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

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the "Commission"), under the authority vested in it under 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 15, 2014** 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 must be received at the Commission offices no later than **5:00 p.m. on May 13, 2014.**

BACKGROUND/OVERVIEW

Regulation 18740 was originally enacted in 1976 to provide a mechanism for officials who file Statements of Economic Interests to decline to disclose a source of income where disclosure might violate a statutory privilege under the California Evidence Code.

Over the life of the regulation, staff has been confronted with several scenarios that did not fit into the strict language of the regulation, but that appeared equally deserving of consideration to protect the filer's privacy or the privacy of those that may be associated with the filer. For example, we have considered the effect of federal privacy laws on disclosures, and contract provisions that limit disclosure of payments. Specifically, the Commission has recently permitted nondisclosure where such disclosure would violate federal securities laws. Also, in one case a judge, under police protection due to threats of retaliation by members of criminal gangs, wished to avoid disclosure of a resi-

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.

dence occupied by his elderly parents. More recently, a planning commissioner, who had run a battered women's shelter for ten years prior to her election, wished to avoid pinpointing the location of a "safe house" that sheltered women and children who would live at heightened risk of physical violence if their whereabouts became public knowledge. This proposal would give staff and the Commission additional authority to consider such requests.

REGULATORY ACTION

Amend 2 Cal. Code Regs. Section 18740: The Commission will consider the following issues:

- Should the exception be expanded from California privileges to include other privacy and confidentiality laws, federal or state.
- Should the process be streamlined to require a preliminary determination by the General Counsel of the legal sufficiency of the claim, with a right of appeal by the filer to the Chair and the Commission.
- Should the determination of the applicability of the regulation be maintained as an advice letter.

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 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 Section 87207.

CONTACT

Any inquiries should be made to John W. Wallace, Fair Political Practices Commission, 428 J Street, Suite 800, 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 16. BOARD OF ACCOUNTANCY

NOTICE IS HEREBY GIVEN that the California Board of Accountancy (CBA) 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 Hilton Los Angeles Airport, 5711 West Century Boulevard, California 90045, at 9:00 a.m., on May 30, 2014. 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 CBA at its office not later than 5:00 p.m. on May 26, 2014 or must be received by the CBA at the hearing. The CBA, 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 5010 and 5096.9, Business and Professions Code (BPC), and to implement, interpret, or make specific sections 5096 and 5096.2, Business and Professions Code, the CBA is considering changes to Division 1 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST

Informative Digest

Senate Bill (SB) 822 (Chapter 319, Statutes of 2013) added section 5096(e)(10) to the BPC, which states that an out-of-state licensee practicing in the State of California under a practice privilege must notify the CBA of pending criminal charges, excluding minor traffic charges, in any jurisdiction. This proposal would

establish a form for practice privilege holders to notify the CBA of pending criminal charges.

The regulatory proposal is as follows:

1. Amend Section 19 of Title 16 of the California Code of Regulations

This proposal would establish a Practice Privilege Notification of Pending Criminal Charges (PP-15 (12/13)) form, and incorporate it by reference in Title 16 section 19.

Policy Statement Overview/Anticipated Benefits of Proposal

The proposed amendment to section 19 incorporates a Practice Privilege Notification of Pending Criminal Charges form. This form must be used by individuals practicing in California under a practice privilege who have pending criminal charges. The Enforcement Division will use the information provided on the form to track and monitor the pending charges. Additionally, the proposed form will provide practice privilege holders a clear direction on how to report to the CBA and what information is required.

Consistency and Compatibility with Existing State Regulations

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

INCORPORATION BY REFERENCE
(if applicable)

Practice Privilege Notification of Pending Criminal Charges (PP-15 (12/13))

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 CBA 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:

California law authorizes out-of-state licensees, who meet specified criteria, to practice under a practice privilege without providing prior notice or paying a fee. This regulatory proposal would not hinder their ability to enter California and engage in the practice of public accountancy, but would require that those out-of-state licensees who are practicing under a practice privilege to notify the CBA should they have any pending criminal charges. Any potential economic impact would only occur should their practice privilege be revoked. Given the volume of licensed certified public accountants as well as those who practice in California under a practice privilege, no adverse impact is expected.

Cost Impact on Representative Private Person or Business:

Other than the cost of time to complete the form and the cost of postage, the CBA 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

Staff estimates the CBA will receive 30 to 40 notifications annually, which could impact the daily operations amongst an equivalent number of small businesses or sole proprietors that employ CPA licensees.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

The CBA 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. This proposal would provide a form to out-of-state licensees practicing in California under practice privilege to report pending criminal charges to the CBA, as required under BPC section 5096(e)(10).

Benefits of Regulation:

The CBA has determined that this regulatory proposal will benefit the welfare of California residents by establishing a form for practice privilege holders to complete in order to assist the Enforcement Division to protect consumers by tracking and monitoring pending criminal charges.

CONSIDERATION OF ALTERNATIVES

The CBA must determine that no reasonable alternative it considered to the regulation, or that has otherwise been identified and brought to its attention, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the 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 CBA has prepared an initial statement of the 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 http://www.dca.ca.gov/cba/laws_and_rules/pubpart.shtml and may also be obtained at the hearing or prior to the hearing upon request from the CBA at 2000 Evergreen Street, Suite 250, Sacramento, California 95815.

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 above.

CONTACT PERSON

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

Name: Andrew Breece
Address: California Board of Accountancy
2000 Evergreen Street, Suite 250
Sacramento, CA 95815
Telephone No.: (916) 561-1782
Fax No.: (916) 263-3678
E-mail Address: Andrew.breece@cba.ca.gov

The backup contact person is:

Name: Matthew Stanley
Address: California Board of Accountancy
2000 Evergreen Street, Suite 250
Sacramento, CA 95815
Telephone No.: (916) 561-1792
Fax No.: (916) 263-3678
E-mail Address: Matthew.stanley@cba.ca.gov

Website Access: Materials regarding this proposal can be found at http://www.dca.ca.gov/cba/laws_and_rules/pubpart.shtml.

TITLE 16. BOARD OF PHARMACY

NOTICE IS HEREBY GIVEN that the Board of Pharmacy is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments relevant to the action proposed in writing. 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 of Pharmacy at its office not later than 5:00 p.m. on May 26, 2014.

The board does not intend to conduct a Regulation Hearing on the matter, unless requested. Any interested person may submit a written request for a public hearing no later than 15 days prior to the close of the written comment period.

