070, 26120, 26160, and 26161.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Effect of the Proposed Action

Business and Professions Code (BPC) section 26067 requires the Department to establish a track and trace program for reporting the movement of cannabis, industrial hemp, and cannabis products throughout the distribution chain that utilizes unique identifiers (UIDs) to track cannabis and cannabis products. To that end, existing regulations require Department licensees to assign UIDs through the application of plant and package tags labeled with alphanumeric codes, which must be entered into the track and trace system. Existing regulations further require a plant tag to be attached to the base of each plant in a designated canopy area.

Senate Bill 622 (Chapter 496, Statutes of 2023) amended BPC section 26069, subdivision (a)(2) to remove the requirement that a tag be physically attached to the base of each plant and allow the Department to determine how to record the UID of each plant. Assembly Bill 8 (Chapter 248, Statutes of 2025) subsequently removed the requirement that each plant have its own UID.

The proposed action would update definitions to reflect the statutory changes SB 622 and AB 8; eliminate the requirement to tag cannabis plants individually and establish requirements for tagging cannabis plants

as a group; eliminate the requirement to order tags by a specific date after licensure; extend the timeframe to record the receipt of tags in the track and trace system; and make non–substantive, grammatical edits.

Evaluation of Inconsistency with Federal Laws

The United States Drug Enforcement Administration under the Controlled Substances Act (21 U.S.C. §812) lists cannabis as a Schedule 1 Drug. This means that commercial cannabis activity is illegal under federal law. However, California, through the Medicinal and Adult-Use Cannabis Regulation and Safety Act (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 proposed regulations will streamline existing regulatory requirements and ease the burdens associated with licensee compliance while maintaining the Department’s regulatory oversight. Specifically, the proposed regulations will provide immediate financial relief and streamline administrative requirements for cultivation licensees. Allowing for the group tagging of plants will decrease licensee labor costs, through replacing the time–intensive work of hand–tagging individual plants with the assignment of a single tag to a group of plants, as well as the reduced labor associated with recording planting activities within the track and trace system. These changes will free up licensee resources currently devoted to individual plant tagging and recordkeeping; easing administrative burdens this manner will help incentivize continued participation in the regulated cannabis market.

Group tagging will also reduce the significant environmental harm associated with tag disposal. Plant tags are fitted with electronic chips that carry proprietary coding and data about the plants to which they are associated. Such plant tags are considered one–time use and may not be used on other plants. Because the chips cannot be easily separated from the rest of the tag, they are treated as non–recyclable e–waste. By decreasing the volume of single–use tags and fasteners, the Department can reduce plastic and mixed–material waste entering the landfill stream.

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 or savings to any state agency: The Department expects a cost of approximately \$1.12 million for a one–time track and trace system update to accommodate group tagging. This cost would be absorbed within the Department’s existing allocations for system changes. The Department also expects one–time cost of approximately \$20,000 for workload associated with updating internal guidance and procedures and training Department staff. These costs would be absorbed within the Department’s existing budget authority.
- Cost to any local agency or school district required to be reimbursed in accordance with Government Code sections 17500 through 17630: None.
- Other nondiscretionary cost or savings imposed upon local agencies: None.
- Cost or savings in federal funding to the state: 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: Licensed commercial cannabis cultivation businesses will incur minor annual costs of, on average, approximately \$70 for tagging and demarcation materials. Licensed cultivators would, on average, see a cost savings of approximately \$2,000 annually due to reduced labor costs.
- Effect on housing costs: None.

Results of the Economic Impact Assessment

The Department concludes that the proposal is unlikely to create new jobs, eliminate any jobs, create any new businesses, eliminate existing businesses, or result in the expansion of businesses currently doing business in the state. The Department believes approximately 56 jobs may be created statewide. The proposed regulations may encourage expansion of licensed cannabis businesses in the State by lowering cultivator production costs, thereby increasing retail sales of cannabis, and increasing secondary business activity. However, the market analysis shows that while the proposed regulations would cause an increase in gross sales of cannabis–based products, the increase is modest relative to the size of the licensed market in California (increase of 0.06 percent). It would be

a modest expansion of existing businesses but would not significantly increase the number of businesses in operation. The proposed regulations are not expected to significantly benefit the public health and welfare or worker safety. The proposed regulations would significantly reduce the volume of single-use tags and fasteners discarded by licensed cultivation businesses, thereby reducing the waste stream and benefitting the state's environment.

Small Business Determination

The proposed regulations would impact all licensed cultivation businesses (4,775) and licensed retailers (1,455), approximately 90% of which qualify as 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:

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

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

The Department will make the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the

Notice Register, the rulemaking file consists of the Notice of Proposed Action, 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 5. STATE BOARD OF EDUCATION

EXTENDED SCHOOL YEAR

Notice is Hereby Given that the State Board of Education (SBE) proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

The SBE invites interested persons to present statements or arguments with respect to alternatives to

the proposed regulations at the scheduled hearing or during the written comment period.

PUBLIC HEARING

The California Department of Education (CDE) staff, on behalf of the SBE, will hold an online virtual public hearing via the Zoom software application at 9:00 a.m. on **July 29, 2026**.

To attend the public hearing, please register and follow the Zoom platform instructions at this link: <https://us02web.zoom.us/j/84451234567>

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

Persons intending to attend the Zoom meeting may check their computers by clicking on the test link: <https://zoom.us/test>.

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

REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY

Pursuant to the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, any individual with a disability who requires reasonable accommodation to attend or participate in a public hearing on proposed regulations, may request assistance by contacting Denise Lee, Special Education, 1430 N Street, Room 2401, Sacramento, CA, 95814 or by telephone at 916–319–0417. It is recommended that assistance be requested at least two weeks prior to the hearing.

Pursuant to Government Code Section 11346.6(a)(3) and (b), because some of these regulations pertain to special education, the following provisions also apply:

Upon request from a person with a visual disability or other disability for which effective communication is required under state or federal law, the CDE shall provide that person a narrative description of the additions to and deletions from the regulations. The description shall identify each addition to or deletion from the regulations by reference to the subdivision, paragraph, subparagraph, clause, or subclause within the proposed regulation containing the addition or deletion. The description shall provide the express language proposed to be added to or deleted from the regulations and any portion of the surrounding language necessary to understand the change in a manner that

allows for accurate translation by reading software used by the visually impaired.

The CDE shall provide the information described above within 10 business days, unless the CDE determines that compliance with this requirement will be impractical and notifies the requester of the date on which the information will be provided.

Notwithstanding any other law, if information is provided to a requester as described above, the CDE shall provide that requester at least 45 days from the date upon which the information was provided to the requester to submit a public comment regarding the proposed regulation. The CDE shall not take final action to adopt the regulation until the requester has submitted a public comment or the extended 45–day comment period expires, whichever occurs first.

WRITTEN COMMENT PERIOD

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

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

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

Comments must be received by the Regulations Coordinator prior to or on July 29, 2026. All written comments received by CDE staff during the public comment period are subject to disclosure under the Public Records Act.

AUTHORITY AND REFERENCE

Authority: Section 56100, Education Code.
References: Sections 46146, 46201 and 56345, Education Code and Title 34 Code of Federal Regulations (C.F.R.) Section 300.106.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The CDE proposes amendments to California Code of Regulations (CCR) section 3043(d) to align Extended School Year (ESY) programs with current instructional time requirements as established in Education Code sections 46201 and 46146. These sections define the minimum instructional time for various grade levels throughout the school year, ensuring consistency across educational programs.

Currently, CCR section 3043(d) mandates a minimum of 20 instructional days for ESY programs. However, Education Code sections 46201 and 46146 set forth instructional time requirements that govern general education and special education programs but do not explicitly require a 20–day minimum for ESY.

The proposed amendment reduces the minimum instructional days for ESY from 20 to 15 while establishing grade–specific instructional time requirements. This change is designed to:

- Align ESY programs with the broader instructional standards set by the Education Code.
- Provide clarity and consistency in ESY program implementation statewide.
- Allow greater flexibility for local educational agencies (LEAs) in structuring ESY programs while ensuring compliance with instructional mandates.
- Support schools in efficiently planning and delivering extended learning opportunities.

Policy Statement Overview

- The proposed amendment to CCR section 3043(d) seeks to enhance the efficiency and effectiveness of ESY program implementation by reducing the minimum instructional days from 20 to 15 and establishing grade–specific instructional time requirements. This change aligns ESY programs with Education Code sections 46201 and 46146, ensuring consistency with state instructional time standards while addressing administrative challenges faced by LEAs.

Anticipated Benefits of the Proposed Regulation

- The proposed amendment to CCR section 3043(d) is expected to provide several key benefits, particularly in enhancing the efficiency, accessibility, and equity of ESY programs. While the regulation change does not primarily focus on financial impact, it offers significant non–monetary benefits that contribute to the fair and effective delivery of special education services across California.
 - By reducing the minimum instructional days from 20 to 15, the regulation helps remove barriers that may prevent students from accessing ESY services.
 - LEAs will be better equipped to offer consistent and reliable extended learning opportunities, ensuring students with disabilities receive the support they need.
 - The elimination of frequent waiver requests will streamline the process for LEAs, allowing them to focus on service delivery rather than excessive administrative tasks.

- The change allows for more efficient use of resources, helping educators maintain high–quality instruction within a manageable and effective timeframe.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations

An evaluation of the proposed regulations has determined they are not inconsistent/incompatible with existing regulations, pursuant to Government Code section 11346.5(a)(3)(D). After conducting a review for any regulations that would relate to or affect this area of law, the SBE has concluded that these are the only regulations that concern the ESY regulation.

DISCLOSURES REGARDING THE PROPOSED ACTION/FISCAL IMPACT

The SBE has made the following initial determinations:

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

Mandate on local agencies and school districts: None.

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

Cost or savings to any state agency: None.

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

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

Effect on housing costs: None.

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

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

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

Effect on small businesses: The proposed regulations would not have an effect on any small businesses because they apply only to local educational agencies (LEAs) by giving them additional flexibility in scheduling extended year programs for students with disabilities.

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

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

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

BENEFITS OF THE PROPOSED ACTION

The proposed regulations **will** benefit the health and welfare of California residents, by improving access to ESY services for students with disabilities, ensuring that instructional time aligns with state standards while providing greater flexibility for LEAs to effectively administer ESY programs. This amendment supports student learning continuity, reduces administrative burdens, and enhances the overall efficiency of special education service delivery.

CONSIDERATION OF ALTERNATIVES

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

CONTACT PERSONS

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

Denise Lee, Special Education
California Department of Education
1430 N Street, Room 2401
Sacramento, CA 95814
Telephone: 916-319-0417
Email: DLee@cde.ca.gov

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

**AVAILABILITY OF INITIAL STATEMENT
OF REASONS, TEXT OF PROPOSED
REGULATIONS AND INFORMATION**

As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice, the proposed text of the regulations, the Initial Statement of Reasons (ISOR), the agenda and a recording of the SBE meeting where the SBE approved commencement of this rulemaking activity, and Fiscal and Economic Impact Statement (STD. 399). These documents upon which the proposed action is based may be obtained upon request from the Regulations Coordinator. In addition, this Notice, the text of the proposed regulations and the ISOR may also be viewed on the CDE website at <http://www.cde.ca.gov/re/lr/rr/>.

