



California Regulatory Notice Register

REGISTER 2012, NO. 15-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

APRIL 13, 2012

PROPOSED ACTION ON REGULATIONS

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

Conflict of Interest Code — Notice File No. Z2012-0403-02 475

MULTI-COUNTY: Southern California Association of Governments

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

Online Posting: Redacting Sensitive Information — Notice File No. Z2012-0330-03 476

TITLE 2. SECRETARY OF STATE

Victim of Corporate Fraud Compensation Fund — Notice File No. Z2012-0403-07 477

TITLE 5. SUPERINTENDENT OF PUBLIC INSTRUCTION

Cemetery Maintenance Standards — Notice File No. Z2012-0330-02 480

TITLE 16. ARCHITECTS BOARD/LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

Requirements for an Approved Extension Certificate Program — Notice File No. Z2012-0403-08 482

TITLE 16. CEMETERY AND FUNERAL BUREAU

Cemetery Maintenance Standards — Notice File No. Z2012-0330-01 484

TITLE 22. DEPARTMENT OF TOXIC SUBSTANCES CONTROL

Disaster Victims Hazardous Waste Fee Exemption — Notice File No. Z2012-0328-01 486

TITLE 27. OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

Prop 65 — Polychlorinated Biphenyls MADL/NSRL — Notice File No. Z2012-0403-03 489

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND GAME

CESA Consistency Determination Request for Planning area 39 Development Project, Orange County (2080-2012-004-05) 493

DEPARTMENT OF FISH AND GAME

Population Studies on San Francisco Garter Snake 493

(Continued on next page)

Time-Dated Material

DEPARTMENT OF FISH AND GAME	
Study of San Francisco Garter Snake	494
FISH AND GAME COMMISSION	
Notice of Receipt of Petition to List Endangered Species — Gray Wolf	494
DISAPPROVAL DECISION	
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT	495
SUMMARY OF REGULATORY ACTIONS	
Regulations filed with the Secretary of State	495
Sections Filed, November 9, 2011 to March 4, 2012	498

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

CALIFORNIA REGULATORY NOTICE REGISTER (USPS 002–931), (ISSN 1041-2654) is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Barclays, a subsidiary of West, a Thomson Reuters Business, and is offered by subscription for \$205.00 (annual price). To order or make changes to current subscriptions, please call (800) 888-3600. “Periodicals Postage Paid in Saint Paul, MN.” **POSTMASTER:** Send address changes to the: CALIFORNIA REGULATORY NOTICE REGISTER, Barclays, a subsidiary of West, a Thomson Reuters Business, P.O. Box 2006, San Francisco, CA 94126. The Register can also be accessed at <http://www.oal.ca.gov>.

**PROPOSED ACTION ON
REGULATIONS**

Information contained in this document is published as received from agencies and is not edited by Thomson Reuters.

**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

MULTICOUNTY: Southern California Association of Governments

A written comment period has been established commencing on **April 13, 2012** and closing on **May 28, 2012**. Written comments should be directed to the Fair Political Practices Commission, Attention Alexandra Castillo, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her 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(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict of interest code(s); 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 his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) 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 Direc-

tor of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **May 28, 2012**. 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(s) should be made to Adrienne Tackley, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**AVAILABILITY OF PROPOSED
CONFLICT OF INTEREST CODES**

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

tive agency. Requests for copies from the Commission should be made to Adrienne Tackley, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the “Commission”), under the authority vested in it by the Political Reform Act (the “Act”)¹ by Section 83112 of the Government Code proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulation at a public hearing on or after **May 17, 2012**, at the offices of the Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, California, commencing at approximately **10:00 a.m.** Written comments should be received at the Commission offices no later than **5:00 p.m. on May 15, 2012**.

BACKGROUND/OVERVIEW

The Political Reform Act is designed to prevent a public official from making a governmental decision if the official has a financial interest in that decision. (Section 87100.) To prevent conflicts of interest, the Act requires certain public officials to file statements of economic interests each year. Public officials file their statements on Commission Form 700 disclosing their investments, real property, and income and gifts that they have received during the year. (Section 87200 et seq.)

The Commission originally adopted Regulation 18313.5 in 2010, requiring the online posting of Commission opinions; staff advice letters; enforcement warning, advisory, and closing letters; behested payments reports; and statements of economic interest filed with the Commission by elected officers. As described in Staff’s Memorandum to the Commission dated May 3, 2010, and proposing the adoption of Regulation 18313.5, online posting “was intended to make it easier for individuals visiting the website to gain access to important public information regarding Commission activities concerning the enforcement and interpretation of

the Political Reform Act as well as other informational reports the Commission deems related to its purposes.”

In regard to the posting of statements of economic interests, Regulation 18313.5(b) states that “[t]he Commission shall also post on its website all statements of economic interests required to be filed with the Commission on or after January 1, 2010, by elected officers in their elected capacity.” Statements should be posted “as soon as possible” after the document has been filed. Pursuant to Section 82020 of the Act, an “elected officer” is “any person who holds an elective office or has been elected to an elective office but has not yet taken office.” An elected officer also includes “a person who is appointed to fill a vacant elective state office.”

The implementation of online posting of statements of economic interests has been divided into several stages because of the additional staff time required to post statements. In 2010, the initial year of implementation, online posting of statements of economic interests was limited to statements received from constitutional officers, members of the Legislature, and county boards of supervisors. Online posting was extended to city council members in 2011.

However, online posting for judges — originally scheduled for early 2011 — was postponed to allow additional time to consider security concerns expressed by judges and their representatives related to online postings.

REGULATORY ACTION

Adopt 2 Cal. Code Regs. Section. 18313.6:

The Commission discussed security concerns expressed by judges and their representatives at a public meeting on March 15, 2012, and instructed Commission staff to explore standards for redacting sensitive information. In response, Commission Staff is proposing Regulation 18313.6. As proposed, the regulation would permit certain officials with security related concerns to provide copies of their respective statements of economic interest redacting sensitive information that will be used for online posting. However, any official providing a redacted statement would continue to file an original non-redacted statement containing all information required under the Act. This original statement would remain available at the Commission for staff and public review and could be compared to the online posting to ensure that the judge only omitted information with a valid security concern.

Additional issues the Commission may consider include, but are not limited to, all of the following:

- Security concerns related to officials other than judges.
- Limiting the scope of the information that may be redacted.

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

- A procedure to review redacted statements for compliance with redaction guidelines.
- Whether to require officials redacting information to provide a written explanation.

SCOPE

The Commission may adopt the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or any related issues.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal, impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

Government Code Section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE

The purpose of this regulation is to implement, interpret, and make specific Government Code Sections 81002 and 83113.

CONTACT

Any inquiries should be made to Brian G. Lau, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/index.php?id=247#2>.

TITLE 2. SECRETARY OF STATE

NOTICE IS HEREBY GIVEN that the Secretary of State is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments in writing relevant to the action proposed. Written comments, including those sent

by mail, facsimile, or e-mail to the address listed under Contact Person in this Notice, must be received by the Secretary of State at its office not later than 5:00 p.m. on June 1, 2012.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the contact person listed below no later than 15 days prior to the close of the written comment period. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, the Secretary of State, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Section 1502.5 of the Corporations Code authorizes the Secretary of State to adopt rules to facilitate the administration of the Victims of Corporate Fraud Compensation Fund and to determine the eligibility of victims to receive compensation from the Victims of Corporate Fraud Compensation Fund. The proposed regulations would implement, interpret and make specific Section 1502.5 of the Corporations Code.

INFORMATIVE DIGEST

A. Informative Digest

Assembly Bill 55, Chapter 1015, Statutes 2002, amended Sections 1502 and 2117 and added Section 1502.5 of the Corporations Code. Subdivision (i) of Section 1502 and subdivision (d) of Section 2117 require domestic stock corporations and qualified foreign corporations to pay a five-dollar (\$5) disclosure fee in addition to any other fees required when filing the statement disclosing specified information concerning its operation. One-half of the fee shall be deposited into the Victims of Corporate Fraud Compensation Fund in the State Treasury established in Section 1502.5. Section 1502.5 further states that the fund shall be administered by the Secretary of State who shall adopt regulations regarding the administration of the fund and the eligibility of victims to receive compensation from the fund. The revenue in the fund shall be used for the sole purpose of providing restitution to the victims of corpo-

rate fraud. Senate Bill 1102, Chapter 227, Statutes 2004, amended Section 1502.5 to provide for a continuous appropriation of the fund.

Prior to Assembly Bill 55, the Secretary of State had no previous experience in administering a fund for victims of fraud. Sections 1502, 1502.5 and 2117 of the Corporations Code did not establish the parameters or framework for the fund. In drafting the initial regulations in 2004, the Secretary of State had looked to the Real Estate Recovery Account as a model, which is administered by the Department of Real Estate providing compensation to members of the public who have been defrauded by real estate licensees.

Accordingly, the Secretary of State proposes to amend Chapter 12, sections 22500 through 22519 of Division 7 of Title 2 of the California Code of Regulations. These sections set forth the procedures for administering the fund and criteria for eligibility to receive compensation from the fund, including, but not limited to, the following: the definitions of terms used in the Chapter; the format of the application, notice, response, and decision; the notice requirements; the rights of claimants, judgment debtors, and the Secretary of State; the proration of claims; the appeal procedures; the maximum limit of payments; and the recovery of payments from corporations named as judgment debtors.

B. Policy Statement Overview/Anticipated Benefits of Proposal

The proposed amendment to Chapter 12, sections 22500 through 22519 of Division 7 of Title 2 of the California Code of Regulations is meant to:

1. More accurately reflect the application of corporate law. Because the regulations were initially based upon the Department of Real Estate fraud fund, there are concepts that are based upon real estate law, which fundamentally do not apply or work with corporate law.
2. Refine and simplify the whole process from application to ultimate payout.

By amending the Victims of Corporate Fraud Compensation Fund regulations, those seeking compensation will experience a process that is simpler, shorter, clearer, and less costly than the existing process is under the current regulations. Currently, the amount of payment for a claim is based upon the number of total compensable transactions involved, which is potentially reduced by the payments other claimants are eligible to receive and all qualifying claim payments are made at the same time on an annual basis. The payment provisions in the current regulations result in uncertainty regarding the payments each respective claimant will receive, inequities in payments amongst claimants, and substantial delays in payments as claimants must wait until the annual "payout" date. The proposed changes

will treat people seeking compensation more fairly than they are treated under the existing regulations by clarifying and streamlining the process, paying claims as they are approved, increasing the dollar limit for award from \$20,000 to \$25,000 and applying a dollar limit to payments that treats all claimants equally. Beyond this, there are no benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

C. Consistency and Compatibility with Existing State Regulations: This regulatory proposal is consistent and compatible with existing state regulations.

D. Documents Incorporated by Reference: None.

E. Documents Relied Upon in Preparing the Regulations: Economic Impact Analysis/Assessment.

FISCAL IMPACT ESTIMATES AND RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: No.

Cost to Any Local Agency or School District for Which Government Code Sections 17500–17630 Require Reimbursement: No.

Business Impact: Minimal. The Victims of Corporate Fraud Compensation Fund provides an avenue for victims of corporate fraud who have obtained judgments or arbitration awards against corporations that have committed corporate fraud; but have otherwise been unable to collect on their judgments. The failure to reimburse the fund for claims paid plus interest shall result in the suspension of all corporate powers, rights, and privileges. A suspended corporation shall not conduct business. For the Secretary of State's purposes, the suspension for nonpayment to the Victims of Corporate Fraud Compensation Fund shall end when the corporation submits the reimbursement to the Secretary of State.