The Board of Pharmacy, 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 4005 of the Business and Professions Code, and to implement, interpret or make specific Sections 4076 and 4076.5 of the Business and Professions Code, the Board of Pharmacy is proposing to amend Section 1707.5 of Article 2

of Division 17 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Board of Pharmacy (“Board”) proposes to amend Sections 1707.5 of Division 17 of Title 16 of the California Code of Regulations (“CCR”) for the purpose of amending the board’s regulations specific to the requirements for patient-centered labels for prescription drug containers.

Existing law sets forth the requirements for a prescription drug container label for any drug dispensed to a patient in California (Business and Professions Code section 4076). Business and Professions Code Section 4076.5 required the Board to consider the following factors when developing requirements for the patient-centered prescription label requirements:

- Medical literacy research that points to increased understandability of labels.
- Improved directions for use.
- Improved font types and sizes.
- Placement of information that is patient-centered.
- The needs of patients with limited English proficiency.
- The needs of senior citizens.
- Technology requirements necessary to implement the standards.

Title 16 CCR Section 1707.5 specifies requirements for patient-centered labels for prescription drug containers. When the Board promulgated these requirements, it included in subdivision (e) a requirement that the Board re-evaluate the requirements by December 2013 to ensure optimal conformance with Business and Professions Code Section 4076.5.

The patient-centered label requirements went into effect on January 1, 2011, and since that time the Board has worked to secure compliance by educating licensees, conducting surveys, distributing notices, and reviewing pharmacies’ compliance with requirements. Accomplishments include conducting surveys of pharmacies for compliance with label requirements.

This proposal further specifies the requirements for a standardized, patient-centered prescription drug container label. This regulation would, among other things, mandate the format of all prescription drug container labels for prescription drugs dispensed in California, including: font type, font size, and placement of words. The board’s proposal is necessary to ensure patient safety and compliance of prescription medications through patient-centered labels that consider the following: medical literacy research that points to increased understandability of labels; improved direc-

tions for use; improved font types and sizes; placement of information that is patient-centered; the needs of patients with limited English proficiency; the needs of senior citizens; and technology requirements necessary to implement the standards.

As specified in Business and Professions Code Section 4001.1, protection of the public shall be the highest priority for the California State Board of Pharmacy in exercising its licensing, regulatory, and disciplinary functions. This section further states that whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

Based on an initial evaluation, the board does not believe that the proposed regulation is inconsistent or incompatible with existing state or federal regulations.

FISCAL IMPACT ESTIMATES

Local Mandate: None.

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

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

Nondiscretionary Costs/Savings to Local Agencies: None.

Effect on Housing Costs: None.

Significant Statewide Adverse Economic Impact Directly Affecting Business, Including Ability to Compete: The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This initial determination is based on the fact that the proposed changes will help protect the public health based on the proposed changes described in the Notice and are consistent with patient-centered labels for prescription drug requirements meeting national and industry standards.

The proposed amendment is intended to protect the people of California by ensuring consumers receive their prescription drugs with respective labels that are centered around the consumers' needs so that each consumer is able to understand the prescription drug is for them, the name of the prescription drug, the directions for use of the prescription drug, and the condition or purpose for which the prescription drug was prescribed if indicated on their prescription. Additionally, the font of the label is to be in 12-point sans serif typeface to allow for easy reading by all consumers.

While each of the items on the prescription drug label is currently required to comprise at least 50 percent, the existing law allows for additional items to be included in this part of the label. Additionally, the existing law requires a minimum font size of 10-point sans serif typeface, or if requested by the consumer, a 12-point sans serif typeface. As a result of both the items on the label and the typeface currently required in some capacity, all pharmacies should be currently able to meet the existing requirements in law. The board's proposal will make each item on the label and the 12-point sans serif typeface an independent requirement. As a result, there may be a one-time cost to implement these regulations but the board does not anticipate a statewide adverse economic impact directly affecting businesses. The board concludes that the economic impact, including the ability of California businesses to compete with businesses in other states will not be significant.

The board estimates this will impact the following types of businesses: pharmacies, nonresident pharmacies, and clinics. As of January 1, 2014, the board issued licenses to approximately 9,800 pharmacies, nonresident pharmacies, and clinics. Compliance with the proposed regulations will be conducted through routine inspections by the Board of Pharmacy.

Impact on Jobs/New Businesses: The Board of Pharmacy has determined that this regulatory proposal will not have a significant impact on the creation of new or elimination of existing jobs or businesses. The Board of Pharmacy has determined that this regulatory proposal will not have a significant impact on the creation of new business within California; the elimination of existing business within California; or the expansion of businesses currently doing business within the State of California.

Small Businesses: The board's proposal may affect small businesses; however, the board does not have nor does it maintain data to determine if any of its licensed pharmacies are "small businesses" as defined in Government Code Section 11342.610.

Cost Impact on Representative Private Person or Business: The board understands that the requirements for patient-centered labels for prescription drug containers are required for prescriptions filled in California and shipped into California. In the event a pharmacy is filling prescription drug containers in California or that are shipped into California and do not meet the current requirements for labeling, the cost impacts a business could incur in becoming compliant with the proposed action are reasonable.

RESULTS OF THE ECONOMIC
IMPACT ASSESSMENT

The proposed amendments to Section 1707.5 are intended to protect the people of California by ensuring consumers receiving prescription drug containers meet the requirements of the patient-centered labels.

The board does not have any information indicating that the proposed amendments will in and of themselves have any effect on the (1) creation or elimination of jobs within the State of California, (2) creation of new businesses or the elimination of existing businesses within the State of California, or (3) expansion of businesses currently doing business within the State of California.

The board does not have any information indicating the adoption of proposed amendments to Section 1707.5 would actually have a positive effect on the creation of jobs and new businesses within California and the expansion of businesses currently doing business in California. Consideration was made by the board as to whether the benefit to the consumers of California outweighs any negative effect on affected businesses. Additionally, the board does not anticipate the elimination of jobs or existing businesses as a result of the proposed amendments to section 1707.5. The board concludes that the economic impact, including the ability of California businesses to compete with businesses in other states will not be significant. This initial determination is based on the fact that the proposed changes will help protect the public health based on the proposed changes described in the Notice and are consistent with industry standards.