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

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

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

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

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

AVAILABILITY OF DOCUMENTS
ON THE INTERNET

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

**TITLE 10. DEPARTMENT
OF INSURANCE**

LONG-TERM SOLVENCY PLANNING

REG-2025-00025

SUBJECT OF PROPOSED RULEMAKING

Notice is given that California Insurance Commissioner Ricardo Lara (Commissioner) proposes to add to Title 10, California Code of Regulations, Chapter 5, Subchapter 3, by adding Article 4.7 and adopting section 2319.7 pursuant to the authority granted by Insurance Code section 739.9. The date and time for the public hearing, as well as applicable contact information, are set forth in this Notice of Proposed Action and Notice of Public Hearing.

PUBLIC HEARING

Public Hearing Date and Virtual Attendance

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

Date: July 28, 2026.

Time: 10:00 a.m. The virtual hearing shall continue until all in attendance wishing to provide comments have commented, or 11:30 a.m., whichever is earlier.

Location: Link to Register for the Web-based Virtual Format: https://us06web.zoom.us/webinar/register/WN_W2zU4qVdQeSi4OVz58yxIA.

ACCESS TO PUBLIC HEARING

To increase public participation and improve the quality of regulations, interested parties are invited to

attend the virtual meeting and offer comment, if they so choose.

Please note that under the California Public Records Act (Government Code section 7920.000, et seq.), your written and oral comments, and associated contact information (e.g., your address, phone number, email, etc.) become part of the public record and may be released to the public upon request. The telephonic call-in line that is available to access the public hearing is accessible to persons with hearing impairment. Persons with sight or hearing impairments are requested to notify CDIRegulations@insurance.ca.gov to review available accommodations, if necessary.

PRESENTATION OF WRITTEN
COMMENTS; CONTACT PERSONS

All persons are invited to submit written comments on the proposed regulations during the public comment period. The last day of the public comment period will be July 28, 2026. Please direct all written comments to the following contact person:

Katherine Scott-Smith, Attorney IV
Corporate Affairs Bureau
C/o Office of the Special Counsel
300 Capitol Mall, Suite 1600
Sacramento, CA 95814
Phone: (415) 538-4157
Email: CDIRegulations@insurance.ca.gov

Inquiries regarding the proposed action should be addressed to the above contact person. If she is unavailable, inquiries may be addressed to the following backup contact person:

David Ta, Attorney IV
Corporate Affairs Bureau
C/o Office of the Special Counsel
300 Capitol Mall, Suite 1600
Sacramento, CA 95814
Phone: (415) 538-4406
Email: CDIRegulations@insurance.ca.gov

Please note that under the California Public Records Act (Government Code section 7920.000, et seq.), your written and oral comments, and associated contact information (e.g., your address, phone number, email, etc.) become part of the public record and can be released to the public upon request.

DEADLINE FOR WRITTEN COMMENTS

All written materials must be received by the Insurance Commissioner, addressed to the contact person at the address listed above, by the end of July 28, 2026. Any written materials received after that time may not be considered.

COMMENTS TRANSMITTED BY E-MAIL

The Commissioner will accept written comments transmitted by email, provided they are sent to the following email address: CDIRegulations@insurance.ca.gov.

Comments sent to email addresses other than those designated in this notice will not be accepted. Comments sent by email are subject to the deadline set forth above for written comments.

AUTHORITY AND REFERENCE

The proposed regulations are promulgated pursuant to the authority granted by Insurance Code section 739.9. The proposed regulations will implement, interpret, and make specific the provisions of Insurance Code sections 739.2 and 739.9.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Law

California Insurance Code, Division 1, Part 2, Chapter 1, Article 4.1 sets forth the requirements for insurers Risk-Based Capital (“RBC”) levels.

Insurance Code section 739.2(a) requires every California-domiciled insurer (“insurer”) to prepare and submit to the Commissioner a report of its RBC levels as of the end of the calendar year just ended (the RBC Report).

Insurance Code section 739.2(d) requires insurers to seek to maintain capital above the RBC levels required by this article because additional capital is used and useful in the insurance business and helps to secure an insurer against various risks inherent in, or affecting, the business of insurance and not accounted for or only partially measured by the risk-based capital requirements contained in this article.

Insurance Code section 739.8 requires that all RBC Reports and RBC Plans, to the extent the information within those reports is not required to be set forth in a publicly available annual statement schedule, shall be kept confidential by the Commissioner.

Insurance Code section 739(1) defines RBC Report as the report requested in section 739.2.

Insurance Code section 739.9 gives the Commissioner the authority to adopt reasonable rules necessary for the implementation of this article.

Effect of Proposed Action

The proposed regulations implement new rules on how insurers must seek to maintain capital above required Risk Based Capital (RBC) levels, by requiring that insurers provide material during the confidential financial exam that documents, analyzes, and prepares for certain risks and opportunities that impact

insurers’ long-term solvency. Insurers must assemble this material by January 1, 2028, and it must be made available at their next financial exam.

As an analysis requirement, all insurers must maintain a portfolio of risk mitigation technologies used by their policyholders, and any analyses the insurers have undertaken of the past or anticipated future performance of these strategies.

In addition to assembling this portfolio of risk mitigation technologies, insurers writing nationwide direct annual premiums exceeding \$50 million across all lines of insurance (“\$50 million+”) must maintain and keep current an assessment of emerging risks and opportunities that are material to their business, including their underwriting, investments, or operations.

The materiality assessment must include:

- risks and opportunities associated with emerging issues related to technology and innovation;
- climate-related physical risks;
- transition risks and opportunities from reduced reliance on lower-greenhouse-gas emitting technologies, and resulting population behaviors; and,
- any other risks and opportunities which are likely to increase in volatility over the next twenty (20) years.

Once the materiality assessment is created, the proposed regulations require that \$50 million+ insurers create a plan to respond to those identified risks. This plan must include projections and risk mitigation strategies in the short (2030), medium (2040), and long term (2050). It also requires stress testing of forward-looking climate-risk and transition-risk scenarios, spanning these same time horizons. The plan must also include long-term investment targets related to climate-related physical risks and transition risks, and performance metrics corresponding to each target. The insurer must describe its strategy for how it will approach the development of new insurance products for emerging technologies, and how it will develop technical competencies for analyzing climate and technology risks.

Finally, the proposed regulations require that insurers who do not meet the \$50 million+ threshold in the calendar year 2026, but do meet the threshold in a later calendar year, comply with the \$50 million+ requirements to create a materiality assessment and resulting plan to respond to risks identified in the materiality assessment.

Comparable Federal Law

After evaluation of current federal regulations and statutes, the Department has determined that there are no existing comparable federal regulations or statutes.

Policy Statement Overview

Broad Objectives

Both the Department and insurers share the responsibility of proactively preparing for future economic challenges and risks. This forward-thinking approach enhances the financial security of California’s policyholders and minimizes the risk of sudden disruptions in the insurance market, as well as broader systemic risks to California’s economy.

Over the past five years, the increasing scale and complexity of technology and data collection, along with the threat of severe natural catastrophes — such as atmospheric rivers, wildfires, extreme temperatures, and flooding — have become top priorities for insurers and regulators worldwide. Without proper analysis and preparation, insurers may face long-term solvency vulnerabilities from material climate and technology risks. Because these risks are emergent, insurers cannot rely on historical data alone in their preparations, and must look to forward-looking modelling and long-term planning.

The proposed regulations require that insurers create individualized plans, with analyses, on how they will address emerging, material risks at the level of detail and completeness needed for financial surveillance, and that those plans be available to financial examiners through the existing confidential financial examination process.

Specific Benefits

The proposed regulations are anticipated to lead to the following specific benefits:

Enhanced oversight into capital solvency planning, which tends to:

- improve regulatory understanding of risk mitigation practices;
- encourage insurers to evaluate emerging short-, medium-, and long-term risks;
- reduce the risk of undercapitalization and/or insolvency during periods of financial market, technology, or climate-related disruption; and,
- foster greater efficiency in the Department’s examination processes while providing guidance on expectations to the insurance industry.

Increased consumer protections, specifically through:

- enhancing insurers’ ability to pay claims, as they will be more financially resilient to catastrophic losses and investment shocks related to emerging risks and their potential abrupt impacts;
- reducing the risk of market withdrawal, providing a healthier marketplace with more reliable options for consumers; and,
- reducing price shocks while protecting insurance access for consumers through market stability.

Further integration of catastrophe risk into financial planning, which tends to:

- avoid market disruptions after catastrophic events due to proactive scenario planning;
- ensure insurers are assessing short-, medium-, and long-term risks in their planning and analysis through stress testing for time periods 2030, 2040, 2050; and,
- improve Enterprise Risk Management practices, as more companies will participate in long-term solvency planning.

Enhanced risk data for the Department, which tends to:

- improve risk assessment and comparability, through enhancing the Department’s access to insurer-generated quantitative data;
- strengthen the Department’s ability to detect emerging market risks, and to proactively manage systemic concerns; and,
- promote a greater understanding of the industry’s risk mitigation technologies and their relative effectiveness.

Alignment with broader state goals and time horizons, in the following ways:

- improve industry planning around technology transitions related to California’s 2045 Carbon Neutrality goal;
- improve investment planning, which aligns with technological transitions related to California’s Renewable Portfolio Standard;
- encourage insurers to identify opportunities for growing technologies, such as electric vehicles and heavy-duty trucks; and,
- promote sustainable investments and innovation, by promoting insurance industry investment in climate related sectors and green energy to support continued innovation in the insurance market.

Consistency or Compatibility with Existing State Regulations

After conducting an evaluation of applicable law, the Department has found that the proposed regulations are not inconsistent or incompatible with any other existing state regulations.

NOT MANDATED BY FEDERAL LAW OR REGULATIONS

These regulations are not mandated by federal law. There are no comparable federal regulations.

OTHER STATUTORY REQUIREMENTS

The Department evaluated whether there were other requirements prescribed by statute applicable to these regulations by reviewing relevant statutes and determined that there were no such specific requirements.

LOCAL MANDATE

The proposed regulations do not impose any mandates on local agencies or school districts.

FISCAL IMPACT

Fiscal Impact on Other State and Local Government Agencies

There are no costs or savings to any other State agencies; however, the Department is expected to incur a fiscal impact, as discussed immediately below under “Fiscal Impact on the Department.” There is no cost to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement. There are no other nondiscretionary costs or savings to local agencies, nor do the regulations impose a cost or savings in federal funding to the state.

Fiscal Impact on the Department

The proposed regulations are anticipated to result in modest fiscal impacts to the Department associated with implementation and oversight of the new analytical requirements. Department staff will need to review submitted mitigation technology data, evaluate insurer analyses, and incorporate all submitted documentation into the examination process. The proposed regulations are expected to increase Department workload through the expanded review requirements applicable during financial examinations. As state budgets are set, it is unlikely that the Department’s budget will be impacted.

To estimate the annual impact, incremental hours per examination were applied to the Department’s baseline of approximately 28 examinations completed per year. Because the distribution of case complexity varies, a reasonable approximation of the workload was assessed. The Department determined an assumed distribution of examination types by average annual workload to accurately balance actual hours spent per examination. This estimation resulted in a projected increase in total Department workload of approximately 846 staff hours per year.

The Department determined the annual and total three-year cost to the Department based on projected workload increases and calculations determined by the Department’s budget office. Salary projections were based on approved pay scales and do not include any potential increases or salary adjustments that have

not yet been authorized by the California Department of Human Resources. These projections approximate a \$81,000 annual fiscal impact that calculates to a \$243,000 fiscal impact on the Department over three years to conduct the enhanced oversight necessary in the proposed regulations.