The proposed regulations would impact any domestic stock corporation or registered foreign corporation against which a judgment, arbitration award, or criminal restitution order has been entered for conduct constituting intentional fraud, when the corporation has failed to satisfy the judgment, and when a claim has been filed with the Secretary of State.

The Secretary of State has made an initial determination that there is no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The rulemaking file includes the

facts, evidence, documents, testimony, and/or other evidence that supports this determination.

Impact on Jobs/New Businesses: The Secretary of State has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of the Regulation to the health and welfare of California residents, worker safety, and the state's environment: By amending the Victims of Corporate Fraud Compensation Fund regulations, those seeking compensation will experience a process that is simpler, shorter, and clearer than the existing process is under the current regulations. Currently, the amount of payment for a claim is based upon a dollar limit for qualifying transactions, the payments others are to receive in the same fiscal year and all qualifying claim payments are made at the same time on an annual basis. The proposed changes will treat people seeking compensation more fairly than they are treated under the existing regulations by streamlining the process, paying claims as they are approved, increasing the dollar limit for award from \$20,000 to \$25,000 and applying a dollar limit to payments that treats all claimants equally. Beyond this, there are no benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

Cost Impact on Representative Private Person or Business: Minimal. The costs associated with satisfying the requirements for payment from the Victims of Corporate Fraud Compensation Fund under the proposed regulations in order to receive payment on a judgment for which the claimant has otherwise been unable to collect are not believed to be any more costly than pursuing other avenues to enforce judgments or arbitration awards against corporations. The Victims of Corporate Fraud Compensation Fund provides a resource for satisfying judgments and arbitration awards when there otherwise would be no recovery. Judgment debtors that do not reimburse the Victims of Corporate Fraud Compensation Fund as required shall have all corporate powers, rights, and privileges suspended through the Victims of Corporate Fraud Compensation Fund claims process. During the suspension, the corporation shall not be authorized to conduct business. The Victims of Corporate Fraud Compensation Fund suspension shall end when the corporation submits the reimbursement to the Secretary of State.

Effect on Housing Costs: None.

Effect on Small Business: The proposed regulations would impact any domestic stock corporation or registered foreign corporation against which a judgment, arbitration award, or criminal restitution order has been entered for conduct constituting intentional fraud, where the corporation has failed to satisfy the

judgment, and where a claim has been paid by the Secretary of State. As of January 7, 2012 there were 959,672 active corporations in California, including 689,829 domestic stock corporations, 183,948 domestic nonprofit corporations, and 85,893 qualified foreign corporations. The Secretary of State is unable to determine how many of these corporations are defined as small businesses, since that information is not reported to the Secretary of State and all professions, industries, services, and trades with various annual gross receipts are represented in the California corporate community.

Economic Impact Assessment/Analysis Summary Comments: This proposed regulation is not a "major regulation" therefore there are no economic impact assessment comments from the Department of Finance or a response.

CONSIDERATION OF ALTERNATIVES

The Secretary of State must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either 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 or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this Notice.

Any interested person may present alternatives to the regulations or statements or arguments relevant to any of the above determinations.

AVAILABILITY AND LOCATION OF INITIAL STATEMENT OF REASONS, THE TEXT OF PROPOSAL, THE RULEMAKING FILE AND THE FINAL STATEMENT OF REASONS

The Secretary of State has prepared an Initial Statement of Reasons setting forth the rationale for the proposed action and has available all the information upon which the proposal is based. The Initial Statement of Reasons is available on the Secretary of State website.

Copies of the express language of the proposed regulations, any document incorporated by reference, the Initial Statement of Reasons, and all of the information upon which the proposal is based, may be obtained throughout the rulemaking process upon request from the Secretary of State contact or on the website listed below.

A Final Statement of Reasons will be created after the closing of the public comment period. You may obtain a copy of the Final Statement of Reasons once it has been prepared, from the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed rule-making action may be addressed to:

Todd Vlaanderen
Secretary of State
1500 11th Street, 3rd Floor
Sacramento, CA 95814
(916) 653-6244 (telephone)
(916) 653-1315 (fax)

The backup contact person is:

Susan Lapsley
Secretary of State
1500 11th St., 6th Floor
Sacramento, CA 95814
(916) 651-7837
Susan.Lapsley@sos.ca.gov

Website Access: Materials regarding this proposal can be found at www.sos.ca.gov.

TITLE 5. SUPERINTENDENT OF PUBLIC INSTRUCTION

AMENDMENT TO CALIFORNIA CODE OF REGULATIONS, TITLE 5, REGARDING CHILD CARE AND DEVELOPMENT SERVICES FOR CALWORKS STAGE 2 AND STAGE 3 CHILDREN

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

PUBLIC HEARING

California Department of Education (CDE) staff, on behalf of the SSPI, will hold a public hearing at 9:00 a.m. on May 29, 2012, at 1430 N Street, Room 1103, Sacramento, California. The room is wheelchair accessible. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the Informative Digest. The SSPI requests, but does not require, that persons who make oral comments at the public hearing also submit a written summary of their statements. No oral statements will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

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

Debra Thacker, 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 916-319-0155 or by e-mail to regcomments@cde.ca.gov.

Comments must be received by the Regulations Coordinator prior to 5:00 p.m. on May 29, 2012. All written comments received by CDE staff during the public comment period are subject to disclosure under the Public Records Act.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public hearing and considering all timely and relevant comments received, the SSPI may adopt the proposed regulations substantially as described in this Notice or may modify the proposed regulations if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified regulation will be available for 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.

AUTHORITY AND REFERENCE

Authority: Sections 8263, Education Code.
References: Sections 8201, 8208, 8250, 8350.5, 8353, Education Code; Sections 11323.2, Welfare and Institutions Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Assembly Bill 2525, (Chapter 896, Statutes of 2004), amended sections 8201 and 8208(i) of the Education Code to provide that the eligible age for children receiving child care development services is limited to children "to" (pursuant to section 8201) and "up to" [pursuant to section 8208(i)] 13 years of age, with an exception for children with exceptional needs. Previously, these sections permitted children to or up to 14 years of age to receive such services. The proposed regulations would amend California Code of Regulations, title 5, sections 18407 and 18422, of the CalWORKs Stage 2 and 3 program regulations to conform to the amended

Education Code provisions regarding age eligibility. The amendments would also continue the practice of clarifying, through regulations, that the language in the respective statutes limiting eligibility “to” or “up to” a particular age means limiting eligibility to children “under” that age, as the “to” and “up to” language found in the respective Education Code provisions has been thought to be confusing.

The proposed regulations would also amend sections 18407 and 18422 to eliminate the distinction between child care eligibility regulations applicable to children served with state funds and child care eligibility regulations for children served with federal funds as federal and state program funds are now commingled. Finally, the proposed regulations would amend the regulatory definition of a child with exceptional needs to conform to the definition in the Education Code.

The benefit of amending these regulations is to minimize the potential for confusion by child care agencies who administer Stage 2 and 3 programs on behalf of the California Department of Education by ensuring that the applicable regulations are clear and consistent with statutory requirements.

The proposed regulatory amendments are consistent and compatible with State laws and regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION/ FISCAL IMPACT

The SSPI has made the following initial determinations:

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.

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

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: 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.

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

Costs 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 businesses: The SSPI is not aware of any cost impacts that a representative private person or business would

necessarily incur in reasonable compliance with the proposed action.

Effect on housing costs: None.

Effect on small businesses: The proposed regulations would not have an effect on any small business as the regulations conform to the statute change that was approved in 2005 (Ch 677, Stats 2005), in which the age was changed from 14 to 13. Since the change in the law was enacted, child care services have no longer been provided to 13 year olds.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Adoption of these regulations will not 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.

The benefit of amending these regulations is to minimize the potential for confusion by child care agencies who administer Stage 2 and 3 programs on behalf of the California Department of Education by ensuring that the applicable regulations are clear and consistent with statutory requirements.

CONSIDERATION OF ALTERNATIVES

The SSPI must determine that no reasonable alternative he considered or that has otherwise been identified and brought to his attention, 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 SSPI invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the content of this regulation should be directed to:

Jack Stroppini, Consultant
 Child Development Division
 California Department of Education
 1430 N Street, Room 3410
 Sacramento, CA 95814
 Telephone: 916-322-4883
 E-mail: jstroppini@cde.ca.gov

Inquiries concerning the regulatory process may be directed to the Regulations Coordinator or Cynthia Olsen, Analyst, at 916-319-0860.

INITIAL STATEMENT OF REASONS
AND INFORMATION

The SSPI has prepared an Initial Statement of Reasons for the proposed regulation and has available all the information upon which the proposal is based.

TEXT OF PROPOSED REGULATION AND
CORRESPONDING DOCUMENTS

Copies of the exact language of the proposed regulation, the Initial Statement of Reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Regulations Coordinator. These documents may also be viewed and downloaded from the CDE's Web site at <http://www.cde.ca.gov/re/lr/rr/>.

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

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

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

REASONABLE ACCOMMODATION FOR ANY
INDIVIDUAL WITH A DISABILITY

Pursuant to the *Rehabilitation Act of 1973*, the *Americans with Disabilities Act of 1990*, and the *Unruh Civil Rights Act*, 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 Jack Stroppini, Child Development Division, 1430 N Street, 3rd Floor, Sacramento, CA, 95814; telephone, 916-322-4883; fax, 916-323-6853. It is recommended that assistance be requested at least two weeks prior to the hearing.

**TITLE 16. CALIFORNIA ARCHITECTS
BOARD
LANDSCAPE ARCHITECTS
TECHNICAL COMMITTEE**

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be

held at the office of the California Architects Board, 2420 Del Paso Road, Suite 105, Sacramento, California 95834, on **May 28, 2012 at 11:00 a.m.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on **May 28, 2012** or must be received by the Board at the hearing.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by section 5630 of the Business and Professions Code (BPC), and to implement, interpret or make specific BPC section 5630, the Board is considering changes to Division 26 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST

A. Informative Digest

BPC section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations, in accordance with the provisions of the Administrative Procedure Act that are reasonably necessary in order to carry out the provisions of law relating to the practice of landscape architecture. BPC section 5630 also authorizes the Board to establish criteria for approving schools of landscape architecture.

B. Policy Statement Overview/Anticipated Benefits of Proposal

Amend Section 2620.5 — Requirements for an Approved Extension Certificate Program

This proposal would retain the Board's existing extension certificate program requirements and do the following: 1) amend subsection 2620.5(a) to remove the outdated reference to section 94900 of the Education Code; 2) amend subsections 2620.5(g) and (h) to clearly specify the responsibilities of the program director and his/her qualifications; 3) update and modify the names of the areas of study and clearly identify where public health, safety, and welfare issues are addressed in the course syllabus in subsections 2620.5(i) and

(k); 4) amend subsection 2620.5(m) to allow instructional personnel to hold a certificate from an approved extension certificate program; 5) add a new subsection 2620.5(n) that requires extension certificate programs to submit an annual report in writing with specified information based on the date of the most recent Board approval; 6) allows the Board to evaluate changes to any of the items specified in the report or changes to the program; 7) requires the program to undergo a Board review every seven years in order to gain Board approval; and 8) allows the Board to conduct a review prior to the seven year deadline based on information received in the program's annual report.

Anticipated benefits of this regulatory action:

This regulatory proposal will bring the extension certificate program requirements up-to-date with current standards of the practice of landscape architecture.

C. Consistency and Compatibility with Existing State Regulations

This Board has evaluated this regulatory proposal and it is not inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

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

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

The following studies/relevant data were relied upon in making the above determination: N/A.