Creation or Elimination of Jobs within California: The Board of Pharmacy has determined that this regulatory proposal will not have a significant impact on the creation of new or elimination of existing jobs in the State of California. The assessment and conclusions are outlined in the Economic Impact Assessment of the Underlying Data for the Initial Statement of Reasons.

Creation of New Businesses within California: The Board of Pharmacy has determined that this regulatory proposal will not have a significant impact on the creation of new businesses in the State of California. The assessment and conclusions are outlined in the Economic Impact Assessment of the Underlying Data for the Initial Statement of Reasons.

Elimination of Existing Businesses within California: The Board of Pharmacy has determined that this regulatory proposal will not have a significant impact on the elimination of existing businesses in the State of California. The assessment and conclusions are outlined in the Economic Impact Assessment of the Underlying Data for the Initial Statement of Reasons.

Expansion of Businesses Currently Doing Business within the State: The Board of Pharmacy has determined that this regulatory proposal will not have a significant impact on the expansion of businesses currently doing business in the State of California. The assessment and conclusions are outlined in the Economic Impact Assessment of the Underlying Data for the Initial Statement of Reasons.

Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment: The board's proposal demonstrates the board's anticipated benefit to ensure the health and welfare of California residents, worker safety, and the state's environment to ensure California regulations reflect at minimum the labeling standards used in the profession. The patient-centered labeling requirements for prescription drug containers will be established and will provide uniformity for pharmacies and clinics.

Occupations/Businesses Impacted: The Board of Pharmacy has made an initial determination that this regulatory proposal will impact pharmacies and clinics. As of January 2014, the board had approximately 9,800 pharmacies and clinics with current licenses issued by the board.

Reporting Requirements: None.

Comparable Federal Regulations: None.

Benefits: Business and Professions Code section 4005 states that "the board may adopt rules and regulations. . . .pertaining to the practice of pharmacy. . . ." Further, Business and Professions Code 4001.1 states that the "protection of the public shall be the highest priority for the Board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount."

The board's proposal demonstrates the board's anticipated benefit to ensure California labeling regulations reflect at minimum the standards used in the profession.

CONSIDERATION OF ALTERNATIVES

The Board of Pharmacy has determined 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 statements or arguments in writing relevant to the above determinations at the address listed for the Contact Person.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board of Pharmacy has prepared an initial statement of the 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 of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board of Pharmacy at 1625 N. Market Blvd., N219, Sacramento, California 95834, or from the Board of Pharmacy's Web site <http://www.pharmacy.ca.gov>.

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 Board of Pharmacy's Web site (www.pharmacy.ca.gov).

CONTACT PERSON

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

Name: Debbie Damoth
 Address: 1625 N. Market Blvd., N219
 Sacramento, CA 95834
 Telephone No.: (916) 574-7935
 Fax No.: (916) 574-8618
 E-mail Address: Debbie.Damoth@dca.ca.gov

The backup contact person is:

Name: Carolyn Klein
 Address: 1625 N. Market Blvd., N219
 Sacramento, CA 95834
 Telephone No.: (916) 574-7913
 Fax No.: (916) 574-8618
 E-Mail Address: Carolyn.Klein@dca.ca.gov

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

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

**CALIFORNIA ENDANGERED SPECIES ACT
 CONSISTENCY DETERMINATION NO.
 2080-2014-004-03**

Project: Elm Tree Station Project
Location: Sonoma County
Applicant: Mangal Dhillon, Owner
Notifier: J. Geoff Monk, Principal Biologist,
 Monk & Associates

Background

Mangal Dhillon (Applicant) proposes to construct a fueling station, market, park, and picnic area. The Elm Tree Station Project (Project) includes subdividing a 0.98-acre lot at 874 North Wright Road in Santa Rosa into two parcels. Parcel one will be developed into a six-bay fuel station with four electric charging stations and village-style market with several store fronts to sell commodities to automobile, bicyclist, and pedestrian customers. Connections to the adjacent Joe Rodota bicycle/pedestrian path and a park with a small picnic area will be constructed on parcel two.

The Project activities described above are expected to incidentally take¹ California tiger salamander (*Ambystoma californiense*; hereafter CTS), a species designated as endangered pursuant to the federal Endangered Species Act (ESA) (16 U.S.C. § 1531 et seq.) and a threatened species pursuant to the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.). (See Cal. Code Regs., tit. 14, § 670.5, subd. (b)(3)(G).). In particular, CTS could be incidentally taken as a result of crushing and entombing from

¹ Pursuant to Fish and Game Code section 86, "'Take' means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." See also *Environmental Protection Center v. California Department of Forestry and Fire Protection* (2008) 44 CAL.4th 459, 507 (for purposes of incidental take permitting under Fish and Game Code section 2081, subdivision (b), "'take' . . . means to catch, capture or kill").

construction vehicle movement, and from catching and removing CTS within the 0.76 acres of upland habitat and 0.22 acres of wetland habitat located at 874 North Wright Road.

CTS individuals are documented as present approximately 800 feet from the Project site and there is suitable CTS habitat within and adjacent to the Project site. Because of the proximity of the nearest documented CTS, dispersal patterns of the CTS, and the presence of suitable CTS habitat within the Project site, the United States Fish and Wildlife Service (Service) determined that the CTS is reasonably certain to occur within the Project site and that Project activities are expected to result in the incidental take of CTS.

According to the Service, the Project will result in the permanent loss of 0.98 acres of upland and wetland CTS habitat.

Because the Project is expected to result in take of a species designated as endangered under the federal ESA, the United States Army Corps of Engineers (USACE) consulted with the Service as required by the ESA. On February 21, 2014, the Service issued a letter (Service Ref. No. 08ESMF00–2013–F–0091–2) (Append Letter) to the USACE appending the Project to the *Programmatic Biological Opinion for U.S. Army Corps of Engineers Permitted Project that May Affect California Tiger Salamander and Three Endangered Plant Species on the Santa Rosa Plain* (Service File No. 81420–2008–F–0261) (PBO). The Append Letter describes the Project, requires the Applicant to comply with terms of the incidental take statement (ITS) and the PBO, and incorporates additional measures.

On February 24, 2014, the Director of the Department of Fish and Wildlife (CDFW) received a notice from Geoff Monk, on behalf of the Applicant, requesting a determination pursuant to Fish and Game Code section 2080.1 that the Append Letter and its related ITS and the PBO are consistent with CESA for purposes of the Project and CTS. (Cal. Reg. Notice Register 2014, No. 10–Z, p. 426.)