HOUSING COSTS

The proposed regulations are not anticipated to have an impact on housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

The Department has made an initial determination that the adoption of the proposed regulations may have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The businesses that will be affected by the proposed regulations are domestic insurers that are regulated by the Department.

Under the proposed regulations, insurers would be required to provide material during the confidential financial exam that documents, analyzes, and prepares for certain risks and opportunities that impact insurers’ long-term solvency. As an analysis requirement, all impacted insurers must maintain a portfolio of risk mitigation technologies used by their policyholders, and any analyses the insurers have undertaken of the past or anticipated future performance of these strategies.

The estimated loss to economic output is \$281,000. The calculated impact on total output represents a very small share of California’s total output. There are also only a small number of relatively large businesses that are expected to be directly impacted by these regulations, this suggests that the regulations will have very little impact on insurers and the California economy as a whole. The regulations are not likely to lead to a measurable impact on the creation or elimination of existing businesses, or the ability of existing businesses to expand.

The businesses that will be affected by the proposed regulations are domestic insurers that are regulated by the Department. The proposed regulations require that all insurers maintain and keep current a portfolio of risk mitigation technologies used by their policyholders, and any analyses the insurers have undertaken of the past or anticipated future performance of these strategies.

In addition to assembling this portfolio of risk mitigation technologies, \$50 million+ insurers must maintain and keep current an assessment of emerging risks and opportunities that are material to their business, including their underwriting, investments, or operations.

Once the materiality assessment is created, the proposed regulations require that \$50 million+ insurers create a plan to respond to those identified risks. This plan must include projections and risk mitigation strategies in the short (2030), medium (2040), and long term (2050). It also requires stress testing of forward-looking climate-risk and transition-risk scenarios, spanning these same time horizons. The plan must also include long-term investment targets related to climate-related physical risks and transition risks, and performance metrics corresponding to each target. The insurer must describe its strategy for how it will approach the development of new insurance products for emerging technologies, and how it will develop technical competencies for analyzing climate and technology risks.

The analysis will be documented and assembled no later than January 1, 2028, in order to be made available at the insurer’s next financial exam.

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

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

STATEMENT OF RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The Department is required to assess any impact the proposed adoption may have on the following: the creation or elimination of jobs within the State of California (Government Code § 11346.3(b)(1)(A)); the creation of new business or the elimination of existing businesses within the State of California (Government Code § 11346.3(b)(1)(B); and the expansion of businesses currently doing business within the State of California (Government Code § 11246.3(b)(1)(C)).

Below is a summary of the results of the Economic Impact Assessment pursuant to Government Code

§§ 11346.3(b)(1)(A) through (D). A detailed analysis is as follows.

- A. The proposed regulations are not expected to impact job gains within the State of California.
- B. The proposed regulations will likely have a minimal effect, a net loss of .92 jobs, on overall employment within the State of California. The regulations are expected to affect less than one ten-thousandth of a percent of the total nonfarm employment in California (i.e., .92 / 18,005,770 = 0.000005%).
- C. The proposed regulations are not anticipated to result in the expansion of existing businesses in California.
- D. Insurers often operate in multiple states. Given that the average direct cost impact to an insurer is estimated to be \$1,422 (\$.151 million / 106 firms), it is not expected that the proposed regulations will have a significant impact on the creation of new businesses or the elimination of existing businesses in California.
- E. Given that the average direct cost impact to an insurer is estimated to be \$1,422 (\$.151 million / 106 firms), it is not anticipated that the proposed regulations will have an impact on the ability of businesses in California to expand. Additionally, the estimated net loss to total economic output of \$281,000 suggests that the regulations will have a very small impact on the California economy as a whole.
- F. The proposed regulations will benefit the health and welfare of California’s consumers and businesses by reducing the likelihood of insurer insolvencies and protecting policyholders from disruptions in coverage or unpaid claims. Ensuring a healthy marketplace will protect Californian consumers from adverse business practices. Proper planning for catastrophic events protects consumers from drastic price increases.

Health and Welfare Effects, the Impact on Worker Safety and Environmental Effects

The Department also assessed whether, and to what extent, the proposed regulations might affect the other criteria set forth in Government Code sections 11346.3(b)(1)(D).

Worker Safety and Environmental Effects

Compliance with the proposed regulations does not change the job responsibilities of employees in the affected industries in a way that would impact their safety. Thus, the proposed regulations will neither increase nor decrease worker safety. The Department also concludes that there will be no measurable effect on the state’s environment.

Health and Welfare Effects

The proposed regulations may benefit the health and welfare of California’s consumers and businesses by strengthening insurer solvency oversight and encouraging more forward-looking risk management, particularly with respect to emerging and long-term risks such as climate-related events. By promoting earlier identification of potential financial vulnerabilities, the proposed regulations could help reduce the likelihood of insurer insolvencies and protect policyholders from disruptions in coverage or unpaid claims.

**POTENTIAL COST IMPACTS
ON REPRESENTATIVE
PERSON OR BUSINESSES**

The initial average direct cost to an impacted insurer is estimated to be approximately \$1,422 (\$151,000/106 insurers). There are no other cost impacts known to the Department that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

BUSINESS REPORT

The Department finds that it is necessary for the health, safety, or welfare of the people of the state that the regulations apply to businesses.

IMPACT ON SMALL BUSINESSES

The regulation will only affect insurance companies, and the definition of “small business” in California Government Code section 11342.610(b)(2) specifically excludes insurance companies.

ALTERNATIVES INFORMATION

The Department must determine that no reasonable alternative considered by the Department, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which this 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.

AVAILABILITY STATEMENTS

The Department has prepared an Initial Statement of Reasons that sets forth the reasons for the proposed action. Upon request, the Initial Statement of Reasons will be made available for inspection and copying. Requests for the Initial Statement of Reasons or questions regarding this proceeding should be directed to

the contact person listed above. Upon request, the Final Statement of Reasons will be made available for inspection and copying once it has been prepared. Requests for the Final Statement of Reasons should be directed to the contact person listed above.

The file for this proceeding, which includes a copy of the express terms of the proposed action, the Initial Statement of Reasons, the Economic Impact Assessment, and all the information upon which the proposed action is based, and any supplemental information, including any reports, documentation and other materials related to the proposed action that are contained in the rulemaking file, is available by appointment for inspection and copying at 300 Capitol Mall, 16th Floor, Sacramento, California, 95814 between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday.

If the amended regulations adopted by the Department differ from those which have originally been made available 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. Interested persons should request a copy of these amended regulations prior to adoption from the contact person listed above.

AUTOMATIC MAILING

A copy of this Notice, including the Informative Digest, which contains the general substance of the proposed adoption, will be sent to all persons who have previously filed a request with the Department to receive notice of proposed rulemakings.

FINAL STATEMENT OF REASONS

Upon request, the Final Statement of Reasons will be made available for inspection and copying once it has been prepared pursuant to Government Code section 11346.9(a). Requests for the Final Statement of Reasons should be directed to the contact person listed above.

INTERNET ACCESS

Documents concerning proposed regulations are available on the Department’s website at the following link: <https://legaldocs.insurance.ca.gov/publicdocs/RegulationList>.

TITLE 11. DEPARTMENT OF JUSTICE

FIREARM OWNERSHIP REPORTING FEES

The Department of Justice (Department) proposes to amend section 4002 of Title 11, Division 5, Chapter 1, section 4045.1 of Title 11, Division 5, Chapter

4 and section 5478 of Title 11, Division 5, Chapter 39 of the California Code of Regulations concerning self-reporting firearm ownership fees and forms.

PUBLIC HEARING

The Department has not scheduled a public hearing of the proposed regulatory action. However, the Department will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days before the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person or their authorized representative may submit written comments relevant to the proposed regulatory action. The written comment period closes on **July 28, 2026 at 5:00 p.m.** Only written comments received by that time will be considered. Submit written comments to:

L. Baladjay–Fretland
 Department of Justice
 P.O. Box 160487
 Sacramento, CA 95816
 (916) 210–2621
BOFregulations@doj.ca.gov

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

AUTHORITY AND REFERENCE

Authority: Sections 27560, 27565, 27875, 27920, 27966, 28000, 28060, 28100, 28155, 28215 28220 and 30900, Penal Code.

Reference: Sections 832.15, 832.16, 13511.5, 16400, 18900, 18905, 23000, 26150, 26155, 26170, 26710, 26815, 27540, 27560, 27565, 27875, 27920, 27966, 28000, 28160, 28215, 28220, 28250, 29182, 29500, 30105, 30370, 30515, 30900, 31000, 31005, 32650, 32655, 32700, 32705, 32710, 32715, 33300, 33305 and 33850, Penal Code; Section 12101, Health and Safety Code; and Section 922, Title 18, United States Code.

**INFORMATIVE DIGEST/POLICY
 STATEMENT OVERVIEW**

Summary of Existing Laws and Regulations:

Prior to the passage of Assembly Bill Number 3064 (2023–2024 Reg. Sess.) (AB 3064), existing law required any person, within 60 days of bringing a firearm into the state, to mail or personally deliver to the Department a report, as prescribed by the Department,

describing the firearm and providing personal information.

Existing law requires any sale, loan, or transfer of a firearm to be processed through a licensed firearms dealer. Existing law exempts from this requirement the transfer of certain firearms that are curios or relics to a licensed firearm collector, and certain transfers made by gift, bequest, intestate succession, or operation of law. Existing law requires a person who receives a firearm pursuant to these provisions, within 30 days after taking possession, to submit to the Department of Justice a report, as prescribed by the Department, describing the firearm and providing personal information. Existing law also requires a collector who imports such a firearm into the state to submit a report to the Department.

Existing law, Penal Code section 28230, allows the Department to charge a fee sufficient to reimburse it for the actual costs of processing these reports. The fees are set at \$14, except that the fee may be increased at a rate not to exceed any increase in the California Consumer Price Index.

AB 3064 authorizes the Department to charge a fee for the processing of these forms, and an additional fee for each additional firearm. The Department may annually review and adjust this fee to fully fund, but not exceed, its costs. (Pen. Code, §§ 27560, subdivision (a)(2), 27565, subdivision (c), 27875, subdivision (d), 27920, subdivision (g), 27966, subdivision (g), 28000, subdivision (d).)

AB 3064 also authorizes the Department to request photographs of the firearm to determine if the firearm is a generally prohibited weapon, assault weapon, or machine gun, or is otherwise prohibited. (Pen. Code, §§ 27560, subdivision (a)(1)(A), 27565, subdivision (d), 27875, subdivision (e), 27920, subdivision (h), 27966, subdivision (h), 28000, subdivision (g).)

Effect of the Proposed Rulemaking:

The proposed regulation raises the fee for firearm self-reporting forms from \$19.00 to \$31.00 and imposes a processing fee of \$5.00 for each subsequent firearm reported thereafter. The regulation also updates the form instructions consistent with AB 3064.

Anticipated Benefits of the Proposed Regulations:

Raising the fee for firearm ownership self-reporting forms from \$19.00 to \$31.00 and imposing a processing fee of \$5.00 for each subsequent firearm reported thereafter will help cover the Department’s reasonable regulatory and enforcement costs for processing self-reporting forms, helping ensure timely review, accurate records, and continued oversight of firearm ownership consistent with statutory requirements.