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

Effect on Housing Costs: None.

Effect on Small Business: The Board has determined that the proposed regulation would not affect small businesses. The proposed regulation

sets forth, by regulation, the Board's amended approval standards for university extension programs in landscape architecture.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Impact on Jobs/New Businesses: The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of Regulation: The Board has determined that this regulatory proposal will have the following benefits to health and welfare of California residents, worker safety, and state's environment: This regulatory proposal benefits the health and welfare of California residents because it updates the extension program certificate requirements to include curriculum that addresses the principles of health, safety, and welfare.

CONSIDERATION OF ALTERNATIVES

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

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing or during the written comment period.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of reasons for the proposed action and has made available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California Architects Board, Land-

scape Architects Technical Committee at 2420 Del Paso Road, Suite 105, Sacramento, California 95834, or by telephoning the contact person listed below.

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

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

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below (or by accessing the Website listed below).

CONTACT PERSON

Inquiries or comments concerning the proposed rule-making action may be addressed to:

Name: Trish Rodriguez
Address: California Architects Board
Landscape Architects Technical Committee
2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7230
Fax No.: (916) 575-7285
E-mail Address: Trish.Rodriguez@dca.ca.gov

The backup contact person is:

Name: John Keidel
Address: California Architects Board
2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7220
Fax No.: (916) 575-7233
E-mail Address: John.Keidel@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.latc.ca.gov.

TITLE 16. CEMETERY AND FUNERAL BUREAU

NOTICE IS HEREBY GIVEN that the Cemetery and Funeral Bureau of the Department of Consumer Affairs (hereinafter "Bureau") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Department of Consumer Affairs Hearing Room, 1625 North Market Boulevard, S-102, Sacra-

mento, California, 95834 at 1:00 p.m. or as practicable thereafter, on July 12, 2012. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Bureau at its office not later than 5:00 p.m. on July 11, 2012, or must be received by the Bureau at the hearing. The Bureau, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 9630 and 9612 of the Business and Professions Code, and Sections 8115 and 8300 of the Health and Safety Code, and to implement, interpret or make specific Section 9612 of said Code, the Cemetery and Funeral Bureau is considering changes to Division 23 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST

A. Informative Digest

The following regulatory change is proposed:

- Adopt 16 CCR § 2333
Existing law, SB 1490 (Ducheny, Chapter 401, Statutes of 2006), requires the Bureau to adopt regulations establishing minimum standards of maintenance for endowment care cemeteries under its jurisdiction. The statute requires that the Bureau consider differences in cemetery size, location, topography, and types of interments, as well as the extent to which funds are available from the cemetery's endowment care funds to perform maintenance. Further, Business and Professions Code Section 9612 states that these cemetery maintenance standards shall not supersede any standards of a higher level of care prescribed by the governing body of any city or county under Health and Safety Code Section 8115.

This proposed regulation would implement SB 1490 in establishing minimum standards for cemeteries including required upkeep activities, areas, and review of endowment care fees collected based upon current and projected maintenance expenditures, with specific standards

above the minimum to be contained in an endowment care cemetery's rules and regulations, which would be available to the consumer upon request.

B. Policy Statement Overview/Anticipated Benefits of Proposal

The maintenance of a cemetery so as to prevent offensive deterioration, including the collection of trash and debris, and the requirement to trim and mow landscaping, will protect the health and welfare of California residents, promote worker safety, and the state's environment by eliminating health and fire hazards presented by inadequately maintained cemeteries.

C. Consistency and Compatibility with Existing State Regulations

This Bureau has evaluated this regulatory proposal and it is not inconsistent nor incompatible with existing state regulations

INCORPORATION BY REFERENCE

N/A

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Costs to Any Local Agency or School District for Which Government Code Sections 17500-17630 Require Reimbursement: None.

Business Impact:

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

AND

The following studies/relevant data were relied upon in making the above determination:

Cemetery maintenance is able to be funded through the interest from the endowment care fund, and the endowment care fee is paid by the consumer at the time of, or not later than, completion of the initial sale of grave(s), niche(s), crypts(s), or cremated remains scattering right(s). Printing costs associated with subdivision (f) are

estimated at \$200 per cemetery based upon the cost of office supplies (see attachment to Economic and Fiscal Impact Statement for specific details). The very nature of a cemetery dictates that it is operated in, and serves the populace of, a fixed geographic location which renders the issue of competition from other states largely moot.

Cost Impact on Representative Private Person or Business:

The cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action and that are known to the Bureau to occur are minimal. Existing law, Health and Safety Code Section 8738 requires each cemetery to collect, at a minimum, \$4.50 a square foot for each grave, \$70 for each niche, \$220 for each crypt; for companion crypts, \$220 for the first crypt and \$110 for each additional crypt, and \$70 for the cremated remains of each deceased person scattered in the cemetery at a garden or designated open area that is not an interment site. Businesses could expect to pay approximately \$200 annually in printing costs to comply with the minimum requirements imposed by subdivision (f).

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Bureau has determined that the proposed regulation would not affect small businesses. The endowment care fee is paid by the consumer at the time of, or not later than, completion of the initial sale of grave(s), niche(s), crypt(s), or cremated remains scattering right(s). Printing costs associated with subdivision (f) are estimated at \$200 annually per cemetery.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS:

Impact on Jobs/Businesses:

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

Benefits of the Regulation:

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

This regulatory proposal benefits the health and welfare of California residents because it prevents the offensive deterioration of a cemetery. This regulatory proposal benefits worker safety because it prevents the offensive deterioration of a cemetery. This regulatory proposal benefits the state's environment because it prevents the offensive deterioration of a cemetery.

CONSIDERATION OF ALTERNATIVES

The Bureau must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either 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 proposal described in this Notice or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Bureau has prepared an initial statement of reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Cemetery and Funeral Bureau at 1625 North Market Boulevard, Suite S-208, Sacramento, California 95834.

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

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

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written re-

quest to the contact person named below [**or by accessing the website listed below**].

CONTACT PERSON

Inquiries or comments concerning the proposed rule-making action may be addressed to:

Name: Joy Korstjens
Address: 1625 North Market Boulevard,
Suite S-208
Sacramento, CA 95834
Telephone No.: (916) 574-7878
Fax No.: (916) 928-7988
E-mail Address: Joy.Korstjens@dca.ca.gov

The backup contact person is:

Name: Lisa Moore
Address: 1625 North Market Boulevard,
Suite S-208
Sacramento, CA 95834
Telephone No.: (916) 574-7870
Fax No.: (916) 928-7988
E-mail Address: Lisa.Moore@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.cfb.ca.gov.

TITLE 22. DEPARTMENT OF TOXIC SUBSTANCES CONTROL

DISASTER VICTIMS HAZARDOUS WASTE FEE EXEMPTION

Department Reference Number: R-2011-05
Office of Administrative Law
Notice File Number: Z-2012-0328-01

NOTICE IS HEREBY GIVEN that the Department of Toxic Substances Control (DTSC) proposes to adopt Section 66269.2 into the California Code of Regulations, Title 22, Division 4.5, Chapter 19.

PUBLIC HEARING

A written comment period has been established commencing on April 13, 2012, and closing on May 29, 2012. DTSC has not scheduled a public hearing on the proposed regulation. However, pursuant to Government Code section 11346.8, any interested person or his or her duly authorized representative may request a hearing, no later than May 14, 2012. Please submit written comments on this proposal to the contact person

listed at the end of this notice no later than 5:00 p.m. on May 29, 2012. Comments submitted after this time will not be considered.

Notice to Hearing Impaired—Accessibility. If you have special accommodation or language needs, please contact Reasonable Accommodation Coordinator, Adrian Recio, at (916) 324–3095 or by e–mail at arecio@dtsc.ca.gov as soon as you receive this document. TTY/TDD/Speech–to–Speech users may dial 7–1–1 for the California Relay Service.

AUTHORITY AND REFERENCE

This regulation is being proposed under the following authorities:

Health and Safety Code section 25150. This section grants DTSC authority to adopt standards dealing with the management of hazardous waste.

Health and Safety Code section 25205.5.1. This section grants DTSC authority to adopt regulations exempting victims of disasters from the hazardous waste disposal fee imposed pursuant to Section 25174.1 and the generator fee imposed pursuant to Section 25205.5.

Health and Safety Code section 58012. (Added by Gov. Reorg. Plan No. 1, §146, eff. July 17, 1991.) This section grants DTSC authority to adopt regulations to execute its duties.

This regulation implements, interprets, or makes specific the following:

Health and Safety Code section 25205.5.1 that authorizes DTSC to adopt regulations exempting victims of disasters from the hazardous waste disposal fee imposed pursuant to Section 25174.1 and the generator fee imposed pursuant to Section 25205.5.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Policy Statement Overview

The objective of the proposed regulation is to exempt victims of disasters as authorized in Health & Safety Code Section 25205.5.1 from paying state hazardous waste generator and disposal fees generated as a result of a disaster in a geographical area identified in a state of emergency proclamation by the Governor due to fire, flood, storm, earthquake, riot, or civil unrest. The proposed regulation would exempt disaster victims from having to pay state hazardous waste generator and disposal fees. To qualify for an exemption the hazardous waste must have been generated as a result of a disaster in a geographical area identified in a state of emergency proclamation by the Governor and must be disposed of within 365 days from the initial disaster proclamation date.

Health & Safety Code Section 25205.5.1 authorizes DTSC to adopt regulations exempting victims of disaster from hazardous waste disposal and generator fees. Without adoption of an implementing regulation, victims of major disasters are required to pay state generator and disposal fees for removal of hazardous wastes generated as a result of disasters. These fees are costs added to the other unavoidable losses suffered by the victims as a result of the disaster. Government agencies and their contractors are exempt from paying hazardous waste disposal fees and generator fees generated as a result of disasters per Health and Safety Code section 25174.7(a)(1). Since the legislature has expressed its intent to extend a fee exemption to disaster victims, DTSC deems it equitable and necessary to promulgate this regulation to exempt victims of disasters as authorized in Health & Safety Code Section 25205.5.1 from paying state hazardous waste generator and disposal fees for wastes generated by a disaster.

Existing Laws and Regulations

Health and Safety Code section 25174.7(a)(1) exempts a government agency, or its contractors, from hazardous waste disposal fees and generator fees for removal or remediation of hazardous waste as a result of a release caused by another person. The fee exemption has not been extended to private firms engaged in cleanup activities as a result of a release caused by another person. However, in 1996 the Legislature expressed its intent in A.B. 645, to provide some fee relief to private parties by adding Health and Safety Code section 25205.5.1.

Relation to Existing Federal Law

As the federal government does not impose hazardous waste disposal and generator fees, this regulation is not based on, identical to, or in conflict with any federal regulations.

Relation to Existing State Regulations

The proposed regulation is not inconsistent or incompatible with any existing state regulations. An automated search of titles 18, 22 and 26 using the following keywords “disaster”, “disaster victim”, “emergency proclamation”, and “fee exemption” was conducted via Westlaw and yielded no conflicting state regulations. In addition, DTSC consulted with The State Board of Equalization (BOE) which administers six hazardous waste fee programs to ensure that this rulemaking is in accordance with BOE’s regulations.