Determination

CDFW has determined that the PBO and the Append Letter, including the ITS, are consistent with CESA as to the Project and the anticipated incidental take of CTS because the mitigation measures contained in the PBO and the Append Letter, including the ITS, meet the conditions set forth in Fish and Game Code section 2081, subdivisions (b) and (c), for authorizing incidental take of CESA-listed species. Specifically, CDFW finds that: (1) take of CTS will be incidental to an otherwise lawful activity; (2) the mitigation measures identi-

fied in the PBO and the Append Letter, including the ITS, will minimize and fully mitigate the impacts of the authorized take; (3) adequate funding is ensured to implement the required avoidance minimization and mitigation measures and to monitor compliance with, and effectiveness of those measures; and (4) the Project will not jeopardize the continued existence of the CTS. The mitigation measures in the PBO and the Append Letter, including the ITS include, but are not limited to, the following:

Avoidance, Minimization, and Measures

- Applicant will install exclusionary fencing prior to construction so that the CTS will not enter the Project site.
- Applicant will conduct grading and clearing between April 15 and October 15.
- A Service-approved biological monitor will conduct a training session for all workers prior to Project activities.
- Applicant will enclose all food and food-related trash items in sealed trash containers at the end of each day, and remove from the project site every three days.
- Applicant will maintain equipment so there will be no leaks of automotive fluid.

Monitoring and Reporting Measures

- The biological monitor will check all grounds, supplies, and equipment for the presence of the CTS each day prior to the commencement of construction. Any CTS found will be removed in accordance with the guidelines provided in Enclosure 4 of the PBO.
- The Append Letter requires the Applicant to submit to the Corps post-construction compliance reports within 60 calendar days of the date of the completion of the construction. The reports will discuss occurrences of incidental take of the species, documentation of the employee environmental education, explanation of known failure to meet measures, and dates of construction. Although not a condition of the Append Letter or PBO, CDFW also requests a copy of the post-construction compliance reports as well.
- Applicant shall allow access by Service and/or California Department of Fish and Wildlife personnel to the project site to inspect project effects to the CTS and its habitat if requested, before, during, or upon completion of groundbreaking and construction activities.

Financial Assurances

- The Notifier has provided CDFW with four bills of sale confirming the purchase of 1.96 acres of CTS credits at the Hale Mitigation Bank, Alton North Conservation Bank, Margaret West Conservation Bank, and Swift–Turner Conservation Bank as required by the PBO.

Pursuant to Fish and Game Code section 2080.1, take authorization under CESA is not required for the Project for incidental take of CTS, provided the Applicant implements the Project as described in the Append Letter, including adherence to all measures contained therein, and complies with the mitigation measures and other conditions described in the PBO and the Append Letter, including the ITS. If there are any substantive changes to the Project, including changes to the mitigation measures, or if the Service amends or replaces the PBO, Append Letter, and/or ITS, the Applicant shall be required to obtain a new consistency determination or a CESA incidental take permit for the Project from CDFW. (See generally Fish & G. Code, §§ 2080.1, 2081, subs. (b) and (c)). This determination is limited to consistency of the Programmatic BO as applied specifically to the Project, and does not cover other activities that might be appended to the Programmatic BO in the future. Separate determination(s) or take authorization(s) must be obtained for future activities that may result in take of CESA-listed species.

In making this determination, CDFW acknowledges that the Append Letter addresses Sonoma sunshine (*Blennosperma baken*), Burke's goldfields (*Lasthenia burkei*), and Sebastopol meadowfoam (*Limnanthes vinculans*) species designated as endangered under the ESA, and endangered under CESA. (See Cal. Code Regs., tit. 14, § 670.2, subd. (a)(4)(B), (a)(4)(L) and (a)(21)(D).) Habitat for these species is known to occur within the Project site. The Applicant recognized that take of Sonoma sunshine, Burke's goldfield, and Sebastopol meadowfoam is unlikely. The Applicant mitigated for the loss of the species habitat by purchasing 0.33 acres of these species habitat credits. The Applicant is aware that, for purposes of CESA, take of Sonoma sunshine, Burke's goldfields, and Sebastopol meadowfoam as defined by state law is prohibited, except as authorized by the Fish and Game Code. (See generally Fish & G. Code, §§ 86, 2080.) CDFW's determination that the Service PBO, Append Letter and ITS are consistent with CESA is limited to CTS.

Date: 3/26/14

By: /s/
Sandra Morey,
Deputy Director
Ecosystem Conservation Division
California Department of Fish and Wildlife

DEPARTMENT OF FISH AND WILDLIFE

PROPOSED RESEARCH ON FULLY PROTECTED SPECIES

Monitoring California Least Tern Nesting Colonies

The Department of Fish and Wildlife ("Department") received a proposal on January 28, 2014, from Alexis Frangis, on behalf of California State Parks, Channel Coast District, Ventura, California, requesting authorization to take California Least Terns (*Sternula antillarum brownii*; tern), for scientific research purposes, consistent with the protection and recovery of the species. The tern is a Fully Protected bird, and is also listed as Endangered under the California Endangered Species Act and Endangered under the federal Endangered Species Act.

California State Parks is planning to conduct new research on the tern at beaches in Ventura County, in accordance with methods approved by the Department and the U.S. Fish and Wildlife Service (under a current Recovery Permit).

The ongoing research activities include: a) monitor reproductive output of terns using passive survey techniques such as transects, point counts, and area searches, and active survey techniques including entering active tern nesting areas to visually survey and monitor nests and determine age class of individuals; and b) install symbolic fencing around active least tern nesting areas.

The following new research activity is proposed: a) use cameras in tern nesting areas to monitor reproductive output and predation. The cameras will be camouflaged using natural vegetation and driftwood and kept low to the ground and as far from active nests as possible while still providing footage of nest activity.

The Department intends to issue, under specified conditions, a Memorandum of Understanding (MOU) to authorize qualified professional wildlife researchers, with Ms. Frangis as the Principal Investigator, to carry out the proposed activities. The applicants are also required to have a valid federal recovery permit, and a scientific collecting permit (SCP) to take other terrestrial species in California.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected birds after a 30-day 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 3511 for take of Fully Protected birds, it would issue the authorization on or after May 12, 2014, for an initial and renewable term of three

years. Contact: Nancy Frost, Nancy.Frost@wildlife.ca.gov, Phone (858) 467-4208.