Comparable Federal Regulations:

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

Determination of Inconsistency/Incompatibility with Existing State Regulations:

The Department has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations. After conducting a review for any regulations that would relate to or affect this area, the Department has concluded that these are the only regulations that concern firearm self-reporting forms.

Forms Incorporated by Reference:

Firearm Ownership Report, BOF 4542A, Rev. 04/2026.

Report of Operation of Law or Intra-Familial Firearm Transaction, BOF 4544A, Rev. 04/2026.

New Resident Report of Firearm Ownership, BOF 4010A, Rev. 04/2026.

Curio or Relic Firearm Report, BOF 4100A, Rev. 4/2026.

Collector In-State Acquisition of Curio or Relic Long Gun Report, BOF 961, Rev. 04/2026.

Materials Relied Upon:

None.

Other Statutory Requirements:

None.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: Using 2024 transactions as an estimate, the Department estimates that raising the fees will increase the Department’s annual fee revenue by \$295,538.00 per year. The increased revenue will be used to fund the Department’s costs to process firearm ownership self-reporting forms.

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

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

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

Cost impacts on representative person or business: The cost to an individual depends on the number of firearms reported. The cost of a single report is increased by \$12.00, with an additional \$5.00 fee for each additional firearm reported.

Significant effect on housing costs: None.

Significant, statewide adverse economic impact directly affecting businesses, including ability to compete: The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly af-

fecting businesses, including the ability of California businesses to compete with businesses in other states.

Results of the Economic Impact Assessment (EIA):

The Department concludes that it is (1) unlikely that the proposal will create or eliminate jobs within the state, (2) unlikely that the proposal will create new businesses or eliminate existing businesses within the state, (3) unlikely that the proposal will result in the expansion of businesses currently doing business within the state.

The Department also concludes that:

- (1) The proposal would benefit the health and welfare of California residents because these fees will reimburse the Department’s costs for processing firearm self-reporting forms, helping ensure timely review, accurate records, and continued oversight of firearm ownership consistent with statutory requirements.
- (2) The proposal would not benefit worker safety because it does not regulate worker safety standards.
- (3) The proposal would not benefit the state’s environment because it does not change any applicable environmental standards.

Business Report Requirement: None.

Small Business Determination: The Department has determined that the proposed action does not affect small businesses because the forms are completed and submitted by individuals.

CONSIDERATION OF ALTERNATIVES

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

Raising the fees is necessary to cover the Department’s reasonable and actual costs of processing the firearm ownership self-reporting forms.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

L. Baladjay-Fretland
 Department of Justice
 P.O. Box 160487
 Sacramento, CA 95816
 (916) 210-2621

BOFregulations@doj.ca.gov

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

J. Walker
 Department of Justice
 P.O. Box 160487
 Sacramento, CA 95816
 (916) 210–2366
BOFregulations@doj.ca.gov

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

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process 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 text of the proposed regulations (the “express terms” of the regulations), the revised forms incorporated by reference, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based. The text of the Notice, the express terms, the revised forms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available at the Department’s website at <https://oag.ca.gov/firearms/regs>. Please refer to the contact information listed above to obtain copies of these documents.

AVAILABILITY OF CHANGED
 OR MODIFIED TEXT

After the Department analyzes all timely and relevant comments received during the 45–day public comment period, the Department will either adopt the regulations substantially as described in this notice or make modifications based on the comments. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of the name and address indicated above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL
 STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons will be available on the Department’s website at <https://oag.ca.gov/firearms/regs>. Please refer to the contact information included above to obtain a written copy of the Final Statement of Reasons.

AVAILABILITY OF DOCUMENTS
 ON THE INTERNET

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

**TITLE 14. BOARD OF FORESTRY AND
 FIRE PROTECTION**

WORK COMPLETION REPORT IN
 EMERGENCY NOTICE TIMBER
 OPERATIONS, 2026

NATURE OF PROCEEDING

Notice is hereby given that the California State Board of Forestry and Fire Protection (Board) is proposing to take the action described in the Informative Digest.

PUBLIC HEARING

The Board will hold a public hearing on July 28, 2026, commencing at 9:00 a.m., in room 2–301 of the Natural Resources Building, 715 P Street, Sacramento, CA. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their statements. Additionally, pursuant to Government Code (GOV) § 11125.1(b), writings that are public records pursuant to GOV § 11125.1(a) and that are distributed to members of the state body prior to or during a meeting, pertaining to any item to be considered during the meeting, shall be made available for public inspection at the meeting if prepared by the state body or a member of the state body, or after the meeting if prepared by some other person.

Attendees may also participate via the online meeting platform or telephone conferencing. To participate via the online meeting platform please email

PublicComments@bof.ca.gov by 4:30 p.m. on July 28, 2026, to request a link to the meeting. A link to the meeting will also be posted under the “Webinar Information” heading on the front page of the Board website, no later than 8:00 a.m. the morning of the hearing.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period ends at 5:00 PM on July 28, 2026.

The Board will consider only written comments received at the Board office by that time and those written comments received at the public hearing, including written comments submitted in connection with oral testimony at the public hearing. The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection
Attention: Jane Van Susteren
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244–2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
715 P Street
Sacramento, CA 95814

Written comments may also be delivered via email at the following address:

PublicComments@BOF.ca.gov

AUTHORITY AND REFERENCE (PURSUANT TO GOV § 11346.5(A)(2) AND 1 CCR § 14)

Authority cited: Sections 4551 and 4552 Public Resources Code.

Reference: Sections 4592, 4750, 4750.3 and 4750.4, Public Resources Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW (PURSUANT TO GOV 11346.5(A)(3)(A)–(D))

Pursuant to the Z’berg–Nejedly Forest Practice Act of 1973 (Public Resources Code § 4511 et seq.), the

State Board of Forestry and Fire Protection (Board) is responsible for developing forest practice regulations that protect California’s forest resources and ensure sustainable timber harvesting. Under Public Resources Code (PRC) §§ 4551 and 4552, the Board must adopt, maintain, and periodically revise forest practice rules that safeguard soil, water, wildlife, and other public trust resources while supporting timber production.

Emergency Notices, authorized by PRC § 4592 and covered under 14 CCR § 1052, provide landowners and Licensed Timber Operators with a way to respond quickly to urgent forest conditions — such as wildfire damage, insect infestations, or hazardous fuel loads — without the delay inherent in filing a Timber Harvest Plan. These notices allow needed work to begin promptly, supporting public safety and forest resilience while minimizing environmental impacts. Although Emergency Notices streamline operations, they are still subject to all of the Forest Practice Rules: 14 CCR § 1052 specifies that “A person conducting Timber Operations under an Emergency Notice shall comply with all operational provisions of the Forest Practice Act and District Forest Practice Rules applicable to “Timber Harvest Plan”, “THP”, and “Plan””. State law (PRC §§ 4585 and 4587) requires timberland owners to submit Completion and Stocking Reports within one month after completion of the work described in the Timber Harvest Plan. These reports ensure that operations conclude responsibly and that reforestation requirements are addressed.

The current version of 14 CCR § 1052 does not clearly restate this obligation, and many operators, especially those working on smaller projects, are unaware of the follow-up requirement. As a result, CAL FIRE may not receive documentation confirming the end of operations or verifying site stocking conditions.

This amendment is intended to close that gap. By including a direct reference to the Completion and Stocking Report requirements within § 1052, the Board aims to improve understanding, increase compliance, and ensure consistent oversight of Emergency Notice operations. The change is simple, but meaningful: it reinforces good forestry practices and supports long-term stewardship of California’s timberlands. In short, the benefit of the proposed action is enhanced compliance, accountability, and data collection to support post-operation review and forest resource protection.

Board staff conducted an evaluation on whether the proposed action is inconsistent or incompatible with existing State regulations pursuant to **GOV § 11346.5(a)(3)(D)**. State regulations related to the proposed action were, in fact, relied upon in the development of the proposed action to ensure the con-

sistency and compatibility of the proposed action with existing State regulations.

Otherwise, Board staff evaluated the balance of existing State regulations related to measures concerning conversion of timberland within State regulations that met the same purpose as the proposed action. Based on this evaluation and effort, the Board has determined that the proposed regulations are neither inconsistent nor incompatible with existing State regulations. The proposed regulation is entirely consistent and compatible with existing Board rules.

Statute to which the proposed action was compared: Chapter 8, Part 2, Division 4, Public Resources Code.

Regulations to which the proposed action was compared: Subchapters 1, 4, 5, 6, & 7 Chapter 4, Division 1.5, Title 14, California Code of Regulations.

**MANDATED BY FEDERAL
LAW OR REGULATIONS**

The proposed action is not mandated by Federal law or regulations.

The proposed action neither conflicts with, nor duplicates, Federal regulations.

There are no comparable Federal regulations concerning emergency timber operations on state timberland. No existing Federal regulations meeting the same purpose as the proposed action were identified.

**OTHER STATUTORY REQUIREMENTS
(PURSUANT TO GOV § 11346.5(A)(4))**

There are no other matters as are prescribed by statute applicable to the specific State agency or to any specific regulation or class of regulations.

**LOCAL MANDATE (PURSUANT TO
GOV § 11346.5(A)(5)).**

The proposed action does not impose a mandate on local agencies or school districts.

**FISCAL IMPACT (PURSUANT TO
GOV § 11346.5(A)(6))**

There is no cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

A local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by the act, within the meaning of Section 17556 of the Government Code.

The proposed action will not result in the imposition of other non-discretionary costs or savings to local agencies.

The proposed action will not result in costs or savings in Federal funding to the State.

The proposed action will not result in costs to any State agency. The proposed action represents a continuation of existing forest practice regulations related to the conduct of timber operations and will not result in any direct or indirect costs or savings to any state agency.

**HOUSING COSTS (PURSUANT TO
GOV § 11346.5(A)(12))**

The proposed action will not significantly affect housing costs.

**SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT DIRECTLY
AFFECTING BUSINESS, INCLUDING
ABILITY TO COMPETE
(PURSUANT TO GOV §§ 11346.3(A),
11346.5(A)(7) AND 11346.5(A)(8))**

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 (by making it costlier to produce goods or services in California).

**FACTS, EVIDENCE, DOCUMENTS,
TESTIMONY, OR OTHER EVIDENCE
RELIED UPON TO SUPPORT INITIAL
DETERMINATION IN THE NOTICE THAT
THE PROPOSED ACTION WILL NOT
HAVE A SIGNIFICANT ADVERSE
ECONOMIC IMPACT ON BUSINESS
(PURSUANT TO GOV § 11346.2(B)(5) AND
GOV § 11346.5(A)(8))**

Contemplation by the Board of the economic impact of the provisions of the proposed action through the lens of the decades of contemplating forest practice in California that the Board brings to bear on regulatory development.

**STATEMENTS OF THE RESULTS OF THE
ECONOMIC IMPACT ASSESSMENT (EIA)**

The results of the economic impact assessment are provided below pursuant to **GOV § 11346.5(a)(10)** and prepared pursuant to **GOV § 11346.3(b)(1)(A)–(D)**. The proposed action:

- Will not create jobs within California (GOV § 11346.3(b)(1)(A)).
- Will not eliminate jobs within California (GOV § 11346.3(b)(1)(A)).
- Will not create new businesses (GOV § 11346.3(b)(1)(B)).
- Will not eliminate existing businesses within California (GOV § 11346.3(b)(1)(B)).
- Will not affect the expansion or contraction of businesses currently doing business within California (GOV § 11346.3(b)(1)(C)).
- Will yield nonmonetary benefits (GOV § 11346.3(b)(1)(D)). The proposed action would result in increased clarity and consistency within the Forest Practice Rules by explicitly stating the requirement to submit Completion and Stocking Reports following Emergency Notice timber operations. This promotes timely compliance with post-operation obligations, enhances oversight of forest activities, and supports better tracking of reforestation progress, which benefits the environment and public transparency.