CONSIDERATION OF ALTERNATIVES

DTSC must determine that no reasonable alternative considered or otherwise identified and brought to the attention of DTSC would be more effective in carrying out the purpose for which the action is proposed, would

be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The creation of the regulation assists victims of disaster by providing authority to make the exemption available to them. This regulation essentially adopts statutory language from Health and Safety Code Section 25205.5.1 to new regulation Section 66269.2 of the California Code of Regulations, title 22, division 4.5, chapter 19.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS

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

COST OR SAVINGS TO STATE OR LOCAL AGENCIES, OR SCHOOL DISTRICTS SUBJECT TO REIMBURSEMENT

DTSC has determined that the proposed regulation will not impose costs or savings on any state agency, or any cost to any local agency or school district that is required to be reimbursed under Section 17500 of the Government Code, or other nondiscretionary cost or savings imposed on local agencies, and the cost or savings in federal funding to the state.

DETERMINATION OF ADVERSE STATEWIDE ECONOMIC IMPACT

DTSC has made a determination that the proposed regulation will not have a significant statewide adverse economic impact directly affecting businesses, including the ability to compete with businesses in other states. This proposed regulation exempts victims of disasters, including affected businesses, from paying hazardous waste disposal and generator fees under certain qualifying circumstances. To the extent this proposal has an economic impact, that impact is a favorable one.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

DTSC is not aware of any cost impacts that a representative private person or business would necessarily

incur in reasonable compliance with the proposed action.

RESULTS OF REGULATORY ECONOMIC IMPACT ANALYSIS

Per the economic impact assessment required by Government Code section 11346.3, DTSC has made a determination that no businesses or jobs will be created, expanded or eliminated in California as a result of the proposed regulation. The rulemaking does not benefit the health and welfare of California residents, worker safety, and the state's environment. It does, however, allow all victims of disaster, including affected businesses, not just government agencies and its contractors, to be exempt from paying hazardous waste disposal and generator fees under certain qualifying circumstances. The rulemaking would therefore help to promote fairness and minimize the negative economic impact on businesses that a disaster might otherwise cause.

EFFECT ON HOUSING COSTS

DTSC has made an initial determination that the proposed regulation will have no significant effect on housing costs.

EFFECT ON SMALL BUSINESSES (1 CCR 4)

DTSC has determined that the proposed rulemaking will not have an effect on small businesses. Rather, the proposed regulation would exempt affected small businesses and other victims of disaster from paying hazardous waste disposal and generator fees under certain qualifying circumstances. To the extent this proposal has an economic impact, that impact is a favorable one.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

DTSC has found this rulemaking to be exempt under the California Environmental Quality Act (Public Resources Code section 21000, et seq.). This rulemaking meets the statutory exemption available under subdivision (b)(8) of Public Resources Code section 21080. A draft Notice of Exemption is available for review with the rulemaking file and will be filed with the State Clearinghouse when the regulations are adopted.

PEER REVIEW

Under the provisions of Health and Safety Code section 57004, peer review is not required because the pro-

posed regulations do not establish a regulatory level, standard or other requirement subject to scientific peer review.

CONTACT PERSONS

Inquiries regarding technical aspects of the proposed regulations or CEQA documents may be directed to *Kryisia Von Burg* of DTSC at (916) 324-2810 or, if unavailable, *Jon Cordova* of DTSC at (916) 324-7193. However, such oral inquiries are not part of the rule-making record.

A public comment period for this proposed regulation has been established commencing on April 13, 2012, and closing on **May 29, 2012** for statements, arguments, or contentions regarding the rulemaking and/or supporting documents that must be submitted in writing or may be presented orally or in writing at the public hearing in order for them to be considered by DTSC before it adopts this regulation.

AVAILABILITY OF TEXT OF REGULATION AND STATEMENT OF REASONS

Copies of the Notice, Initial Statement of Reasons, the text of the proposed regulation, all information upon which its proposal is based, and the express terms of the proposed regulation are posted to DTSC's Internet site at <http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/index.cfm> or may be obtained from *Kryisia Von Burg* of DTSC's Regulations Section as specified below.

After the close of the comment period, DTSC may adopt the proposed regulation. If substantial changes are made, the modified full text will be made available for comment for at least 15 days prior to adoption. Only persons who request the specific proposed regulation, attend the hearing, or provide written comments on this specific regulation will be sent a copy of the modified text if substantive changes are made.

Once the regulation has been adopted, DTSC prepares a Final Statement of Reasons which updates the Initial Statement of Reasons, summarizes how DTSC addressed comments and includes other materials, as required by Government Code section 11346.9. Copies of the Final Statement of Reasons may be obtained from *Kryisia Von Burg* at the address listed below. A copy of the Final Statement of Reasons will also be posted on DTSC's Internet site at <http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/index.cfm>, along with the date the rulemaking is filed with the Secretary of State and the effective date of the regulation.

To be included in this regulation package's mailing list and to receive updates of this rulemaking, please visit <http://www.dtsc.ca.gov/ContactDTSC/ELists>.

[cfm](mailto:regs@dtsc.ca.gov) and subscribe to the applicable EList or e-mail: regs@dtsc.ca.gov.

Please direct all written comments, procedural inquiries, and requests for documents by mail, e-mail, or fax to:

Kryisia Von Burg, Regulations Coordinator
Regulations Section
Department of Toxic Substances Control

Mailing Address: P.O. Box 806
Sacramento, CA 95812-0806

E-mail Address: regs@dtsc.ca.gov

Fax Number: (916) 324-1808

Ms. Von Burg's phone number is (916) 324-2810. If Ms. Von Burg is unavailable, please call Mr. Cordova at (916) 324-7193.

TITLE 27. OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

AMENDMENT TO SECTION 25705
SPECIFIC REGULATORY LEVELS POSING NO
SIGNIFICANT RISK

AMENDMENT TO SECTION 25805
SPECIFIC REGULATORY LEVELS:
CHEMICALS CAUSING
REPRODUCTIVE TOXICITY

POLYCHLORINATED BIPHENYLS

NOTICE IS HEREBY GIVEN that the Office of Environmental Health Hazard Assessment (OEHHA) proposes to adopt an updated No Significant Risk Level (NSRL) for polychlorinated biphenyls (PCBs), of 0.35 micrograms per day by amending Title 27, California Code of Regulations, section 25705.¹ OEHHA also proposes to adopt a specific regulatory level having no observable effect for PCBs, and amend Section 25805.

PUBLIC PROCEEDINGS

Any written comments concerning this proposed action, regardless of the form or method of transmission, must be received by OEHHA by 5:00 p.m. on **May 28, 2012**, the designated close of the written comment period. All comments received will be posted on the OEHHA website at the close of the public comment period.

The public is encouraged to submit written information via e-mail, rather than in paper form. Send e-mail

¹ All further regulatory references are to sections of Title 27 of the California Code of Regulations unless otherwise indicated.

comments to P65Public.Comments@oehha.ca.gov. Please include “PCBs MADL/NSRL” in the subject line. Hard-copy comments may be mailed, faxed, or delivered in person to the appropriate address below.

Mailing Address: Ms. Monet Vela
Office of Environmental Health Hazard Assessment
P.O. Box 4010, MS-25B
Sacramento, California 95812-4010
Fax: (916) 323-2610
Street Address: 1001 I Street
Sacramento, California 95814

A public hearing on these proposed regulatory amendments will be scheduled upon request. To request a hearing send an e-mail to Monet Vela at monet.vela@oehha.ca.gov or to the address listed above by no later than **May 14, 2012**, which is 15 days before the close of the comment period. OEHHA will mail a notice of the hearing to the requester and interested parties on the Proposition 65 mailing list for regulatory public hearings. The notice will also be posted on the OEHHA web site at least ten days before the public hearing date. The notice will provide the date, time, and location of the hearing.

If a hearing is scheduled and you have special accommodation or language needs, please contact Monet Vela at (916) 323-2517 or monet.vela@oehha.ca.gov at least one week in advance of the hearing. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

CONTACT

Please direct inquiries concerning the proposed regulatory actions described in this notice to Monet Vela, in writing at the address given above, or by telephone at (916) 323-2517. Susan Luong is a back-up contact person for inquiries concerning processing of this action and is available at susan.luong@oehha.ca.gov or (916) 327-3015.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Proposition 65² prohibits a person in the course of doing business from knowingly and intentionally exposing any individual to a chemical that has been listed as known to the State to cause cancer or reproductive toxicity, without first giving clear and reasonable warning to such individual (Health and Safety Code section

² The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5 et seq., commonly known as Proposition 65 and referred to herein as “Proposition 65” or “The Act.”

25249.6). The Act also prohibits a business from knowingly discharging a listed chemical into water or onto or into land where such chemical passes or probably will pass into any source of drinking water (Health and Safety Code section 25249.5).

No Significant Risk Level

For carcinogens, an exemption from the warning requirement is provided by the Act when the exposure for which the person is responsible can be demonstrated to produce no significant risk, or when a discharge that otherwise complies with all applicable requirements would not cause any significant amount of the chemical to enter any source of drinking water (Health and Safety Code sections 25249.9 and 25249.10). A determination that a level of exposure poses no significant risk may be made utilizing regulations that have previously been adopted by OEHHA (Sections 25701-25721).

Section 25701 describes alternative methods for making such a determination. Section 25705 sets forth the process for determining “no significant risk” levels for purposes of Proposition 65 and establishes those levels for certain listed chemicals.

Details on the bases for the proposed levels are provided in the initial statement of reasons for these regulatory amendments, which is available on request from Monet Vela and is posted on the OEHHA web site at www.oehha.ca.gov.

This proposed amendment to section 25705 would update the existing NSRLs for PCBs by amending Section 25705(b) as follows:

Chemical	NSRL, in units micrograms per day
Polychlorinated biphenyls (PCBs)	0.35 (food chain exposures)

The proposed updated NSRL for PCBs is based upon a risk assessment performed by the U.S. Environmental Protection Agency (U.S. EPA) that OEHHA has reviewed and determined to be consistent with Section 25703. The cancer potency values developed in the U.S. EPA risk assessment provide the basis for calculating the proposed NSRL (food chain exposures). This is discussed in more detail in the initial statement of reasons for this proposed regulatory amendment.

Maximum Allowable Dose Level

For chemicals known to the state to cause reproductive toxicity, an exemption from the warning requirement is provided by the Act when a person in the course of doing business is able to demonstrate that an exposure for which the person is responsible produces no observable reproductive effect, assuming exposure at 1,000 times the level in question (Health and Safety Code sections 25249.9, 25249.10 and 25249.11). The

maximum dose level at which a chemical has no observable reproductive effect is referred to as the no observable effect level (NOEL). The Act also provides an exemption from the prohibition against discharging a listed chemical into sources of drinking water if the amount discharged does not constitute a “significant amount,” as defined, and the discharge is in conformity with all other laws and regulatory requirements (Health and Safety Code sections 25249.9 and 25249.11). Thus, these exemptions apply when the exposure or discharge in question is at a level that does not exceed the NOEL divided by 1,000.

Regulations previously adopted by OEHHA provide guidance for determining whether an exposure to, or a discharge of, a chemical known to cause reproductive toxicity meets the statutory exemption (Sections 25801–25821). These regulations provide three ways by which a person in the course of doing business may make such a determination: (1) by conducting a risk assessment in accordance with the principles described in Section 25803 to derive a NOEL, and dividing the NOEL by 1,000; or (2) by application of the specific regulatory level adopted for the chemical in Section 25805; or (3) in the absence of such a level, by using a risk assessment conducted by a state or federal agency, provided that such assessment substantially complies with Section 25803(a). The specific regulatory levels in Section 25805 represent one one-thousandth of the NOEL.

This proposed regulation sets forth a maximum allowable dose level (MADL) for adoption into Section 25805 that was derived using scientific methods outlined in Section 25803.