**DEPARTMENT OF FISH AND
WILDLIFE**

**PROPOSED RESEARCH ON FULLY
PROTECTED SPECIES**

Monitoring California Least Tern Nesting Colonies

The Department of Fish and Wildlife (“Department”) received a proposal on February 23, 2014, from Tom Ryan, on behalf of Ryan Ecological Consulting, Monrovia, California, requesting authorization to take California Least Terns (*Sternula antillarum brownii*; tern), for research purposes, consistent with the protection and recovery of the species. The tern is a Fully Protected bird, and is also listed as Endangered under the California Endangered Species Act and Endangered under the federal Endangered Species Act.

Mr. Ryan is planning to conduct new research on the tern at the Venice Beach, Seal Beach National Wildlife Refuge, Marine Corps Base Camp Pendleton, and Naval Base Coronado colonies, in accordance with the methods approved by the Department and the U.S. Fish and Wildlife Service (under a Recovery Permit that is in the process of being amended to include the new proposed methods described below).

The following new research activities are proposed: a) floating eggs and collecting up to 50 abandoned/non-viable eggs per year at each colony mentioned above; b) a portion of the abandoned/non-viable eggs collected at the Venice Beach colony will be used as part of a crow aversion study; c) using cameras in tern nesting areas to monitor adult nest attendance, food provisioning, reproductive output, and predation; d) attaching/removing geolocators from up to 50 more adult individuals at the colonies mentioned above and targeting adults that are already banded in order to collect information for age-structure and survivorship studies; and e) using audio playback with decoys, handling and transporting eggs and chicks, installing and removing sub-sampling fences, and capturing, radio tagging (all bands, auxiliary markers, radio transmitters, and attachment materials not to exceed 3% total body weight and radio tag will only be attached to the pin feathers), holding for no more than 20 minutes, and releasing up to 50 tern chicks at each of the following locations: Naval Base Coronado and Marine Corps Base Camp Pendleton.

The Department intends to issue, under specified conditions, a Memorandum of Understanding (MOU) to authorize qualified professional wildlife researchers, with Mr. Ryan as the Principal Investigator, to carry out the proposed activities. The applicants are also required to have a valid federal recovery permit and federal bird-

banding lab permit for the tern, and a scientific collecting permit (SCP) to take other terrestrial species in California.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected birds after a 30-day 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 3511 for take of Fully Protected birds, it would issue the authorization on or after May 12, 2014, for an initial and renewable term of three years. Contact: Nancy Frost, Nancy.Frost@wildlife.ca.gov, Phone (858) 467-4208.

**DEPARTMENT OF FISH AND
WILDLIFE**

**PROPOSED RESEARCH ON FULLY
PROTECTED SPECIES**

Research on the San Francisco Garter Snake

The Department of Fish and Wildlife (Department) received a proposal on February 11, 2014 from Jesse L. Reeb, on behalf of Insignia Environmental, California, requesting authorization to take the San Francisco garter snake (*Thamnophis sirtalis tetrataenia*) (“snake”), for scientific research purposes, consistent with conservation and recovery of the species. The snake is a Fully Protected reptile, and is also listed as Endangered under the California Endangered Species Act and Endangered under the federal Endangered Species Act.

Mr. Reeb is planning to conduct studies of the snake throughout its range in San Mateo and Santa Cruz Counties, in accordance with non-invasive methods approved by the Department and the U.S. Fish and Wildlife Service (Service). The proposed research activities include surveys and habitat assessments, capture of wild snakes by hand, hand-held snake stick, and drift fence/funnel trap arrays, taking of body measurements, and release at the site of capture. Marking or tissue sampling may be conducted on the snakes, when necessary. Snake carcasses will be salvaged, and the remains donated to a public scientific institution as designated by the Department.

Mr. Reeb and any others deemed qualified by the Department for this purpose would conduct the research activities described above, in order to provide population and distribution information, and assess efficacy of previous conservation measures. No adverse effects on individual snakes or snake populations are expected.

The Department intends to issue, under specified conditions, a Memorandum of Understanding (MOU) to authorize qualified professional wildlife researchers,

with Mr. Reeb as the Principal Investigator, to carry out the proposed activities. The applicants are also required to have a valid federal recovery permit for the snake, and a scientific collecting permit (SCP) to take other terrestrial species in California.

Pursuant to California Fish and Game Code (FGC) Section 5050(a)(1), the Department may authorize take of Fully Protected reptile species after a 30-day 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 12, 2014, for an initial and renewable term of three years. Contact: Laura Patterson, Laura.Patterson@wildlife.ca.gov, 916-341-6981.

DEPARTMENT OF FISH AND WILDLIFE

CESA CONCURRENCE REQUEST FOR
San Joaquin River Restoration Program Spring-Run
Chinook Salmon Collection,
Rearing and Release Project
(2080-2014-006-04)
Butte, Napa, Yolo, and Fresno Counties

The Department of Fish and Wildlife (Department) received a notice on March 26, 2014, stating that the U.S. Fish and Wildlife Service (Service) has received an enhancement of survival permit (Incidental Take Permit 17781) pursuant to 16 U.S.C. § 1539(a)(1)(A) of the Federal Endangered Species Act (ESA) from the National Oceanic and Atmospheric Administration (NOAA). The notice included two copies of the permit and NOAA's March 14, 2014 Biological Opinion issued pursuant to section 7 of the ESA.

NOAA issued Incidental Take Permit 17781 to the Service on March 21, 2014, under Section 1539(a)(1)(A) of Title 16 of the United States Code. The permit authorizes the Service to take spring-run Chinook salmon (*Oncorhynchus tshawytscha*) for scientific research and enhancement purposes to establish an experimental population of spring-run Chinook in the San Joaquin River. More specifically, under the San Joaquin River Restoration Program (SFRRP), the

permit authorizes USFWS to collect, transport, rear, handle, tag, and release individual spring-run Chinook salmon into the San Joaquin River to establish or maintain an experimental population in the San Joaquin River pursuant to subsection (j) of that section and the San Joaquin River Restoration Settlement Act (Part I of Subtitle A of Title X of Public Law 111-11). The proposed project will occur in Butte, Napa, Yolo and Fresno Counties, California.

These activities may adversely affect a species protected by the California Endangered Species Act (CESA). Pursuant to California Fish and Game Code section 2080.3, if the Department determines the 10(a)(1)(A) permit will further the conservation of the species, no further authorization or approval is necessary under CESA for the Service to take spring-run Chinook as identified in, and in accordance with, the enhancement of survival permit.