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS (PURSUANT TO GOV § 11346.5(A)(9))

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. No adverse impacts are to be expected.

BUSINESS REPORT (PURSUANT TO GOV §§ 11346.5(A)(11) AND 11346.3(D))

The proposed action does not impose a business reporting requirement.

SMALL BUSINESS (DEFINED IN GOV 11342.610)

The proposed regulation may affect small business, though small businesses, within the meaning of GOV § 11342.610, are not expected to be significantly affected by the proposed action.

Small business, pursuant to 1 CCR § 4(a):

- (1) Is legally required to comply with the regulation;
- (2) Is not legally required to enforce the regulation;
- (3) Does not derive a benefit from the enforcement of the regulation;
- (4) May incur a detriment from the enforcement of the regulation if they do not comply with the regulation.

ALTERNATIVES INFORMATION

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

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the Initial Statement of Reasons, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
Attention: Jane Van Susteren
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460
Telephone: (916) 653-8007

The designated backup person in the event Ms. Van Susteren is not available is Daniel Craig, Regulations Program Manager for the Board of Forestry and Fire Protection. Mr. Craig may be contacted at the above address or phone.

AVAILABILITY STATEMENTS (PURSUANT TO GOV § 11346.5(A) (16), (18))

All of the following are available from the contact person:

1. Express terms of the proposed action using *UNDERLINE* to indicate an addition to the California Code of Regulations and *STRIKETHROUGH* to indicate a deletion.
2. Initial Statement of Reasons, which includes a statement of the specific purpose of each adoption, amendment, or repeal, the problem the Board is addressing, and the rationale for the determination by the Board that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed.
3. The information upon which the proposed action is based (pursuant to **GOV § 11346.5(b)**).
4. Changed or modified text. After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications

which are sufficiently related to the originally proposed text, it will make the modified text — with the changes clearly indicated — available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who testified at the hearings, submitted comments during the public comment period, including written and oral comments received at the public hearing, or requested notification of the availability of such changes from the Board of Forestry and Fire Protection. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

FINAL STATEMENT OF REASONS

When the Final Statement of Reasons (FSOR) has been prepared, the FSOR will be available from the contact person on request.

INTERNET ACCESS

All of the material referenced in the Availability Statements is also available on the Board web site at: <https://bof.fire.ca.gov/regulations-and-policies/proposed-rule-packages>.

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

GEOGRAPHICALLY OVERLAPPING HARVESTING PERMITS

NATURE OF PROCEEDING

Notice is hereby given that the California State Board of Forestry and Fire Protection (Board) is proposing to take the action described in the Informative Digest.

PUBLIC HEARING

The Board will hold a public hearing on July 28, 2026, at its regularly scheduled meeting commencing at 9:00 a.m., in the Natural Resources Building, Room 2–301, 715 P Street, Sacramento, CA. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their statements. Additionally, pursuant to Government Code (GOV) § 11125.1(b), writings that are public records pursuant to GOV § 11125.1(a)

and that are distributed to members of the state body prior to or during a meeting, pertaining to any item to be considered during the meeting, shall be made available for public inspection at the meeting if prepared by the state body or a member of the state body, or after the meeting if prepared by some other person.

Attendees may also participate via the online meeting platform or telephone conferencing. To participate via the online meeting platform please email PublicComments@bof.ca.gov by 4:30 p.m. on July 27, 2026 to request a link to the meeting. A link to the meeting will also be posted under the “Webinar Information” heading on the front page of the Board website, no later than 8:00 a.m. the morning of the hearing.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. All written comments must be received by the Board office via mail, facsimile, email, or hand delivery no later than the end of the day July 28, 2026.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection
Attention: Jane Van Susteren
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244–2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
Attention: Jane Van Susteren
715 P Street
Sacramento, CA 95814

Written comments may also be delivered via email at the following address:

PublicComments@BOF.ca.gov

AUTHORITY AND REFERENCE (PURSUANT TO GOV § 11346.5(A)(2) AND 1 CCR § 14) 14 CCR § 1122)

Authority cited: Sections 4551, 4553, 4584 and 4584.1, Public Resources Code.

Reference: Sections 4290, 4291, 4516, 4527, 4527.5, 4584, 4584.1 and 4597, Public Resources Code; and *EPIC v. California Department of Forestry and Fire Protection and Board of Forestry* (1996) 43 Cal. App.4th 1011.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW
(PURSUANT TO GOV 11346.5(A)(3)(A)–(D))

Pursuant to the Z'berg–Nejedly Forest Practice Act of 1973, Public Records Code (PRC) § 4511, *et seq.* (Act) the State Board of Forestry and Fire Protection (Board) is authorized to construct a system of forest practice regulations applicable to timber management on state and private timberlands.

PRC § 4551 requires the Board to “...adopt district forest practice rules... to ensure the continuous growing and harvesting of commercial forest tree species and to protect the soil, air, fish, wildlife, and water resources...” and PRC § 4553 requires the Board to continuously review the rules in consultation with other interests and make appropriate revisions.

PRC § 4551.5 requires that the rules and regulations adopted by the Board apply to the conduct of Timber Operations, which is defined within PRC § 4527(a)(1) as “the cutting or removal, or both, of timber or other solid wood forest products, including Christmas trees, from Timberlands for commercial purposes, together with all the incidental work, including, but not limited to, construction and maintenance of roads, fuel breaks, firebreaks, stream crossings, landings, skid trails, and beds for the falling of trees, fire hazard abatement, and site preparation that involves disturbance of soil or burning of vegetation following timber harvesting activities, but excluding preparatory work such as tree marking, surveying, or road flagging.” The term “commercial purposes”, as used within PRC § 4527 is defined by reference to an illustrative, non-exhaustive list of activities within PRC § 4527(a)(2) that include “(A) the cutting or removal of trees that are processed into logs, lumber, or other wood products and offered for sale, barter, exchange, or trade, or (B) the cutting or removal of trees or other forest products during the conversion of timberlands to land uses other than the growing of timber that are subject to Section 4621, including, but not limited to, residential or commercial developments, production of other agricultural crops, recreational developments, ski developments, water development projects, and transportation projects.”

Additionally, the Act defines “Timberland” within PRC § 4526 as “land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees.”

The Act recognizes that the “forest resources and timberlands of the state are among the most valuable of the natural resources of the state”, and that “it is the policy of this state to encourage prudent and responsible forest resource management...” (PRC § 4512).

PRC § 4581 requires any person who plans to conduct Timber Operations to submit one of four types of THPs (Plan). A Plan is defined by one of four codes per 14 CCR § 895.1 including a Timber Harvest Plan (THP) as described in PRC § 4582, a Nonindustrial Timber Management Plan (NTMP) as described in § 4593.2(e), a Program Timber Harvesting Plan (PTHP) as described in 14 CCR §§ 1092 and 1092.1, and a Working Forest Management Plan (WFMP) as described in PRC § 4597.1.

Harvest permits identified as a Plan are approved through a multi-agency review process and potentially may have specific on-site regulatory standards that are developed during the multi-agency review processes. Additionally, the use of a Plan for Timber Operations allows the use of in-lieu practices within Watercourse and Lake Protection Zones (WLPZs) as specified under Article 6 of the rules, exceptions to the rules, and alternative practices.

Pursuant to PRC § 4584 and Title 14 of the California Code of Regulations, Article 2, certain Timber Operations conducted under a Notice of Exemption (NOE) pursuant to §1038 are exempt from the Plan preparation and submission requirements of PRC § 4581 and from the completion report and stocking report requirements of PRC §§ 4585 and 4587 of the Act. These operations, identified by the Board for specific types of operations to improve forest health and public safety, are exempt from the multi-agency review process. NOEs are limited to one (1) year from the date of receipt by the Director and must comply with all operational provisions of the Act and District Forest Practice Rules (Rules) applicable to “THP”, “THP”, and “Plan” definitions per 14 CCR § 895.1, and with certain operational constraints as described in §1038.1. In-lieu practices within WLPZs as specified under Article 6 of these Rules, exceptions to the Rules, and alternative practices are not allowed under a NOE.

Timber Operations that are covered under a NOE and thus exempt from Plan preparation include: the harvesting of Christmas trees; harvesting dead trees, dying trees, or diseased trees of any size, fuelwood or split products in amounts less than ten (10) percent of the average volume per acre, or the removal of slash and woody debris that is not located within a Watercourse and Lake Protection Zone; the cutting or removal of trees in compliance with PRC §§ 4290 and 4291, which eliminates the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for the purpose of reducing flammable materials and maintaining a fuelbreak around a building or structure to reduce fire spread, duration and intensity; harvesting dead trees, dying trees or diseased trees, fuelwood, or split products in response to drought related stress or dead trees which are unmerchantable as

sawlog–size timber that are located upon substantially damaged timberlands; the cutting or removal of trees to restore and conserve California black (*Quercus kelloggii*) or Oregon white (*Quercus garryana*) oak woodlands and associated grasslands; harvesting of trees for forest resilience; and harvesting trees which are dead or dying trees as a result of wildfire within three–hundred (300) feet from any point of an approved and legally permitted structure or an approved and legally permitted structure that was damaged or destroyed by wildfire. At the time of submission of a NOE a Licensed Timber Operator (LTO) must be identified per 14 CCR §1038.1(a)(2). For a THP a LTO must be named per 14 CCR §1034(c) but additionally, the LTO must acknowledge their responsibilities under the Plan as per 14 CCR §1035.3 prior to the commencement of operations.

NTMPs and WFMPs provide landowners with a long–term management plan for their ownership utilizing un–even aged management with the goal of assuring sustained yield over the long term. These harvesting permits are different than the THP because they have no expiration date and Timber Operations are not expected to start at the time of approval, so a LTO is not required to be named until a subsequent Notice of Timber Operations is filed.

Harvesting operations under NOEs within the NTMPs and WFMPs are allowed under this proposed rule. Use of the NOE provides the landowner the flexibility to respond to changing forest conditions over the life of the long–term plan when operations under the NOE considered to be of minor impact and not to cause a substantial deviation from the long–term management of the lands as described in these plans. When significant operations are conducted in accordance with the NTMP or WFMP, a Notice of Timber Operations provides the identity of the LTO and the specific location and harvest operations to be conducted. It remains appropriate to allow overlapping of these harvesting permits with NOEs because each timber operation is specifically identified, and a LTO identified for each specific operation.

During the 2024 Call for Regulatory Review, the Department noted that current regulatory language does not address conducting Timber Operations within the same geographical harvest area and within the same time period with THPs and NOEs. When a NOE is submitted for areas that overlap an active THP, it is unclear which operational standards are to be applied or which LTO is responsible for the conduct of operations, considering that there are different regulatory standards and that the LTOs identified within the Plan and a NOE may be different for each document. It may be difficult for the Department to accurately determine which regulatory standard applies at the time of any potential violation of the Act or the provisions

of the approved Plan or to recognize the party responsible for any potential violation of the Rules.