Details on the basis for the proposed level are provided in the reference cited below, which is included in the rulemaking record. The reference is a risk assessment document prepared by OEHHA describing and summarizing the derivation of the regulatory level listed below.

The proposed regulation would adopt the following regulatory level for PCBs which are known to cause reproductive toxicity into Section 25805:

Chemical	MADL, in units micrograms per day	Reference
Polychlorinated biphenyls (PCBs)	2.3 (food chain exposures)	OEHHA (2012)

The risk assessment which was used by the Office of Environmental Health Hazard Assessment to determine the stated level is as follows:

Office of Environmental Health Hazard Assessment (OEHHA, 2012). Proposition 65 Proposed Maximum Allowable Dose Level (MADL) for Reproductive Toxicity for Polychlorinated biphenyls. OEHHA Reproductive and Cancer Hazard Assessment Branch, California Environmental Protection Agency, Sacramento, February 2012.

Specific Benefits Anticipated by the Regulation: The MADLs and NSRLs provide “safe harbor” values that aid businesses in determining if they are complying with the law. Some businesses may not be able to afford the expense of establishing or updating NSRLs and MADLs and therefore may be exposed to litigation for a failure to warn or for a prohibited discharge of the listed chemical. Adopting this regulation will save these businesses those expenses and may reduce litigation costs. By updating or establishing the safe harbor levels, this regulatory proposal does not require, but may encourage, businesses to lower the amount of the listed chemical in their product to a level that does not cause a significant exposure, thereby providing a public health benefit to Californians.

PEER REVIEW

This notice and the initial statement of reasons are being provided to the OEHHA Science Advisory Board’s Carcinogen Identification Committee and Developmental and Reproductive Toxicant Identification Committee for scientific peer review and comment.

AUTHORITY

Health and Safety Code Section 25249.12.

REFERENCE

Health and Safety Code Sections 25249.5, 25249.6, 25249.9, 25249.10 and 25249.11.

RESULTS OF ECONOMIC IMPACT ANALYSIS
(Gov. Code section 11346.3)

By providing a MADL and an updated NSRL, this regulatory proposal spares businesses the expense of calculating their own MADL and updated NSRL and may also enable them to reduce or avoid litigation costs. In addition, the MADL and updated NSRL do not require, but may encourage, businesses to lower the amount of the listed chemical in their product to a level that does not cause a significant exposure, thereby providing a public health benefit to Californians.

Impact on the Creation, Elimination, or Expansion of Jobs/Businesses: Because the proposed MADL and updated NSRL provide compliance assis-

tance to businesses subject to the Act, but do not impose any mandatory requirements on those businesses, OEHHA has determined that the proposed regulatory action will not have any impact on 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 within the State of California.

No Inconsistency or Incompatibility with Existing Regulations: OEHHA has determined that the proposed regulation is neither inconsistent nor incompatible with existing state regulations because it does not impose any mandatory requirements on those businesses, state or local agencies and does not address compliance with any other law or regulation.

Specific Benefits of the Proposed Regulation: The MADLs and NSRLs provide “safeharbor” values that aid businesses in determining if they are complying with the law. Some businesses may not be able to afford the expense of establishing or updating NSRLs and MADLs and therefore may be exposed to litigation for a failure to warn or for a prohibited discharge of the listed chemical. Adopting this regulation will save these businesses those expenses and may reduce litigation costs. By updating or establishing the safe harbor levels, this regulatory proposal does not require, but may encourage, businesses to lower the amount of the listed chemical in their product to a level that does not cause a significant exposure, thereby providing a public health benefit to Californians.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Because Proposition 65 expressly³ does not apply to local agencies or school districts, OEHHA has determined the proposed regulatory action would not impose a mandate on local agencies or school districts nor does it require reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. OEHHA has also determined that no nondiscretionary costs or savings to local agencies or school districts will result from the proposed regulatory action.

COSTS OR SAVINGS TO STATE AGENCIES

Because Proposition 65 expressly⁴ does not apply to any State agency, OEHHA has determined that no savings or increased costs to any State agency will result from the proposed regulatory action.

³ See Health and Safety Code section 25249.11(b).

⁴ See Health and Safety Code section 25249.11(b).

EFFECT ON FEDERAL FUNDING TO THE STATE

Because Proposition 65 expressly⁵ does not apply to any federal agency, OEHHA has determined that no costs or savings in federal funding to the State will result from the proposed regulatory action.

EFFECT ON HOUSING COSTS

OEHHA has determined that the proposed regulatory action will have no effect on housing costs because it provides compliance assistance to businesses subject to the Act, but does not impose any mandatory requirements on those businesses.

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

Because the proposed MADL and updated NSRL provide compliance assistance to businesses subject to the Act, but do not impose any mandatory requirements on those businesses, OEHHA has made an initial determination that the adoption of the 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

Since the proposed MADL and updated NSRL provide compliance assistance to businesses subject to the Act, but do not impose any Mandatory requirements on those businesses, the Office of Environmental Health Hazard Assessment is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

EFFECT ON SMALL BUSINESSES

OEHHA has determined that the proposed MADL and updated NSRL will not impose any mandatory requirements on small business. Rather, the proposed regulation will provide compliance assistance for small businesses subject to the Act because it will help them determine whether or not an exposure for which they are responsible is subject to the warning requirement or discharge prohibition of the Act.

⁵ See Health and Safety Code section 25249.11(b).

CONSIDERATION OF ALTERNATIVES

Government Code Section 11346.5(a)(13) requires that OEHHA must determine that no reasonable alternative considered by OEHHA or that has otherwise been identified and brought to the attention of OEHHA 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 in implementing the statutory policy or other provision of law.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

OEHHA has prepared and has available for public review an Initial Statement of Reasons for the regulation, all the information upon which the amendments are based and the text of the regulation. A copy of the Initial Statement of Reasons, the text of the regulation and the risk assessment which was used by OEHHA to develop the proposed regulation are available upon request from OEHHA at the address and telephone number indicated above. These documents are also posted on OEHHA's Web site at www.oehha.ca.gov.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

The full text of any regulation which is changed or modified from the express terms of this proposed action will be made available at least 15 days prior to the date on which OEHHA adopts the resulting regulation. Notice of the comment period on changed regulations and the full text will be mailed to individuals who testified or submitted written comments at the public hearing, if held, or whose comments were received by OEHHA during the public comment period, and anyone who requests notification from OEHHA of the availability of such changes. Copies of the notice and the changed regulation will also be available on the OEHHA Web site at www.oehha.ca.gov.

FINAL STATEMENT OF REASONS

A copy of the Final Statement of Reasons for this regulatory action may be obtained, when it becomes available, from OEHHA at the address and telephone number indicated above, and on the OEHHA website at www.oehha.ca.gov.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND GAME

CESA CONSISTENCY DETERMINATION
REQUEST FOR
Planning Area 39 Development Project
(2080-2012-004-05)
Orange County

The Department of Fish and Game (Department) received a notice on March 20, 2012, that The Irvine Company proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect a species protected by the California Endangered Species Act (CESA). The proposed action involves development of City of Irvine Planning Area 39, which covers 398 acres that are roughly bound by the San Diego Freeway (Interstate 405) to the north, Planning Area 18 and Laguna Canyon Road to the west, Planning Area 18 and Lake Forest Drive/future Bake Parkway to the south, and Irvine Center Drive to the east. San Diego Creek bisects this area, which generally drains through Planning Area 39 in a northwesterly direction. The proposed action will occur in Irvine, Orange County, California.

The U.S. Fish and Wildlife Service (Service) issued a "no jeopardy" federal biological opinion (Service File No. FWS-OR-07B0079-08F0333-R001)(BO) and incidental take statement (ITS) to the U.S. Army Corps of Engineers on June 9, 2009 which considered the effects of the project on the State and Federally endangered least Bell's vireo (*Vireo belli pusillus*).

Pursuant to California Fish and Game Code Section 2080.1, The Irvine Company is requesting a determination that the BO and ITS are consistent with CESA for purposes of the proposed Project. If the Department determines the BO and ITS are consistent with CESA for the proposed Project, The Irvine Company will not be required to obtain an incidental take permit under Fish and Game Code section 2081 for the Project.

DEPARTMENT OF FISH AND GAME

PROPOSED RESEARCH ON FULLY
PROTECTED SPECIES

Population Studies on San Francisco Garter Snake

The Department of Fish and Game ("Department") received a proposal on March 13, 2012 from Tammy Lim requesting authorization to conduct research on the San Francisco garter snake (*Thamnophis sirtalis tetra-*

taenia), a Fully Protected reptile, consistent with protection and recovery of the species. Research will be conducted throughout the range of the species, and includes breeding requirements, population viability, and genetics.

The applicant has applied for the required Scientific Collecting Permit (SCP) to take protected species of wildlife. Permit conditions require that the holder of an SCP obtain special authorization from the Department for research on Fully Protected species. The proposed activities include: Capturing, handling, and releasing; sexing, measuring, and marking for future identification; and taking tissue samples for genetic studies. The Department intends to issue, under specified conditions, a Memorandum of Understanding (MOU) to carry out the proposed activities. As this snake is also a federally endangered species, the applicant is required to possess a valid Federal Threatened and Endangered Species recovery permit.

Pursuant to California Fish and Game Code (FGC) Section 5050(a)(1), the Department may authorize take of Fully Protected reptiles after 30 days notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 5050 for take of Fully Protected reptiles, it would issue the authorization on or after May 13, 2012, for an initial term of two years. The term may be renewed with Department authorization. Contact: Department of Fish and Game, Wildlife Branch, 1812 Ninth Street, Sacramento, CA 95811, Attn.: Dale Steele.

DEPARTMENT OF FISH AND GAME

PROPOSED RESEARCH ON FULLY PROTECTED SPECIES Study of San Francisco Garter Snake

The Department of Fish and Game (“Department”) reviewed a proposal on April 2, 2012 from Mr. Cullen Wilkerson, San Francisco, California, requesting to conduct field studies on the San Francisco garter snake (*Thamnophis sirtalis tetrataenia*), a Fully Protected reptile, for research purposes, consistent with the protection and recovery of the species.

The applicant has applied for the required Scientific Collecting Permit (SCP) to take protected species of wildlife. Permit conditions require that the holder of an SCP obtain special authorization from the Department for research on Fully Protected species. The proposed activities include: capturing the San Francisco garter

snake (SFGS) by hand, reptile stick, or terrestrial trap line; and handling, weighing, measuring, scale-clipping, and photo documenting. No SFGS measuring less than 15 centimeters from snout to vent will be marked by scale-clipping for individual identification. The research will be conducted throughout the range of the species, and is being conducted to determine presence and relative number of SFGS. The Department intends to issue, under specified conditions, a Memorandum of Understanding (MOU) to carry out the proposed activities. Because this snake is also a federally endangered species, the applicant is required to possess a valid Federal Threatened and Endangered Species Recovery Permit.

Pursuant to California Fish and Game Code (FGC) Section 5050(a)(1), the Department may authorize take of Fully Protected reptiles after 30 days notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 5050 for take of Fully Protected reptiles, it would issue the authorization on or after May 13, 2012, for an initial term of two years. The term may be renewed with Department authorization. Contact: Department of Fish and Game, Wildlife Branch, 1812 Ninth Street, Sacramento, CA 95811, Attn.: Dale Steele.

FISH AND GAME COMMISSION

NOTICE OF RECEIPT OF PETITION

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2073.3 of the Fish and Game Code, the California Fish and Game Commission, on March 12, 2012 received a petition from the Center for Biological Diversity, Big Wildlife, Klamath-Siskiyou Wildlands Center and Brett Hartl to list the Gray wolf (*Canis lupus*) as endangered under the California Endangered Species Act.