PROPOSITION 65

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

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

**NOTICE OF INTENT TO LIST: ETHYLENE GLYCOL
April 11, 2014**

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) intends to list the chemical ethylene glycol (EG) as known to the state to cause reproductive toxicity (developmental endpoint) under the Safe Drinking Water and Toxic Enforcement Act of 1986.¹ This action is being proposed under the authoritative bodies listing mechanism.²

¹ Commonly known as Proposition 65, the Safe Drinking Water and Toxic Enforcement Act of 1986 is codified in Health and Safety Code section 25249.5 *et seq.*

² See Health and Safety Code section 25249.8(b) and Title 27, Cal. Code of Regs., section 25306.

Chemical (CAS No.)	Endpoint	Reference	Chemical Use
Ethylene Glycol (CAS# 107-21-1)	Developmental Toxicity	National Toxicology Program — Center for the Evaluation of Risks to Human Reproduction (NTP-CERHR 2004)	Used as an intermediate in the synthesis of polyester compounds (e.g., polyethylene terephthalate and unsaturated polyester resins). It is also a constituent in antifreeze, deicing fluids, surface coatings, heat transfer fluids and industrial coolants, hydraulic fluids, surfactants, and emulsifiers.

Background on listing via the authoritative bodies mechanism: A chemical must be listed under the Proposition 65 regulations when two conditions are met:

- 1) An authoritative body formally identifies the chemical as causing reproductive toxicity (Section 25306(d)³).
- 2) The evidence considered by the authoritative body meets the sufficiency criteria contained in the regulations (Section 25306(g)).

However, the chemical is not listed if scientifically valid data which were not considered by the authoritative body clearly establish that the sufficiency of evidence criteria were not met (Section 25306(h)).

The National Toxicology Program (solely as to final reports of its Center for the Evaluation of Risks to Human Reproduction [NTP-CERHR]) is one of several institutions designated as authoritative for the identification of chemicals as causing reproductive toxicity (Section 25306(l)). OEHHA is the lead agency for Proposition 65 implementation. After an authoritative body has made a determination about a chemical, OEHHA evaluates whether listing under Proposition 65 is required using the criteria contained in the regulations.

OEHHA’s determination: *Ethylene glycol* meets the criteria for listing as known to the state to cause reproductive toxicity (developmental endpoint) under Proposition 65, based on findings of the NTP-CERHR (2004), as outlined below.

Formal identification and sufficiency of evidence for ethylene glycol:

In 2004, the NTP-CERHR published a report on ethylene glycol titled, “NTP-CERHR Monograph on the

Potential Human Reproductive and Developmental Effects of Ethylene Glycol” (NTP-CERHR, 2004). This report satisfies the formal identification and sufficiency of evidence criteria in the Proposition 65 regulations

OEHHA is relying on the NTP-CERHR’s discussion of data and conclusions in the report that EG causes reproductive toxicity. The conclusion in the NTP-CERHR Monograph identifies EG as causing developmental toxicity in laboratory animals, and satisfies the formal identification criteria in the Proposition 65 regulations.

With regard to developmental toxicity, NTP-CERHR concluded that there is clear evidence of adverse effects for reproductive toxicity (developmental endpoint) in laboratory animals at high oral doses:

“[The panel concluded that EG produces developmental toxicity in rodents after oral exposure to high doses. The critical developmental rodent studies showed that oral exposure of pregnant females to high doses of EG (≥ 500 mg/kg bw/day in mice and $\geq 1,000$ mg/kg bw/day in rats) caused increased fetal deaths, skeletal malformations and external malformations, as well as reduced body weights in offspring.” (NTP-CERHR, 2004: NTP Brief, page 2)

“There were sufficient data to conclude that oral gavage exposure to high doses of ethylene glycol (CD-1 mice, ≥ 500 mg/kg bw/day on gd 6-15; Sprague-Dawley rats, $\geq 1,000$ mg/kg bw/day on gd 6-15) causes developmental toxicity in mice and rats, including axial skeletal malformations, reduced body weights, external malformations, and increased post-implantation loss.” (NTP-CERHR, 2004: Summary and Conclusions of Reproductive and Developmental Hazards, page II-116)

The studies cited by NTP-CERHR in support of these conclusions were reviewed by OEHHA with regard to the sufficiency of evidence criteria in regulation (Section 25306(g)(2)). Information reviewed for each of the cited studies included parameters related to biological plausibility in humans, including adequacy of experimental design, pattern of dosing, route of administration, numbers of test animals, choice of species, choice of dosage levels, and maternal toxicity. On the basis of the studies, effects and species identified above, OEHHA concluded that the sufficiency-of-evidence criteria in the regulation were met.

Request for comments: OEHHA is requesting comments as to whether ethylene glycol meets the criteria set forth in the Proposition 65 regulations for authoritative bodies listings. In order to be considered, OEHHA must receive comments by 5:00 p.m. on **Monday, May**

³ All referenced sections are from Title 27 of the Cal. Code of Regulations.

12, 2014. We encourage you to submit comments in electronic form, rather than in paper form. Comments transmitted by e-mail should be addressed to P65Public.Comments@oehha.ca.gov with “NOIL — Ethylene Glycol” in the subject line. Comments submitted in paper form may be mailed, faxed, or delivered in person to the addresses below:

Mailing Address:

Ms. Cynthia Oshita
Office of Environmental Health Hazard Assessment
P.O. Box 4010, MS-19B
Sacramento, California 95812-4010
Fax: (916) 323-2265
Street Address: 1001 I Street
Sacramento, California 95814

Comments received during the public comment period will be posted on the OEHHA website after the close of the comment period.

If you have any questions, please contact Ms. Oshita at cynthia.oshita@oehha.ca.gov or at (916) 445-6900.

Reference

NTP-CERHR (2004). NTP-CERHR Monograph on the Potential Human Reproductive and Developmental Effects of Ethylene Glycol. Research Triangle Park, NC, National Toxicology Program, Center for the Evaluation of Risks to Human Reproduction: NIH Publication No. 04-4481. Available online at <http://ntp.niehs.nih.gov/?objectid=4980AA81-E919-4E85-60B789CA36E59FA5>.