After review and discussion, the Board determined in certain situations that NOEs and active Plans that overlap the same geographical harvest area needed clarification. The Forest Practice Committee worked with agency, public, and industrial stakeholders developing language clarifying regulatory language to reduce confusion and allow for clear enforcement of regulations pertaining to Timber Operations.

Under the proposed regulations, a landowner retains the ability to overlap an active THP with the cutting of Christmas trees as described in 1038(a) and the harvesting of dead, dying, and diseased timber in amounts of less than 10% per acre by volume as described in 1038(b). The allowance was made for Christmas tree cutting because it rarely involves the use of heavy equipment or ground–disturbing activities and is limited to a relatively short time period, causing minimal environmental impacts. The allowance was made for the harvest of dead, dying, and diseased trees due to the importance of being able to respond rapidly to tree mortality due to insects and disease in order to maintain the health of the forest, and to be able to recover the economic value of these trees, while minimizing the ability of these insects and pathogens to spread. This NOE is of particular value to small forest landowners. The changes are allowed in recognition of the limited scope of operations allowed under the restrictions provided in 1038.1, and with the provision that the removal of trees will not impact the silvicultural prescription of the approved Plan.

The rule plead as presented amends regulatory section 14 CCR §§ 1038 & 1038.1 clarifying that specific NOEs per 14 CCR § 1038 may not have a harvest area that geographically overlaps with the harvest area of another non–expired Plan or NOE. The intent of the amended language is to clarify which Notices of Exemption may not overlap the geographical harvest area of an active THP or other active NOEs.

The problem: Given that the Act has different harvesting permits that may be submitted allowing Timber Operations in California and these harvest permits have different review processes and regulatory standards, when THPs and NOEs the same acreage are active at the same time, it is difficult to determine the enforcement actions, and the LTO responsible for the conduct of operations should a violation occur. The current Rules do not specifically preclude the spatial or temporal overlap of active harvest permits, creating the potential for on–the–ground confusion relating to applicable standards for resource protection and potential enforcement actions.

The purpose: The rule plead provides regulatory language clarifying the timing and use of THPs and NOEs on harvest areas that geographically overlap.

The goal is to largely eliminate the practice of geographically overlapping harvest areas that have different review and regulatory standards to better ensure resource protection on those harvest areas.

The effect of the proposed action will: 1) reduce the concern of different regulatory standards being applied to the same harvest areas due to the difference in review and regulatory requirements between a Plan and a NOE; 2) establish clear regulations that Notices of Exemption are not permitted except in limited circumstances in the same harvest area already approved within a Plan; and 3) allow for clear enforcement of timber harvest regulations based on the specific harvesting permits submitted for Timber Operations.

The benefit of the amended language will allow for clear enforcement of regulatory standards and resource protection within harvest areas by largely eliminating the ability to overlap harvesting areas with multiple harvesting permits that have different regulatory standards, thereby preventing damage to the environment by stacking the impacts of several distinct harvest permits in the same area.

Board staff conducted an evaluation on whether the proposed action is inconsistent or incompatible with existing State regulations pursuant to **GOV § 11346.5(a)(3)(D)**. State regulations related to the proposed action were, in fact, relied upon in the development of the proposed action to ensure the consistency and compatibility of the proposed action with existing State regulations.

Otherwise, Board staff evaluated the balance of existing State regulations related to measures concerning conversion of timberland within State regulations that met the same purpose as the proposed action. Based on this evaluation and effort, the Board has determined that the proposed regulations are neither inconsistent nor incompatible with existing State regulations. The proposed regulation is entirely consistent and compatible with existing Board rules.”

**MANDATED BY FEDERAL
LAW OR REGULATIONS**

The proposed action is not mandated by Federal law or regulations.

The proposed action neither conflicts with, nor duplicates, Federal regulations.

There are no comparable Federal regulations related to conducting Timber Operations on private, state, or municipal forest lands. No existing Federal regulations meeting the same purpose as the proposed action were identified.

**OTHER STATUTORY REQUIREMENTS
(PURSUANT TO GOV § 11346.5(A)(4))**

There are no other matters as are prescribed by statute applicable to the specific State agency or to any specific regulation or class of regulations.

**LOCAL MANDATE
(PURSUANT TO GOV § 11346.5(A)(5)).**

The proposed action does not impose a mandate on local agencies or school districts.

**FISCAL IMPACT
(PURSUANT TO GOV § 11346.5(A)(6))**

There is no cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

A local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by the act, within the meaning of Section 17556 of the Government Code.

The proposed action will not result in the imposition of other non-discretionary costs or savings to local agencies.

The proposed action will not result in costs or savings in Federal funding to the State.

The proposed action will not result in costs to any State agency. The proposed action represents an expansion of existing forest practice regulations and will not result in any direct or indirect costs or savings to any state agency.

The proposed action will not result in the imposition of other non-discretionary costs or savings to local agencies.

**HOUSING COSTS
(PURSUANT TO GOV § 11346.5(A)(12))**

The proposed action will not significantly affect housing costs.

**SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT DIRECTLY
AFFECTING BUSINESS, INCLUDING
ABILITY TO COMPETE
(PURSUANT TO GOV §§ 11346.3(A),
11346.5(A)(7) AND 11346.5(A)(8))**

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 (by making it costlier to produce goods or services in California).

FACTS, EVIDENCE, DOCUMENTS,
TESTIMONY, OR OTHER EVIDENCE
RELIED UPON TO SUPPORT INITIAL
DETERMINATION IN THE NOTICE
THAT THE PROPOSED ACTION WILL
NOT HAVE A SIGNIFICANT ADVERSE
ECONOMIC IMPACT ON BUSINESS
(PURSUANT TO GOV § 11346.2(B)(5) AND
GOV § 11346.5(A)(8))

Contemplation by the Board of the economic impact of the provisions of the proposed action through the lens of the decades of contemplating forest practice in California that the Board brings to bear on regulatory development.

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

The results of the economic impact assessment are provided below pursuant to **GOV § 11346.5(a)(10)** and prepared pursuant to **GOV § 11346.3(b)(1)(A)–(D)**. The proposed action:

- Will not create jobs within California (GOV § 11346.3(b)(1)(A));
- Will not eliminate jobs within California (GOV § 11346.3(b)(1)(A));
- Will not create new businesses (GOV § 11346.3(b)(1)(B));
- Will not eliminate existing businesses within California (GOV § 11346.3(b)(1)(B));
- Will not affect the expansion or contraction of businesses currently doing business within California (GOV § 11346.3(b)(1)(C));
- Will yield nonmonetary benefits (GOV § 11346.3(b)(1)(D)). The proposed action would result in increased clarity and efficacy in the Rules, and as a result, promote more efficient implementation and enforcement of the regulations. This adoption will provide clarity and enforceability, resulting in improved environmental outcomes, yielding non-monetary benefits in accordance with GOV § 11346.3(b)(1)(D).

COST IMPACTS ON REPRESENTATIVE
PERSON OR BUSINESS
(PURSUANT TO GOV § 11346.5(A)(9))

The agency is not aware of any cost impacts that a representative private person or business would nec-

essarily incur in reasonable compliance with the proposed action. No adverse impacts are to be expected.

BUSINESS REPORT (PURSUANT TO GOV
§§ 11346.5(A)(11) AND 11346.3(D))

The proposed action does not impose a business reporting requirement.

SMALL BUSINESS
(DEFINED IN GOV 11342.610)

The proposed regulation may affect small business, though small businesses, within the meaning of GOV § 11342.610, are not expected to be significantly affected by the proposed action.

Small business, pursuant to 1 CCR § 4(a):

- (1) Is legally required to comply with the regulation;
- (2) Is not legally required to enforce the regulation;
- (3) Does not derive a benefit from the enforcement of the regulation;
- (4) May incur a detriment from the enforcement of the regulation if they do not comply with the regulation.

CONSIDERATION OF ALTERNATIVES

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

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the Initial Statement of Reasons, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
Attention: Jane Van Susteren
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244–2460
Telephone: (916) 653–8007

The designated backup person in the event Ms. Van Susteren is not available is Andrew Lawhorn, Regulations Staff for the Board of Forestry and Fire Protection. Mr. Lawhorn may be contacted at the above address or phone.

AVAILABILITY STATEMENTS
(PURSUANT TO GOV § 11346.5(A) (16), (18))

All of the following are available from the contact person:

1. Express terms of the proposed action using *UNDERLINE* to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion.
2. Initial Statement of Reasons, which includes a statement of the specific purpose of each adoption, amendment, or repeal, the problem the Board is addressing, and the rationale for the determination by the Board that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed.
3. The information upon which the proposed action is based (pursuant to **GOV § 11346.5(b)**).
4. Changed or modified text. After considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text — with the changes clearly indicated — available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who submitted comments during the public comment period, or requested notification of the availability of such changes from the Board of Forestry and Fire Protection. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

FINAL STATEMENT OF REASONS

When the Final Statement of Reasons (FSOR) has been prepared, the FSOR will be available from the contact person on request.

INTERNET ACCESS

All of the material referenced in the Availability Statements is also available on the Board web site at: <https://bof.fire.ca.gov/regulations-and-policies/proposed-rule-packages>.

GENERAL PUBLIC INTEREST

**DEPARTMENT OF
FISH AND WILDLIFE**

CALIFORNIA ENDANGERED SPECIES
ACT CONSISTENCY DETERMINATION
NUMBER 2080R–2026–007–01

Project: South Fork Lost River Streamflow and
Habitat Enhancement Project

Location: Mendocino County

Applicant: Sanctuary Forest, Incorporated

Background

Sanctuary Forest, Incorporated (Applicant) proposes to improve habitat for coho salmon (*Oncorhynchus kisutch*) in the South Fork Lost River (SFLR), an important salmon-bearing tributary to the Mattole River headwaters. The South Fork Lost River Streamflow and Habitat Enhancement Project (Restoration Project) is expected to improve summer rearing, winter refuge habitat, and fish passage conditions for salmonids. Project activities include installation of log and rock weirs, subsurface clay restrictive barriers, large wood placement, gravel augmentation, brush check dams, terrace infiltration basins and terrace pond construction. The Restoration Project will occur in the SFLR in Mendocino County, California, on Assessor's Parcel Number(s) 051–160–001, 051–160–002 and 051–160–003.

The Restoration Project activities described above are expected to take¹ coho salmon (*Oncorhynchus kisutch*) from Punta Gorda (Humboldt County), California to the northern border of California (Covered Species), where those activities take place within the SFLR. In particular, the Covered Species could be taken as a result of restoration activities, dewatering activities, or relocation/movement out of harm's way. The Covered Species is designated as a threatened species pursuant to the federal Endangered Species Act² (ESA) (16 U.S.C. § 1531 et seq.) and a threatened species pursuant to the California Endangered Species Act (CESA) (Fish & Game Code, § 2050 et seq.; Cal. Code Regs., title 14, § 670.5, subdivision (b)(2)(D)).

Covered Species individuals are documented as present at the Restoration Project site and there is suit-

¹ Pursuant to Fish and Game Code section 86, "'Take' means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

² The federal ESA listing unit for the Covered Species as it could occur in the Restoration Project site is the Southern Oregon/Northern California Coast coho salmon Evolutionarily Significant Unit.

able habitat for the Covered Species within the Restoration Project site. Because of the proximity of the nearest documented Covered Species, dispersal patterns of the Covered Species, and the presence of suitable habitat for the Covered Species within the Restoration Project site, the National Marine Fisheries Service (NMFS) determined that the Covered Species could occur within the Restoration Project site and that Restoration Project activities could result in take of the Covered Species. NMFS anticipates that an estimated 100 juvenile individuals of the Covered Species could be captured, of which two may be killed as a result of implementing the proposed Restoration Project, and expects higher numbers of Covered Species to occur within the Restoration Project Site after the Restoration Project is complete.