Pursuant to Section 2073 of the Fish and Game Code, on March 13, 2012 the Commission transmitted the petition to the Department of Fish and Game for review pursuant to Section 2073.5 of said code. It is anticipated that the Department’s evaluation and recommendation relating to the petition will be received by the Commission at its June or August 2012 meeting. Interested parties may contact Dr. Eric Loft, Wildlife Branch, Department of Fish and Game, 1812 Ninth Street, Sacramento, CA 95811, or email to WildlifeMgt@dfg.ca.gov for information on the petition or to submit information to the Department relating to the petitioned species.

DISAPPROVAL DECISION

DECISION OF DISAPPROVAL OF REGULATORY ACTION

Printed below are the summaries of Office of Administrative Law disapproval decisions. The full text of disapproval decisions is available at www.oal.ca.gov under the "Publications" tab. You may also request a copy of a decision by contacting the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339, (916) 323-6225 — FAX (916) 323-6826. Please request by OAL file number.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

**STATE OF CALIFORNIA
OFFICE OF ADMINISTRATIVE LAW**

In re:
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

REGULATORY ACTION:
Title 25, California Code of Regulations
ADOPT SECTION 7097
AMEND SECTIONS 7054, 7056, 7058, 7060, 7062, 7062.1, 7076, 7078, 7104
REPEAL SECTIONS 7064, 7066, 7074, 7078.1, 7078.2, 7078.3, 7078.4, 7078.5, 7078.6 AND 7078.7

DECISION OF DISAPPROVAL OF REGULATORY ACTION
(Gov. Code, sec. 11349.3)

OAL File No. 2012-0215-07S

SUMMARY OF REGULATORY ACTION

The Department of Housing and Community Development (Department) proposed to adopt section 7097, amend sections 7054, 7056, 7058, 7060, 7062, 7062.1, 7076, 7078, and 7104, and repeal sections 7064, 7066, 7074, 7078.1, 7078.2, 7078.3, 7078.4, 7078.5, 7078.6, and 7078.7 in title 25 of the California Code of Regulations to make changes to the operation of the State Community Development Block Grant Program. On February 15, 2012, the Board submitted the proposed regulatory action to the Office of Administrative Law (OAL) for review in accordance with the Administrative Procedure Act (APA). On March 29, 2012, OAL disapproved the proposed regulatory action. This Decision of

Disapproval of Regulatory Action explains the reasons for OAL's action.

DECISION

OAL disapproved the above-referenced regulatory action for failure to follow the required procedure, required documents included in the file were defective, and for failure to comply with the clarity, necessity, authority, and reference standards of Government Code section 11349.1.

Date: April 3, 2012

_____/s/
CRAIG S. TARPENNING
Senior Staff Counsel
for: **DEBRA M. CORNEZ**
Assistant Chief Counsel/
Acting Director

Original: Linn Warren
cc: Lenora Frazier

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH 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.

File# 2012-0217-03
BOARD OF EDUCATION
Assignment of Student Accountability

This regulatory action adds two sections to govern the assignment of test scores and other accountability results to the Academic Performance Index (API) of a school of residence and to the API of a school district of residence under specified circumstances. In particular, it defines terms and criteria for assigning accountability results to the API of an Alternative Education Program (AEP) school and its local educational agency when the pupil was enrolled in an AEP.

Title 5
California Code of Regulations
ADOPT: 1039.2, 1039.3
Filed 04/02/2012
Effective 05/02/2012
Agency Contact: Cynthia Olsen (916) 319-0584

File# 2012-0216-03
BUREAU OF AUTOMOTIVE REPAIR
Repair Assistance Co-Payment Modification

This rulemaking changes the \$20 co-pay currently required by BAR for the Repair Assistance program to requiring the consumer to pay for the testing and diagnosis as the co-pay. The purpose of this change is to allow consumers to negotiate better rates for testing and diagnosis because currently stations charge more for CAP customers utilizing the fixed labor hours allowed by BAR. This will allow BAR to better utilize the CAP budget since money will now be spent on actual repairs and not testing and diagnosis. Additionally BAR will allow consumers to self-certify their income in order to qualify for CAP. The final change is to update the income eligibility table included in the CAP application to reflect the maximum gross household income amounts based on the recently revised Federal Poverty Level published by the U.S. Department of Health and Human Services.

Title 16
California Code of Regulations
AMEND: 3340.43, 3394.3, 3394.4, 3394.5,
3394.6, 3394.7
Filed 03/30/2012
Effective 04/29/2012
Agency Contact: Steven Hall (916) 255-2135

File# 2012-0216-01
CALIFORNIA ARCHITECTS BOARD
Comprehensive Intern Development Program

This regulatory action repeals existing provisions requiring completion of the Comprehensive Intern Development Program (CIPD) as a prerequisite for eligibility for the California Supplemental Examination (CSE) and subsequent licensure by the California Architects Board.

Title 16
California Code of Regulations
AMEND: 109, 116, 117, 121
Filed 03/29/2012
Effective 03/29/2012
Agency Contact:
Marccus Reinhardt (916) 575-7216

File# 2012-0328-01
CALIFORNIA DEBT LIMIT ALLOCATION
COMMITTEE
Administration of CA's Limited Tax-Exempt
Debt Authority

This emergency regulatory action creates an allocation system to administer the state unified volume ceil-

ing on the aggregate amount of private activity bonds that can be issued in California, pursuant to Tax Reform Act of 1986 (Public Law 99-514) and Government Code section 8869.84(c).

Title 4
California Code of Regulations
AMEND: 5000, 5170, 5200, 5230, 5370, 5500,
5540
Filed 04/04/2012
Effective 04/04/2012
Agency Contact:
Misti Armstrong (916) 653-3461

File# 2012-0215-05
CALIFORNIA GAMBLING CONTROL
COMMISSION
Delinquency Fees; Non Payment of Annual Fees

This rulemaking action by the California Gambling Control Commission amends the term "table fee" to "annual fee," establishes the close of a licensee's fiscal year as the date on which annual fees are calculated, and clarifies that existing consequences apply to licenses deemed surrendered under Business and Professions Code section 19955. This action also establishes a delinquency fee for license renewal applications received after statutory deadlines.

Title 4
California Code of Regulations
AMEND: 12008, 12335, 12342, 12345, 12357,
12359
Filed 03/29/2012
Effective 04/28/2012
Agency Contact: James Allen (916) 263-4024

File# 2012-0308-02
CALIFORNIA INSTITUTE FOR REGENERATIVE
MEDICINE
Acceptable Research Materials

In this rulemaking action, the California Institute for Regenerative Medicine proposed to amend title 17, California Code of Regulations, section 100080 to add stem cell lines that are derived under license of the Australian National Health and Medical Research Council as acceptable materials for CIRM-funded research.

Title 17
California Code of Regulations
AMEND: 100080
Filed 03/28/2012
Effective 04/27/2012
Agency Contact:
C. Scott Tocher (415) 396-9136

File#2012-0223-02
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
 Basic Courses Test Administration and Security Guidelines

This rulemaking action by the Commission on Peace Officer Standards and Training (POST) re-titles the POST Basic Courses Test Administration and Security Guidelines 2009 to POST Basic Courses Test Management and Security Protocols 2012, and amends various sections of title 11 of the California Code of Regulations and the POST Administrative Manual.

Title 11
 California Code of Regulations
 AMEND: 1001, 1005, 1007, 1008, 1052, 1055
 Filed 04/03/2012
 Effective 05/03/2012
 Agency Contact: Jennifer Imlay (916) 227-3917

File# 2012-0227-04
DEPARTMENT OF CORRECTIONS AND REHABILITATION
 Residence Restrictions on Paroled Sex Offenders

This rulemaking action makes permanent the sections of Title 13 of the California Code of Regulations which implement Proposition 83, "Jessica's Law" Penal Code provisions to establish residency restrictions for paroled sex offenders in relationship to parks and schools and also adopts parole agent verification and supervision rules for sex offenders.

Title 15
 California Code of Regulations
 ADOPT: 3571, 3582, 3590, 3590.1, 3590.2, 3590.3
 AMEND: 3000
 Filed 04/02/2012
 Effective 04/02/2012
 Agency Contact: Josh Jugum (916) 445-2228

File# 2012-0320-07
DEPARTMENT OF CORRECTIONS AND REHABILITATION
 Dental and Medical Services Provided to Inmates

This emergency action adopts provisions for dental and medical services provided to inmates pursuant to the the Stipulated Order in *Perez v. Tilton*, CA-05-5241-JSW, and the Stipulation for Injunctive Relief and the Order Approving Receiver's Turnaround Plan of Action in *Plata v. Schwarzenegger*, 3:01-cv-01351-TEH. This action is certified by the Secretary of CDCR as an emergency for operational necessity pursuant to Penal Code section 5058.3.

Title 15
 California Code of Regulations
 ADOPT: 3352.3
 AMEND: 3350.1, 3352, 3352.1, 3352.2, 3354, 3354.2, 3355.1, 3358
 Filed 03/28/2012
 Effective 03/28/2012
 Agency Contact: Josh Jugum (916) 445-2228

File# 2012-0217-05
DEPARTMENT OF FOOD AND AGRICULTURE
 Update AHFSS Division Contact Information

The Department of Food and Agriculture submitted this action pursuant to title 1, California Code of Regulations, section 100 to make nonsubstantive amendments to 31 forms and to update the revision dates to the corresponding title 3 sections of the California Code of Regulations that incorporate the forms by reference. Nonsubstantive amendments were proposed for other title 3 sections, including adding or amending authority and reference notes to sections.

Title 3
 California Code of Regulations
 AMEND: 480.9, 498, 499, 499.5, 500, 501, 576.1, 623, 755.2, 756.2, 760.2, 790, 790.2, 791, 791.1, 796.2, 797, 799, 820.1, 821.2, 900, 900.1, 900.2, 901.3, 901.8, 901.9, 901.11, 902, 902.15, 907.3, 909.3, 910.4, 910.7, 913, 913.1, 1180, 1180.11, 1200, 1204, 1205, 1210, 1235, 1242, 1246, 1246.14, 1247, 1256, 1266, 1268, 1269, 1271, 1300.1, 1310.1
 Filed 04/02/2012
 Agency Contact: Nancy Grillo (916) 900-5000

File# 2012-0402-01
DEPARTMENT OF FOOD AND AGRICULTURE
 Huanglongbing Disease Eradication Area

This emergency regulatory action adopts one regulation establishing a Huanglongbing (HLB) Disease Eradication Area encompassing the entire State of California.

Title 3
 California Code of Regulations
 ADOPT: 3639
 Filed 04/03/2012
 Effective 04/03/2012
 Agency Contact: Stephen S. Brown (916) 654-1017

File# 2012-0402-02
DEPARTMENT OF FOOD AND AGRICULTURE
 Huanglongbing Disease Interior Quarantine

The Department of Food and Agriculture (DFA) submitted this emergency action to amend Title 3, California Code of Regulations, to adopt section 3439. The

proposed adoption will establish a quarantine in the Hacienda Heights area of Los Angeles and Orange County for Huanglongbing (HLB) [citrus greening disease] of approximately 93 square miles. This is based on the discovery on March 23, 2012 of the first occurrence of HLB in California. The effect of the change is to provide authority for the State to prevent the artificial spread of HLB within and from the quarantine area.