**ACCEPTANCE OF PETITION
TO REVIEW ALLEGED
UNDERGROUND REGULATIONS**

(Pursuant to title 1, section 270, of the
California Code of Regulations)

**DEPARTMENT OF CORRECTIONS AND
REHABILITATION**

The Office of Administrative Law has accepted the following petition for consideration. Please send your comments to:

Elizabeth Heidig, Senior Counsel
Office of Administrative Law
300 Capitol Mall, Ste. 1250
Sacramento, CA 95814

A copy of your comment must also be sent to the petitioner and the agency contact person.

Petitioner:

Bryant Everidge, G-24948
Post Office Box 2199 (C5-119L)
Blythe, California 92226

Agency contact:

Timothy Lockwood, Chief of Regulations
Department of Corrections and Rehabilitation
Regulations and Policy Management Branch
Post Office Box 942883
Sacramento, California 94283-0001

Please note the following timelines:

Publication of Petition in Notice Register:

April 11, 2014

Deadline for Public Comment: May 12, 2014

Deadline for Agency Response: May 27, 2014

Deadline for Petitioner Rebuttal: No later than 15 days after receipt of the agency’s response

Deadline for OAL Decision: August 11, 2014

The attachments are not being printed for practical reasons or space considerations. However, if you would like to view the attachments please contact Margaret Molina at (916) 324-6044 or mmolina@oal.ca.gov.

**PETITION TO THE OFFICE OF
ADMINISTRATIVE LAW**

RE: Alleged Underground Regulation

FROM: Bryant Everidge (Petitioner)

DATE: January 13, 2014

Use of this form is entirely optional. It requests the information required by Title 1, California Code of Regulations, section 260, for a petition challenging an alleged underground regulation. Although you are not required to use this specific form, the mandatory information required by 1 CCR 260, including the supporting documentation, must be included somehow in your petition. If you create a separate petition, or if you use this form and need to add extra pages, be sure that each page is labeled clearly.

1. Identifying Information: CDCR# G24948

Your name: Bryant Everidge

Your address: P.O. Box 2199, C5-119L
Blythe, CA 92226

Your telephone number (if you have one): N/A

Your email (if you have one): N/A

2. State agency or department being challenged:
California—Department of Corrections & Rehabilitation

3. Provide a complete description of the purported underground regulation. Attach a written copy of it.

If the purported underground regulation is found in an agency manual, identify the specific provision of the manual alleged to comprise the underground regulation. Please be as precise as possible.

Memorandum RE: ARSON CRITERIA AND MINIMUM CUSTODY ELIGIBILITY (True & correct copy attached as Exhibit "A")

4. Provide a description of the agency actions you believe demonstrate that it has issued, used, enforced, or attempted to enforce, the purported underground regulation.

The memorandum has been used as authority to exclude otherwise eligible inmates from Camp and/or a Minimum Support Facility.

5. State the legal basis for believing that the guideline, criterion, bulletin, provision in a manual, instruction, order, standard of general application, or other rule or procedure is a regulation as defined in Section 11342.600 of the Government Code AND that no express statutory exemption to the requirements of the APA is applicable.

The legal basis for believing the memorandum is a regulation is Tidewater Marine Western Inc. v. Victoria Bradshaw, (1996) 14 Cal.4th 557. The memorandum applies generally and it implements, interprets, or makes specific the law enforced or administered by CDCR.

The exemptions delineated in Penal Code § 5058 are not applicable.

6. Provide information demonstrating that the petition raises an issue of considerable public importance requiring prompt resolution.

CDCR is using the July 30, 2004 memorandum as authority to determine inclusion or exclusion from camps and minimum support facilities, which has a direct effect on the expenditure of the public fisc.

7. (Optional) Please attach any additional relevant information that will assist OAL in evaluating your petition. The Third Level Appeal Decision in TLR Case No.: 1304916 reflects the reliance upon the ten-year old memorandum. (True & correct copy attached as Exhibit "B")

8. Certifications:

I certify that I have submitted a copy of this petition and all attachments to:

Name: Jeffrey Beard, Secretary of CDCR
Agency: California Department of Corrections & Rehabilitation
Address: 1515 St., Suite 502
 Sacramento, CA 95814
Telephone number:

I certify that all of the above information is true and correct to the best of my knowledge.

Date Jan. 13, 2014

/s/
 Signature of Petitioner

DEPARTMENT OF CORRECTIONS AND REHABILITATION

The Office of Administrative Law has accepted the following petition for consideration. Please send your comments to:

Elizabeth Heidig, Senior Counsel
 Office of Administrative Law
 300 Capitol Mall, Ste. 1250
 Sacramento, CA 95814

A copy of your comment must also be sent to the petitioner and the agency contact person.

Petitioner:

Robert Walters, E-01047
 CSP — Corcoran
 Post Office Box 3466
 Corcoran, California 93212

Agency contact:

Timothy Lockwood, Chief of Regulations
 Department of Corrections and Rehabilitation
 Regulations and Policy Management Branch
 Post Office Box 942883
 Sacramento, California 94283-0001

Please note the following timelines:

Publication of Petition in Notice Register: April 11, 2014
 Deadline for Public Comment: May 12, 2014
 Deadline for Agency Response: May 27, 2014
 Deadline for Petitioner Rebuttal: No later than 15 days after receipt of the agency's response
 Deadline for OAL Decision: August 11, 2014

The attachments are not being printed for practical reasons or space considerations. However, if you would like to view the attachments please contact Margaret Molina at (916) 324-6044 or mmolina@oal.ca.gov.

This petition challenged as an underground regulation a memorandum titled "Enhanced Program Facility Increased Personal Property" dated December 31, 2013, issued by the Division of Adult Institutions of the California Department of Corrections and Rehabilitation.

tion. For a complete copy of the petition, contact Margaret Molina at (916) 324-6044.

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# 2014-0319-03
BOARD OF EDUCATION
 Local Control Funding Formula Kindergarten-3 Grade Span Adjustment

This emergency rulemaking action implements a portion of the Local Control Funding Formula under Assembly Bill 97, Chapter 47 of 2013. The adopted regulations add provisions which define necessary terms and establish the methodology for calculating class size averages for purposes of school districts qualifying to receive a grade span adjustment for maintaining or making progress toward achieving an average class size enrollment of no more than 24 pupils in these grades.

Title 5
 California Code of Regulations
 ADOPT: 15498, 15498.1, 15498.2, 15498.3
 Filed 04/01/2014
 Effective 04/01/2014
 Agency Contact: Debra Thacker (916) 319-0642

File# 2014-0313-02
BOARD OF EQUALIZATION
 Relief From Liability

The Board of Equalization amended section 1705 of title 18 of the California Code of Regulations to extend the relief of liability for the payment of sales and use taxes, including penalties and interest, when the liability resulted from the failure to make a timely return in reliance upon written advice given by the Board of Equalization to a person with shared accounting and common ownership with the audited person.