The intent of the Restoration Project is to improve summer salmonid habitat through increased ground-water storage, summer streamflow, and pool habitat along with increased diversity and abundance of riparian vegetation. NMFS has determined that the long-term effects of Restoration Project actions will be beneficial to the Covered Species and are expected to result in increased usage of the area by Covered Species. According to the NMFS, construction of the Restoration Project will result in habitat enhancement and improved floodplain connectivity on approximately 0.5 miles of the SFLR.

The Restoration Project meets the eligibility requirements of the Northern California Office of the National Oceanic and Atmospheric Administration Restoration Center's (NOAA RC) and the U.S. Army Corps of Engineers, San Francisco District Regulatory Division's (Corps) Restoration Program for Northern California (Program). Because the Program was expected to affect species protected by the federal ESA and their designated critical habitats, the NOAA RC and the Corps consulted with the NMFS West Coast Region California Coastal Office (NMFS WCR CCO), pursuant to Section 7 of the ESA. On March 31, 2022, the NMFS WCR CCO issued a programmatic biological opinion, entitled *Endangered Species Act Section 7(a)(2) Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response for the NOAA Restoration Center and U.S. Army Corps of Engineers' Restoration Program for Northern California* (NMFS Consultation No: WCRO-2021-02830) (PBO) to the NOAA RC and the Corps for the Program. The PBO describes eligible restoration projects and requires all project applicants operating under the PBO to comply with terms of the PBO and its incidental take statement (ITS).

The Applicant submitted a project-specific application on May 26, 2023, to the NOAA RC for the Restoration Project, a copy of which is attached hereto and

incorporated herein as Exhibit 1. The NOAA RC issued a project-specific approval for the Restoration Project on May 31, 2023, a copy of which is attached hereto and incorporated herein as Exhibit 2. The NOAA RC's project-specific approval for the Restoration Project requires the Applicant to comply with the terms of the ITS, along with the accompanying PBO, project-specific application, and project-specific approval, when carrying out the Restoration Project.

On May 5, 2026, the Director of the Department of Fish and Wildlife (CDFW) received a notice from the Applicant requesting a determination pursuant to Fish and Game Code section 2080.1 that the ITS, along with the accompanying PBO, project specific application, and project-specific approval for the Restoration Project, is consistent with CESA for purposes of the Restoration Project and the Covered Species. (Cal. Reg. Notice Register 2026, Number 21–Z, page 719.)

DETERMINATION

CDFW has determined that the ITS, along with the accompanying PBO, project-specific application, and project-specific approval, is consistent with CESA as to the Restoration Project and the Covered Species because the measures contained in the ITS, along with the accompanying PBO, project-specific application, and project-specific approval, meet the conditions set forth in Fish and Game Code section 2081, subdivisions (a) and (c), for authorizing take of CESA-listed species. Specifically, CDFW finds that: (1) take of the Covered Species will be for management purposes; (2) the measures required are roughly proportional in extent to any impact on the Covered Species that is caused by the Restoration Project; (3) the measures required maintain the Applicant's project purpose to the greatest extent possible; and (4) the Restoration Project will not jeopardize the continued existence of the Covered Species.

Avoidance, Minimization, and Mitigation Measures. The avoidance, minimization, and mitigation measures in the ITS and PBO include, but are not limited to, the following:

- 1) The general construction season will be from June 15 to November 1. Restoration, construction, fish relocation, and dewatering activities within any wetted and/or flowing creek channel shall only occur within this period. Extensions to this work season can be granted if: (1) There is less than a 50 percent chance of 1.5 inches of rain predicted over any 24-hour period during the granted time extension, and (2) NOAA RC determines, and NMFS confirms, that an extension will not result in effects that go beyond those analyzed during the federal ESA consultation on the Program, either in type or magnitude.

- 2) All materials placed in or over streams, rivers, or other waters shall be nontoxic. Any combination of wood, plastic, cured concrete, steel pilings, or other materials used for in-channel structures shall not contain coatings or treatments or consist of toxic substances (e.g., copper, other metals, or pesticides, petroleum-based products, etc.) that may leach into the surrounding environment in amounts harmful to aquatic organisms.
- 3) Water containing mud or silt from construction activities shall be treated by filtration or retention in a settling pond to avoid draining sediment-laden water back to the stream channel. Alternatively, an infiltration area may be created and used within the regular project footprint or in upland areas, if the soil composition of the area adequately supports infiltration back into the system.
- 4) Fish shall be excluded from the work area by blocking the stream channel above and below the work area with fine-meshed block nets or screens. Mesh openings will be no greater than 1/8 inch. The bottom of a seine must be completely secured to the channel bed. Screens must be checked twice daily, or more frequently, as needed, and cleaned of debris to permit free flow of water. Block nets shall be placed and maintained throughout the dewatering period at the upper and lower extent of the areas where fish will be removed. Block net mesh shall be sized to ensure salmonids upstream or downstream do not enter the areas proposed for dewatering. Net placement is temporary and will be removed once dewatering has been accomplished or construction work is complete for the day.
- 5) Prior to dewatering, the best means to bypass flow through the work area shall be determined to minimize disturbance to the channel and avoid direct mortality of fish and other aquatic vertebrates. Project site dewatering shall be coordinated with a qualified biologist, who will perform fish relocation activities. The qualified biologist must be familiar with the life history and identification of listed salmonids within the action area. The qualified biologist shall submit qualifications to the NOAA RC for approval prior to fish relocation activities. Prior to dewatering a construction site, the qualified biologist shall capture and relocate fish to avoid direct mortality and minimize adverse effects. Plastic/rubber material shall be placed over sandbags used for construction of cofferdams to minimize water seepage into the work area. Cofferdams and stream diversion systems shall remain in place and fully functional throughout the construction period. When cof-

ferdams with bypass pipes are installed, debris racks will be placed at the bypass pipe inlet. Bypass pipes will be monitored a minimum of two times per day, seven days a week. All accumulated debris shall be removed.

Monitoring and Reporting Measures. The monitoring and reporting measures in the ITS and PBO include, but are not limited to, the following:

- 1) By April 1 of the year following completion of construction of the Restoration Project, each applicant will submit a completion report to the NOAA RC and the Corps that includes project as-built plans describing conditions immediately following completion of construction on the project and photo documentation of pre-project conditions and the site immediately after the project construction.
- 2) By September 1 of each year, the NOAA RC will submit to NMFS WCR CCO a report of the previous year's restoration activities (defined as September 1 of the previous year to August 31 of the current year) that summarizes Program activities that occurred during the most recent construction season, and conditions following completion of construction on projects. The annual report shall include a summary of the specific type and location of each project.

Although not a condition of the PBO, CDFW requests a copy of the monitoring reports as well. The reports should include the dates construction occurred on and the success of revegetation and restoration.

Pursuant to Fish and Game Code section 2080.1, take authorization under CESA is not required for the Restoration Project for take of the Covered Species, provided the Applicant implements the Restoration Project as described in the ITS, along with the accompanying PBO, project-specific application, and project-specific approval, including adherence to all measures contained therein, and complies with the measures and other conditions described in the ITS, along with the accompanying PBO, project-specific application, and project-specific approval. If there are any substantive changes to the Restoration Project, including changes to the measures, or if NMFS amends or replaces the ITS, accompanying PBO, or project-specific approval, the Applicant shall be required to obtain a new consistency determination or a CESA take permit for the Restoration Project from CDFW. (See generally Fish & Game Code, §§ 2080.1, 2081, subdivisions (a) and (c).)

CDFW's determination that the ITS, along with the accompanying PBO, project-specific application, and project-specific approval, is consistent with CESA is limited to the Covered Species and the Restoration Project.

**RULEMAKING
PETITION DECISIONS**

**DEPARTMENT OF
CORRECTIONS AND
REHABILITATION**

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

PETITIONER

Neil Stone — V77743.

DEPARTMENT CONTACT PERSON

Please direct any inquiries regarding this action to Ying Sun, Associate Director, Regulation and Policy Management Branch, Department of Corrections and Rehabilitation, P.O. Box 942883, Sacramento, CA 94283–0001.

AVAILABILITY OF PETITION

The petition to amend regulations is available upon request directed to the Department’s contact person.

AUTHORITY

Penal Code Sections: 5054 and 5058.

PROVISIONS OF CALIFORNIA CODE OF
REGULATIONS AFFECTED:

Title 15, Crime Prevention and Corrections.
Division 3, Adult Institutions, Programs and Parole.

SUMMARY OF PETITION AND
DEPARTMENT DECISION

Section 3450

Petitioner’s Request: Amend Title 15, Section 3231, relating to Special Incarcerated Committees. Specifically, the petitioner proposes to create a program to establish a “special committee” whose members will include incarcerated persons and departmental staff at the headquarters level.

Reason for Request: Petitioner states the purpose of the “special committee” is to improve safety within CDCR prisons. The petitioner also contends the current Incarcerated Persons Advisory Council is flawed in that the council is comprised of self-serving rep-

resentatives that do not adequately advocate for the concerns of the population. The petitioner cites higher drug related incidents and violence as a catalyst for the request for a “special committee.”

Department’s Response: The petitioner’s request is denied. The incarcerated population already has multiple established avenues for reporting concerns, providing input on institutional operations, and participating in rehabilitative and policy-related matters. These include:

- The Incarcerated Persons Advisory Council (IPAC) pursuant to California Code of Regulations, Title 15, Section 3231 provides a robust, ongoing, facility-level avenue for exactly the issues the petitioner raises (violence reduction, substance abuse, safety, rehabilitation, and staff concerns) through regular warden meetings, agenda-driven input, and resource-supported communication. While the petition correctly notes limitations (e.g., warden approval of bylaws/agendas, restrictions on individual/staff-specific grievances, and potential suspension for security reasons), these are intentional safeguards to maintain security, prevent manipulation, and focus on general-population issues. The regulations explicitly authorize wardens to address threats to order or counterproductive activities.
- The administrative grievance and appeal process under Title 15, Section 3481 (and Section 3480 et seq.) provides a direct, documented, two-level formal channel that escalates concerns all the way to CDCR headquarters. It allows incarcerated persons to raise exactly the issues in the petition — violence reduction, substance abuse, safety, staff conduct, rehabilitation programming, and policy improvements — with written responses and the ability to appeal locally decided matters.
- Reviews and decisions by Institution Classification Committees (ICC) and the Departmental Review Board (DRB) as provided throughout Title 15, form the core of CDCR’s structured, individualized classification and review system for incarcerated persons. These bodies provide formal, documented opportunities for case-specific input, decision-making, and oversight on housing, privileges, programming, behavior, and safety issues — directly addressing many of the concerns raised in the petition; and
- Participation in departmentally approved educational or rehabilitative programs are a cornerstone of CDCR’s mission to reduce recidivism, address the root causes of violence and substance abuse, and prepare incarcerated persons for suc-

cessful reintegration. They directly respond to the goals outlined in the petition by providing evidence-based interventions, academic and vocational opportunities, and behavioral change tools. Participation is incentivized through sentence reducing credits and is reviewed as part of classification processes.