Title 3
 California Code of Regulations
 ADOPT: 3439
 Filed 04/03/2012
 Effective 04/03/2012
 Agency Contact:
 Stephen S. Brown (916) 654-1017

File# 2012-0227-03
OFFICE OF SPILL PREVENTION AND RESPONSE
 Certificates of Financial Responsibility

This rulemaking by the Office of Spill Prevention and Response within the Department of Fish and Game adopts section 791.6 and amends sections 791.7, 795 and 796 of title 14 of the California Code of Regulations. The sections establish procedures, deadlines, and reporting requirements for applying for a California Certificate of Financial Responsibility (COFR). This rulemaking adds or modifies various deadlines, clarifies the COFR revocation process, further explains circumstances that invalidate a COFR, and removes obsolete COFR processing information.

Title 14
 California Code of Regulations
 ADOPT: 791.6
 AMEND: 791.7, 795, 796
 Filed 04/03/2012
 Effective 05/03/2012
 Agency Contact:
 Joy D. Lavin-Jones (916) 327-0910

File# 2012-0216-02
SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION
 San Francisco Bay Plan, San Francisco Bay Area Seaport Plan

This regulatory action by the San Francisco Bay Conservation and Development Commission (BCDC) contains an amendment to the San Francisco Bay Plan which was adopted pursuant to Resolution 11-13 on January 19, 2012. The amendment (No. 2-11) amended San Francisco Bay Plan Map 5 and the San Francisco Bay Area Seaport Plan (Seaport Plan) by removing the Port Priority Use Area Designation from the Hunters Point Shipyard.

Title 14
 California Code of Regulations
 AMEND: 11900, 11945
 Filed 03/28/2012
 Effective 03/28/2012
 Agency Contact: Linda Scourtis (415) 352-3644

File# 2012-0217-02
STATE TEACHERS RETIREMENT SYSTEM
 Late and Incorrect Remittances and Reports

This regulatory action is to provide clarification as to calculation of a late penalty for employers who are late in reporting or remitting contributions, or who submit incorrect reports. The purpose is to reduce System administrative costs and compensate the Fund for lost investment earnings. This action also provides dispute and appeal processes for employers.

Title 5
 California Code of Regulations
 ADOPT: 27000, 27001, 27002, 27003, 27004, 27005, 27006, 27007, 27008, 27009
 Filed 04/02/2012
 Effective 07/01/2012
 Agency Contact: Robert Carlin (916) 414-1729

CCR CHANGES FILED WITH THE SECRETARY OF STATE WITHIN November 9, 2011 TO April 4, 2012

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 2
 03/26/12 AMEND: 1859.2, 1859.71.4, 1859.78.1, 1859.79.2, 1859.82, 1859.83, 1859.106, 1859.125, 1859.125.1, 1859.145, 1859.163.1, 1859.163.5, 1859.193
 03/13/12 AMEND: 1859.2, 1859.82
 03/06/12 ADOPT: 589.11
 03/06/12 AMEND: 1189.10
 03/02/12 AMEND: 560
 02/16/12 AMEND: 18401.1
 02/13/12 AMEND: 18943
 01/31/12 ADOPT 260.1, 261.1 AMEND 258, 260, 262
 01/31/12 AMEND 640
 01/26/12 AMEND 37000

01/23/12	ADOPT: 1880	02/02/12	AMEND: 3423(b)
01/23/12	ADOPT: 18940.1, 18942.2, 18942.3	01/23/12	ADOPT: 588
	AMEND: 18940, 18940.2, 18941, 18942, 18942.1, 18943, 18944.1, 18944.2, 18944.3, 18945, 18945.1, 18945.2, 18946, 18946.1, 18946.2, 18946.3, 18946.4, 18946.5 REPEAL: 18941.1, 18943, 18945.3, 18946.5	01/18/12	ADOPT: 3591.25
01/18/12	AMEND: Div. 8, Ch. 35, Sec. 52400	01/06/12	AMEND: 3591.2(a)
01/10/12	AMEND: 18423, 18539, 18550	12/29/11	AMEND: 3280
01/05/12	ADOPT: 18404.2	12/20/11	AMEND: 3407(e)
01/05/12	ADOPT: 18227.5, 18247.5 REPEAL: 18247.5	12/05/11	AMEND: 1408.6
12/28/11	AMEND: 1859.76	11/29/11	AMEND: 3591.15(a)
12/21/11	AMEND: 1859.90.2, 1859.81	11/14/11	AMEND: 3437(b)
12/07/11	ADOPT: 18316.6, 18361.11 AMEND: 18360, 18361, 18361.4	11/10/11	AMEND: 6000, 6361, 6400, 6460, 6464, 6470, 6502, 6512, 6524, 6560, 6562, 6564, 6625, 6626, 6625, 6632, 6728, 6761, 6780
11/22/11	AMEND: 559	11/10/11	AMEND: 3589(a)
Title 3		Title 4	
04/03/12	ADOPT: 3639	04/04/12	AMEND: 5000, 5170, 5200, 5230, 5370, 5500, 5540
04/03/12	ADOPT: 3439	03/29/12	AMEND: 12008, 12335, 12342, 12345, 12357, 12359
04/02/12	AMEND: 480.9, 498, 499, 499.5, 500, 501, 576.1, 623, 755.2, 756.2, 760.2, 790, 790.2, 791, 791.1, 796.2, 797, 799, 820.1, 821.2, 900, 900.1, 900.2, 901.3, 901.8, 901.9, 901.11, 902, 902.15, 907.3, 909.3, 910.4, 910.7, 913, 913.1, 1180, 1180.11, 1200, 1204, 1205, 1210, 1235, 1242, 1246, 1246.14, 1247, 1256, 1266, 1268, 1269, 1271, 1300.1, 1310.1	03/21/12	AMEND: 12200, 12200.9, 12200.10A, 12200.11, 12200.13, 12220, 12220.13, 12342, 12464
03/20/12	AMEND: 1430.5, 1430.6, 1430.35, 1430.36, 1430.37, 1430.38	03/08/12	AMEND: 10032, 10033, 10034, 10035
03/09/12	AMEND: 3436(b)	03/08/12	AMEND: 60, 60.5
03/08/12	AMEND: 3437(b)	03/06/12	ADOPT: 4075
03/07/12	ADOPT: 1180, 1180.20, 1180.22, 1180.23, 1180.24, 1180.25, 1180.27, 1180.28, 1180.29, 1180.30, 1180.31, 1180.32, 1180.33, 1180.34, 1180.35, 1180.36, 1180.37, 1180.38, 1180.39 AMEND: 1180.1, 1180.2, 1180.3, 1180.3.1, 1180.3.2, 1180.13, 1180.14, 1180.15, 1180.16, 1180.17, 1180.18, 1180.19, 1180.31, 1180.32, 1180.33, 1180.34, 1180.35, 1180.36, 1180.37, 1180.38, 1180.39, 1180.40, 1180.41 REPEAL: 1180, 1180.21, 1180.22, 1180.23, 1180.24, 1180.25, 1180.26, 1180.27, 1180.28, 1180.29, 1180.30	03/05/12	AMEND: 10152, 10153, 10154, 10155, 10157, 10159, 10160, 10161, 10162 REPEAL: 10156, 10158, 10164
02/28/12	ADOPT: 2320.1, 2320.2, 2322, 2322.1, 2322.2, 2322.3, 2323 AMEND: 2300, 2300.1, 2302, 2303, 2320, 2321	03/02/12	AMEND: 8070
02/23/12	AMEND: 3700(c)	02/29/12	AMEND: 8070, 8072, 8073, 8074
02/13/12	AMEND: 3591.2(a)	02/22/12	AMEND: 10176, 10177, 10178, 10182, 10188
02/06/12	AMEND: 3435(b)	02/16/12	AMEND: 12572
		02/14/12	AMEND: 1844
		02/14/12	AMEND: 1843.3
		02/08/12	AMEND: 66
		02/03/12	AMEND: 5000, 5052
		12/30/11	ADOPT: 4000.1, 4000.2, 4000.3
		12/21/11	ADOPT: 12349
		12/09/11	ADOPT: 5205 AMEND: 5000, 5054, 5144, 5170, 5190, 5200, 5230, 5350, 5370 REPEAL: 5133
		12/07/11	AMEND: 1433
		12/05/11	AMEND: 10325(c)(8)
		11/28/11	AMEND: 1632
		Title 5	
		04/02/12	ADOPT: 27000, 27001, 27002, 27003, 27004, 27005, 27006, 27007, 27008, 27009
		04/02/12	ADOPT: 1039.2, 1039.3
		03/26/12	AMEND: 1216.1
		03/26/12	ADOPT: 620, 621, 622, 623, 624, 625, 626, 627
		03/12/12	AMEND: 41000

CALIFORNIA REGULATORY NOTICE REGISTER 2012, VOLUME NO. 15-Z

03/06/12 AMEND: 18600
 03/01/12 ADOPT: 30001.5
 02/27/12 AMEND: 42397.2, 42397.6
 02/09/12 ADOPT: 19824.1, 19841, 19851.1, 19854.1 AMEND: 19816, 19816.1, 19824, 19850, 19851, 19854
 02/09/12 ADOPT: 27100, 27101, 27102, 27103
 01/10/12 AMEND: 9510, 9510.5, 9511, 9512, 9513, 9514, 9515, 9516, 9517, 9517.1, 9519, 9520, 9521, 9524, 9525, 18533, 18600
 12/19/11 ADOPT: 30001.5
 12/16/11 AMEND: 53309, 53310
 12/14/11 AMEND: 55150, 55151, 55154, 55155 REPEAL: 55152, 55153
 11/16/11 ADOPT: 11968.5.1, 11968.5.2, 11968.5.3, 11968.5.4, 11968.5.5 AMEND: 11960, 11965, 11969 (renumbered 11968.1), 11969.1

Title 8

03/14/12 AMEND: 32602, 32603, 32620, 32621, 32625, 32630, 32635, 32640, 32644, 32647, 32648, 32649, 32650, 32661, 32680, 32690, 61360(a)
 02/23/12 AMEND: 1905
 02/16/12 AMEND: 5155
 02/08/12 AMEND: 1675, 3276, 3278
 02/08/12 ADOPT: 374.2 AMEND: 350.1, 371, 371.1, 376
 02/01/12 AMEND 1504, 1591, 1597
 01/24/12 AMEND: 5155
 01/19/12 ADOPT: 9708.1, 9708.2, 9708.3, 9708.4, 9708.5, 9708.6
 01/18/12 ADOPT: 1615.3 AMEND: 1532.1, 3361, 5042, 5044, 5045, 5047, 5049, 5144, 5191, 5198, 5209, 8355
 01/05/12 AMEND: 4188
 12/29/11 AMEND: 3276, 3287
 12/29/11 ADOPT: 32802, 32804 AMEND: 32380, 32603, 32604
 12/27/11 AMEND: 343
 12/13/11 ADOPT: 8351, 8356, 8376.1, 8378.1, 8387, 8391.1, 8391.2, 8391.4, 8391.5, 8391.6, 8397.6 AMEND: 5194.1, 8354, 8376, 8378, 8384, 8391, 8391.3, 8397.2, 8397.3, 8397.4, 8397.5
 12/12/11 AMEND: 1541.1
 12/07/11 ADOPT: 16450, 16451, 16452, 16454, 16455 AMEND: 16423, 16433 REPEAL: 16450, 16451, 16452, 16453, 16454, 16455

Title 9

03/22/12 AMEND: 9795, 9800, 9801.5, 9801.6, 9804, 9812, 9816, 9820, 9822, 9829,

9836, 9838, 9846, 9848, 9849, 9851, 9852, 9854, 9858, 9862, 9866, 9867, 9868, 9874, 9876, 9876.5, 9878, 9879, 9884, 9886

Title 10

03/15/12 AMEND: 2690
 02/16/12 AMEND: 2498.6
 02/13/12 AMEND: 2202
 02/08/12 AMEND: 2222.12
 02/03/12 AMEND: 2699.6700, 2699.6709, 2699.6721, 2699.6725
 01/24/12 AMEND: 2548.1, 2548.2, 2548.3, 2548.4, 2548.5, 2548.6, 2548.7, 2548.8, 2548.9, 2548.10, 2548.11, 2548.12, 2548.13, 2548.14, 2548.15, 2548.16, 2548.17, 2548.18, 2548.19, 2548.20, 2548.21, 2548.22, 2548.23, 2548.24, 2548.25, 2548.26, 2548.27, 2548.28, 2548.29, 2548.30, 2548.31
 01/11/12 AMEND: 260.204.9
 01/09/12 AMEND: 2699.6707
 12/19/11 AMEND: 2498.5
 12/19/11 AMEND: 2498.4.9
 12/19/11 AMEND: 2498.6
 12/09/11 AMEND: 2698.302
 12/09/11 AMEND: 2699.301
 11/21/11 ADOPT: 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596

Title 11

04/03/12 AMEND: 1001, 1005, 1007, 1008, 1052, 1055
 03/14/12 AMEND: 1005, 1007, 1008
 01/03/12 ADOPT: 999.24, 999.25, 999.26, 999.27, 999.28, 999.29 AMEND: 999.10, 999.11, 999.14, 999.16, 999.17, 999.19, 999.20, 999.21, 999.22
 12/28/11 AMEND: 101.1
 12/27/11 AMEND: 4001, 4002, 4003, 4004, 4005, 4006, 4016, 4017, 4018, 4019, 4021, 4022, 4023, 4024, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4039, 4040, 4041, 4045, 4046, 4047, 4048, 4049, 4050, 4051, 4052, 4053, 4054, 4055, 4056, 4057, 4058, 4059, 4060, 4061, 4062, 4063, 4064, 4065, 4066, 4067, 4068, 4069, 4070, 4071, 4072, 4073, 4074, 4075, 4080, 4081, 4082, 4083, 4084, 4085, 4086, 4087, 4090, 4091, 4092, 4093, 4094, 4095, 4096, 4097, 4098, 4099, 4100, 4101, 4102, 4103, 4104, 4105, 4106, 4107, 4108, 4109, 4125, 4126, 4127, 4128, 4129, 4130, 4131, 4132, 4133, 4134, 4135,

CALIFORNIA REGULATORY NOTICE REGISTER 2012, VOLUME NO. 15-Z

03/07/12 AMEND: 1889.2 REPEAL: 1832.5
 02/27/12 AMEND: 2, 8.2, 9.1, 26, 49, 58, 59, 62, 65, 75.4, 87, 87.5, 88, 88.1, 88.2, 89, 90, 94 REPEAL: 5.1, 7, 7.2
 02/16/12 AMEND: 1397.60, 1397.61, 1397.62, 1397.63, 1397.64, 1397.65, 1397.66, 1397.67, 1397.68, 1397.69, 1397.70, 1397.71
 02/09/12 AMEND: 28 REPEAL: 30
 02/08/12 ADOPT: 1018.05 AMEND: 1020
 02/01/12 ADOPT 3340.16.4 AMEND 3306, 3340.1, 3340.10, 3340.15, 3340.16.5, 3340.17, 3340.22, 3340.22.1, 3340.23, 3340.28, 3340.29, 3340.30, 3340.31, 3340.50, 3351.1 3340.16.4 3306, 3340.1, 3340.10, 3340.15, 3340.16.5, 3340.17, 3340.22, 3340.22.1, 3340.23, 3340.28, 3340.29, 3340.30, 3340.31, 3340.50, 3351.1
 01/19/12 ADOPT: 1379.40, 1379.42, 1379.44, 1379.46, 1379.48, 1379.50, 1379.52, 1379.54, 1379.56, 1379.58, 1379.68, 1379.70, 1379.72, 1379.78
 01/17/12 ADOPT: 1707.6 AMEND: 1707.2
 01/11/12 AMEND: 109, 117, 121
 01/10/12 AMEND: 12, 12.5, 98 REPEAL: 9, 11.5
 01/10/12 AMEND: 2328.1
 01/06/12 ADOPT: 3340.38
 12/28/11 AMEND: 1399.157, 1399.160, 1399.160.3, 1399.160.6
 12/22/11 ADOPT: 601.6, 601.7, 601.8, 601.9, 601.10 AMEND: 600.1
 12/12/11 AMEND: 1361
 11/22/11 ADOPT: 858, 858.1, 858.2, 858.3, 858.4, 858.5, 858.6, 858.7, 858.8, 858.9
 11/16/11 AMEND: 950.1, 950.4, 950.5 REPEAL: 962.3, 962.4, 962.5, 962.6

Title 17

03/28/12 AMEND: 100080
 03/15/12 ADOPT: 58883
 03/15/12 AMEND: 6020, 6035, 6051, 6065, 6070, 6075
 03/12/12 AMEND: 95307
 02/21/12 AMEND: 95486
 02/15/12 AMEND: 95802, 95833, 95841.1, 95852, 95852.1.1, 95852.2, 95870, 95891, 95892, 95914, 95920, 95971, 95974, 95975, 95977.1, 95979, 95980, 95981, 95981.1, 95985, 95986, 95987, 95990, 95993, 95994, 96021 REPEAL: 95893, 95943
 01/26/12 AMEND 6540
 01/17/12 AMEND: 50602, 50604, 50607, 50612, 54326

12/27/11 ADOPT: 54311 AMEND: 54302, 54310, 54314, 54320, 54326, 54332, 54370
 12/15/11 AMEND: 6020, 6035, 6051, 6065, 6070, 6075
 12/14/11 ADOPT: 95116, 95117, 95118, 95119, 95120, 95121, 95122, 95123, 95129, 95150, 95151, 95152, 95153, 95154, 95155, 95156, 95157 AMEND: 95100, 95101, 95102, 95103, 95104, 95105, 95106, 95107, 95108, 95109, 95110, 95111, 95112, 95113, 95114, 95115, 95130, 95131, 95132, 95133 REPEAL: 95125
 12/13/11 ADOPT: 95801, 95802, 95810, 95811, 95812, 95813, 95814, 95820, 95821, 95830, 95831, 95832, 95833, 95834, 95840, 95841, 95841.1, 95850, 95851, 95852, 95852.1, 95852.1.1, 95852.2, 95853, 95854, 95855, 95856, 95857, 95858, 95870, 95890, 95891, 95892, 95910, 95911, 95912, 95913, 95914, 95920, 95921, 95922, 95940, 95941, 95942, 95970, 95971, 95972, 95973, 95974, 95975, 95976, 95977, 95977.1, 95977.2, 95978, 95979, 95980, 95980.1, 95981, 95981.1, 95982, 95983, 95984, 95985, 95986, 95987, 95988, 95990, 95991, 95992, 95993, 95994, 95995, 96010, 96011, 96012, 96013, 96014, 96020, 96021, 96022
 12/12/11 ADOPT: 95312 AMEND: 95300, 95301, 95302, 95303, 95304, 95305, 95306, 95307, 95308, 95309, 95310, 95311
 11/17/11 REPEAL: 901
 11/10/11 AMEND: 94508, 94509, 94510, 94512, 94515

Title 18

03/26/12 ADOPT: 25137-8.2 AMEND: 25137-8 (re-numbered to 25137-8.1)
 02/27/12 ADOPT: 25136-2
 02/07/12 AMEND: 1807, 1828
 01/11/12 AMEND: 1616
 01/09/12 AMEND: 1532, 1533.1, 1534, 1535
 12/27/11 AMEND: 1570

Title 19

02/16/12 ADOPT: 560.4 AMEND: 557.19, renumber 560.4, 560.5, and 560.6 as 560.5, 560.6, and 560.7, respectively

Title 22

03/15/12 ADOPT: 123000 and Appendices REPEAL: 123000 and Appendices
 02/21/12 AMEND: 51003

CALIFORNIA REGULATORY NOTICE REGISTER 2012, VOLUME NO. 15-Z

02/21/12 AMEND: 66261.21(a)(3),
66261.21(a)(4)

02/08/12 AMEND: 66261.33, 66268.40

02/06/12 AMEND: 80001, 80075, 83000, 83001,
84001, 84061, 86001, 88001

01/31/12 ADOPT 126010, 126020, 126030,
126040, 126042, 126050, 126055,
126060, 126070, 126072, 126074,
126076, 126090 126010, 126020,
126030, 126040, 126042, 126050,
126055, 126060, 126070, 126072,
126074, 126076, 126090

01/26/12 AMEND 50273

12/28/11 AMEND: 97232, 97240, 97247

12/27/11 AMEND: 51516.1

12/20/11 ADOPT: 69401, 69401.1, 69401.2,
69402, 69402.1, 69402.2, 69402.3,
69402.4, 69402.5, 69402.6, 69403,
69403.1, 69403.2, 69403.3, 69403.4,
69403.5, 69403.6, 69403.7, 69403.8,
69403.9, 69403.10, 69403.11, 69403.12,
69403.13, 69403.14, 69403.15,
69403.16, 69403.17, 69404, 69404.1,
69404.2, 69404.3, 69404.4, 69404.5,
69404.6, 69404.7, 69404.8, 69404.9,
69404.10, 69405, 69405.1, 69405.2,
69405.3, 69405.4, 69405.5, 69405.6,
69405.7, 69405.8, 69406, 69406.1,
69406.2, 69406.3, 69407, 69407.1,
69407.2

12/06/11 AMEND: 40741

11/21/11 AMEND: 66260.11, 66260.12,
66262.53, 66262.56, 66263.32,
66264.12, 66264.71, 66264.72,
66265.12, 66265.71, 66265.72

Title 22/MPP

11/10/11 AMEND: 35000, 35001, 35325, 35326,
35329, 35331, 35333, 35334, 35337,
35339, 35341, 35343, 35344, 35345,
35351, 35352, 35352.1, 35352.2,
45-801, 45-802, 45-803, 45-804,
45-805, 45-806, 45-807 REPEAL:
35327, 35347, 35352.3

Title 23

03/21/12 ADOPT: 3969

03/21/12 ADOPT: 3939.41

03/21/12 ADOPT: 3939.44

03/15/12 ADOPT: 3939.43

03/12/12 AMEND: 2922

03/09/12 ADOPT: 3919.11

02/29/12 ADOPT: 3939.42

02/27/12 ADOPT: 3919.12

02/15/12 ADOPT: 20, 21, 22, 23, 24, 25, 26, 27
AMEND: 4, 5, 5.1, 9, 10, 11, 12, 13, 14,
16, 17, 23 (re-numbered to 28), 103, 109,
110, Appendix A REPEAL: 20, 21, 22

12/29/11 ADOPT: 862

12/20/11 ADOPT: 3929.8

12/19/11 ADOPT: 3939.40

Title 25

03/13/12 ADOPT: 6932 REPEAL: 6932

02/06/12 ADOPT: 597, 597.1, 597.2, 597.3, 597.4

02/02/12 ADOPT: 3968

Title 27

03/26/12 AMEND: 25705

03/15/12 AMEND: 25705

01/25/12 AMEND: 27001

01/09/12 AMEND: 25705

11/28/11 AMEND: 25903(c)

Title MPP

03/15/12 AMEND: 25705