In addition, CDCR has recently implemented targeted regulatory amendments that directly address many of the violence and substance-abuse concerns raised in the petition. Effective May 1, 2026, Emergency Regulations were adopted to respond to increases in violent acts and overdoses within CDCR institutions, and include amendments to Title 15, Division 3 — including Sections 3000, 3044 (privilege groups C and D and tablet restrictions), 3190 (Authorized Personal Property Schedule updates for restricted housing and privilege groups), 3312 (disciplinary methods, including the new 24-hour suspension of communication and entertainment services on tablets), and 3337 (RHU Term Matrix with increased terms for violent offenses, reinstatement of terms for multiple batteries and controlled substance distribution, and restored ICC authority for concurrent or consecutive terms).

The adopted Emergency Regulations are posted on the Department’s website under: Regulations and Policy; Adult Institutions, Programs and Parole Regulations; Recently Adopted Department Regulations; Regulations in Temporary Emergency Effect and may also be accessed via the following link: <https://www.cdcr.ca.gov/regulations/cdcr-regulations/new-rules-page/>. Additionally, the Notice of Change to Regulations (NCR) 26-04, is posted on the Department’s website under: Regulations and Policy; Adult Institutions, Programs and Parole Regulations; Pending Changes to Department Rules; Notice of Change to Regulations and may also be accessed via the following link: <https://www.cdcr.ca.gov/regulations/cdcr-regulations/pending-changes-to-department-rules-2/>. The changes identified in the Emergency Regulations and the Notice of Change to Regulations enhance accountability through structured consequences while preserving existing input mechanisms and are not applied retroactively.

The Department believes that the combination of these longstanding reporting, advisory, administrative remedies, classification, and rehabilitative avenues — together with the new accountability measures in the May 1, 2026 regulations — sufficiently addresses the issues identified in the petition and demonstrates that robust, avenues already exist for input and redress without creating an additional headquarters-level “special committee.”

This framework ensures accountability, preserves security, and fulfills the goals of safer prisons and increased rehabilitation through established regulatory procedures. Therefore, the petitioner’s request is denied.

DEPARTMENT OF MOTOR VEHICLES

**NOTICE OF DECISION ON PETITION
TO AMEND REGULATIONS**

PETITIONER

Karthik Kannappan
1149 Kentwood Ave
Cupertino, CA 95014

CONTACT PERSON

Inquiries regarding this action may be directed to:

Randi Calkins, Regulations Specialist
Department of Motor Vehicles, Legal
Affairs Division
P.O. Box 932382
Sacramento, CA 94232 3820

AVAILABILITY OF PETITION

The petition to amend regulations is available upon request by contacting the department’s contact person.

SUMMARY OF PETITION

The petition requests that the department amend Title 13, California Code of Regulations (CCR) § 17.02(b) to create an explicit exemption for Canadian citizens from the requirement to present an “unexpired U.S. visa” when applying for a REAL ID compliant driver license or identification card. The petitioner proposes that Canadian citizens be permitted to establish lawful status and identity using only a valid Canadian passport and an approved Form I 94, citing federal provisions governing visa exempt Canadian non-immigrants.

DEPARTMENT’S DECISION

After careful consideration, the department hereby **denies** the petition.

The petition does not identify any statutory authority permitting the department to revise 13 CCR

§ 17.02(b) in the manner requested. A petition for adoption, amendment, or repeal of a regulation must clearly state, among other elements, the reference to the agency’s authority to take the requested action. (Gov. Code § 11340.6(a).)

The department’s regulatory authority is established in Vehicle Code § 1651, which authorizes the department to adopt regulations “necessary to carry out the provisions of this code relating to the department.” Nothing in the Vehicle Code grants the department authority to create categorical exceptions to federally mandated identity and lawful status requirements for REAL ID.

REAL ID requirements arise from federal law (the REAL ID Act of 2005 and related DHS regulations), which establish uniform standards for identity and lawful status verification. California’s implementing regulations in 13 CCR § 17.00 et seq. must remain consistent with those federal requirements. Under Government Code § 11349, a regulation must be “in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or other provisions of law.”

The requested amendment would require the department to create a state level exemption that is not contained in federal REAL ID regulations and could result in inconsistency with federal identity verification requirements. The department does not have authority to alter or expand upon the federal categories of acceptable documentation, nor to create state specific exceptions to federally established documentation standards.

Because the petition does not identify any statutory authority that would permit the department to adopt the requested exception, and because the department lacks authority to implement a regulation that may conflict with federal REAL ID requirements, the petition must be denied.

CONCLUSION

For the reasons stated above, the petition to amend Title 13, CCR § 17.02(b) is denied. To the extent that the petitioner seeks changes to the REAL ID identity document standards applicable to Canadian citizens, such changes would need to be pursued with the U.S. Department of Homeland Security or Congress, as the DMV cannot modify documentation requirements established under federal law.

DECISION NOT TO PROCEED

**DEPARTMENT OF TOXIC
SUBSTANCES CONTROL**

**RE: NOTICE OF PROPOSED RULEMAKING
CONCERNING MANIFEST EXEMPTION**

Pursuant to Government Code Section 11347, the Department of Toxic Substances Control hereby gives notice that it has decided not to proceed at this time with the rulemaking action published in the California Regulatory Notice Register on June 6, 2025, Register 2025, Number 23–Z. The proposed rulemaking concerned Manifest Exemption (OAL Notice File Number: Z–2025–0603–04).

Any interested person with questions concerning this rulemaking should contact Ellia La at either (916) 302–0360 or by email at: regs@dtsc.ca.gov.

**SUMMARY OF
REGULATORY ACTIONS**

**REGULATIONS FILED WITH THE
SECRETARY OF STATE**

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

State Allocation Board

File # 2026–0420–01

Leroy F. Greene School Facilities Act of 1998;
Natural Disaster Provisions

This State Allocation Board certificate of compliance makes permanent the emergency regulations to implement Proposition 2 (2024) and AB 247 (Muratsuchi, Chapter 81, Statutes 2024) by adopting regulations to implement a funding program for natural disaster assistance impacting school district construction. The regulations delineate an application process, eligibility criteria, funding apportionments, categorical funding limits, documentation requirements, timelines, and forms, among other things.

Title 02
Adopt: 1859.84, 1859.84.1, 1859.84.2
Amend: 1859.2, 1859.31, 1859.51, 1859.80,
1859.81.1, 1859.90, 1859.93, 1859.93.1, 1859.104,
1859.106
Filed 06/02/2026
Effective 06/02/2026
Agency Contact: Lisa Jones (279) 946–8459

Department of Public Health

File # 2026–0522–01

Acute Psychiatric Hospitals

In this emergency file and print action pursuant to Health and Safety Code section 1276.4, the California Department of Public Health amends and adopts requirements for psychiatric nursing service general requirements and staff as related to hospitals operated by the California Department of State Hospitals and acute psychiatric hospitals. This emergency action is exempt from Office of Administrative Law review pursuant to Health and Safety Code section 1276.4.

Title 22
Adopt: 71213.1, 71215.1
Amend: 71213, 71215
Filed 06/01/2026
Effective 06/01/2026
Agency Contact: Anita Shumaker (916) 440–7718

Department of Insurance

File # 2026–0416–03

CAARP Rules and Rate Manual Commercial
Automobile Insurance Procedure 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

Commission on Peace Officer Standards and Training
File # 2026–0420–03
Peace Officer Psychological Evaluation

This Commission of Peace Officer Standards and Training section 100 action pursuant to California Code of Regulations, title 1, section 100, corrects erroneous cross–references in one CCR section and a related form incorporated by reference based upon a more recent adjustment in the organizational hierarchy of another CCR section.

Title 11
Amend: 1955
Filed 06/02/2026
Agency Contact: Kelli Surawski (916) 894–9523

Contractors State License Board

File # 2026–0415–01

Public Access of Information

In this section 100 action pursuant to California Code of Regulations, title 1, section 100, the Contractors State License Board amends requirements regarding public access to information about disciplinary proceedings to conform to Business and Professions Code section 71246.6.

Title 16
Amend: 863
Filed 05/28/2026
Agency Contact: Tracy Brazil (916) 255–4633

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 Justice

File # 2026–0420–04

Firearm Loan Obligations Acknowledgement

In this rulemaking action, the Department of Justice requires parties to a loan for storing a firearm to sign the Firearms Loan Obligation Acknowledgement, Form BOF 145 (Rev. 06/2026) which is incorporated by reference and keep a signed copy during the loan.

Title 11
 Adopt: 4700
 Filed 06/01/2026
 Effective 10/01/2026
 Agency Contact: Marlon Martinez (213) 269-6437

Department of Motor Vehicles
 File # 2026-0417-01
 Business Partner Automation Program — EXEC 200X

In this rulemaking action, the Department of Motor Vehicles adds a requirement that the employees of its business partners who access its database information must sign a form indicating their compliance with data protection practices.

Title 13
 Amend: 225.03
 Filed 05/29/2026
 Effective 07/01/2026
 Agency Contact: Randi Calkins (916) 282-7294

Department of Toxic Substances Control
 File # 2026-0417-03
 Listing Nail Products Containing TPhP at Concentrations Greater Than 250 ppm as a Priority Product

This rulemaking action by the Department of Toxic Substances Control (“Department” or “DTSC”) amends Safer Consumer Products regulations to add nail products containing triphenyl phosphate (“TPhP”) at concentrations greater than 250 parts per million (“ppm”) to the Priority Products list as a Priority Product.

Title 22
 Adopt: 69511.10
 Amend: 69511
 Filed 06/01/2026
 Effective 10/01/2026
 Agency Contact: Clara Silva (916) 324-0912

Department of Toxic Substances Control
 File # 2026-0417-04
 SB 502 (2022) Mandated Framework Regulations Amendments

In in this rulemaking action the Department of Toxic Substances Control amends the petition applicability and related regulations for Priority Products pursuant to Senate Bill 502 (Chapter 701, Stats. 2022).

Title 22
 Amend: 69503.5, 69504, 69504.1, 69505.1, 69506.1
 Filed 06/01/2026
 Effective 10/01/2026
 Agency Contact: Ellia La (916) 302-0360

State Water Resources Control Board
 File # 2026-0415-02
 Removal of Groundwater Beneficial Uses in Region of Lost Hills Oilfield

This action by the State Water Resources Control Board (SWRCB), conducted pursuant to Government Code section 11353, amends the Water Quality Control Plan for the Tulare Lake Basin for the Central Valley Region. On June 10, 2022, the Central Valley Regional Water Quality Control Board adopted Resolution Number R5-2022-0035 to remove the municipal and domestic supply and agricultural supply beneficial uses from groundwater within a designated horizontal and vertical portion of the southern region of the Lost Hills Oil Field. The SWRCB approved the amendment under Resolution Number 2023-0040 on November 7, 2023.

Title 23
 Adopt: 3949.18
 Filed 05/28/2026
 Effective 05/28/2026
 Agency Contact: Jennifer Fuller (916) 464-4646

Public Employment Relations Board
 File # 2026-0417-02
 Miscellaneous Case Processing Procedures

This rulemaking action by the Public Employment Relations Board (PERB) adopts requirements related to recording, photographing, and broadcasting PERB proceedings and amends the procedures for appeal of dismissals.

Title 08
 Adopt: 32161
 Amend: 32150, 32635
 Filed 05/28/2026
 Effective 07/01/2026
 Agency Contact: James Coffey (916) 584-5676

**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.