Title 18
 California Code of Regulations
 AMEND: 1705

Filed 04/02/2014
 Effective 07/01/2014
 Agency Contact:
 Richard E. Bennion (916) 445-2130

File# 2014-0311-01
BOARD OF FORESTRY AND FIRE PROTECTION
 Section 100 correction to low end value of Class II Core Zone range.

This action without regulatory effect corrects the low end value of Class II Core Zone. (Previous OAL file number 2013-1120-01S)

Title 14
 California Code of Regulations
 AMEND: 916.9(g)(2)(A), 936.9(g)(2)(A),
 956.9(g)(2)(A)
 Filed 03/26/2014
 Agency Contact: George Gentry (916) 653-8031

File# 2014-0321-01
CALIFORNIA HEALTH BENEFIT EXCHANGE
 SHOP Eligibility and Enrollment Process

The California Health Benefit Exchange submitted this emergency readoption action to maintain the effectiveness of ten sections added to title 16 of the California Code of Regulations in OAL File No. 2013-0920-05E. The regulations adopted in that action established criteria and procedures for qualified employers and qualified employees to enroll in health coverage under the Small Business Health Options Program (SHOP), a program under both federal and state law that implements the federal Patient and Protection and Affordable Care Act.

Title 10
 California Code of Regulations
 ADOPT: 6520, 6522, 6524, 6526, 6528, 6530, 6532,
 6534, 6536, 6538
 Filed 04/01/2014
 Effective 04/01/2014
 Agency Contact: Brandon Ross (916) 228-8281

File# 2014-0321-02
CALIFORNIA HEALTH BENEFIT EXCHANGE
 Certified Plan-Based Enrollment Program

This action by the California Health Benefit Exchange is a re-adoption of emergency rulemaking action 2013-0920-03. The initial emergency rulemaking created a Certified Plan-Based Enrollment Program (Program), pursuant to which Qualified Health Plan (QHP) Issuers may conduct eligibility determinations, offer enrollment in QHPs, and appropriately handle applications for other insurance affordability programs, including Medi-Cal. This action also provides standards and requirements for QHP Issuers and their em-

ployees and contractors to qualify for participation in the Program.

Title 10
California Code of Regulations
ADOPT: 6700, 6702, 6704, 6706, 6708, 6710, 6712, 6714, 6716, 6718
Filed 04/01/2014
Effective 04/01/2014
Agency Contact:
Gabriela Ventura Gonzales (916) 228-8477

File# 2014-0321-04
CALIFORNIA HEALTH BENEFIT EXCHANGE
Eligibility and Enrollment Process for the Individual Exchange

HBEX submitted this emergency readopt action to maintain the regulations adopted in OAL File No. 2013-0920-02ER which established the Health Benefit Exchange's policies and procedures for eligibility determination and redetermination, enrollment in qualified health plans, and termination of coverage through the Exchange in the individual Market. The proposed regulations provide the public with standards and eligibility requirements to qualify for federal tax subsidies through the Exchange. Additionally these regulations provide the standards and requirements for the qualified health plan issuers regarding enrollment of qualified individuals in the qualified health plans and termination of coverage for qualified individuals through the Exchange.

Title 10
California Code of Regulations
ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620
Filed 04/01/2014
Effective 04/01/2014
Agency Contact: Bahara Hosseini (916) 228-8486

File# 2014-0321-03
CALIFORNIA HEALTH BENEFIT EXCHANGE
Certified Insurance Agents

Under the federal Patient and Protection and Affordable Care Act (PPACA), each state is required, by January 1, 2014, to establish an American Health Benefit Exchange that makes available qualified health plans to qualified individuals and small employers. Existing state law, the California Patient Protection and Affordable Care Act, established the California Health Benefit Exchange (Exchange) to implement the federal PPACA in California. This emergency rulemaking by the Ex-

change readopts, with some revisions, sections 6800, 6802, 6804, and 6806 in Title 10 of the California Code of Regulations, originally adopted emergency in OAL file no. 2013-0920-04E. The adopted sections establish the policies and procedures for accepting applications, selecting applicants, establishing roles and responsibilities, and compensation standards for Certified Insurance agents who assist consumers with enrollment into the programs administered by the Exchange. These sections incorporate by reference the CalHEERS Terms and Conditions (Rev. September 2013), Agent Agreement (Rev. March 2014), Brand Style Guide for Agents (Rev. September 2013), and STD.204 Payee Data Record (Rev. 06/2003).

Title 10
California Code of Regulations
ADOPT: 6800, 6802, 6804, 6806
Filed 04/01/2014
Effective 04/01/2014
Agency Contact: Daniel Eliav (916) 228-8492

File# 2014-0305-03
CALIFORNIA HORSE RACING BOARD
Application for License to Operate a Minisatellite Wagering Facility

This rulemaking action increases the term of a license to operate a mini-satellite horse racing wagering facility from two years to five years, consistent with amendment of Business and Professions Code section 19605.25(h) by Senate Bill 305(Chapter 334, Statutes of 2011).

Title 4
California Code of Regulations
AMEND: 2066
Filed 04/02/2014
Effective 07/01/2014
Agency Contact: Leeland Turner (916) 263-6026

File# 2014-0213-03
CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE
CTCAC Regulations Implementing the Federal and State LIHTC Laws

This File/Print action by the California Tax Credit Allocation Committee amends eleven regulations in Title 4 of the California Code of Regulations governing the federal and state Low Income Housing Tax Credit (LIHTC) programs. The LIHTC programs were/are authorized by the Federal Tax Reform Act of 1986 as amended. IRC section 42 provides for state administration of the Federal Program. Various state statutes establish the State Program and designate the CTCAC "... as the Housing Credit Agency to administer both the Federal and State Housing Tax Credit Programs in California."

The amendments were adopted by the Committee at its meeting on January 29, 2014. This action was adopted pursuant to the procedure in Health and Safety Code section 50199.17.

Title 4
 California Code of Regulations
 AMEND: 10302, 10305, 10315, 10317, 10320, 10322, 10325, 10326, 10327, 10328, 10337
 Filed 03/28/2014
 Effective 01/29/2014
 Agency Contact: Gina Ferguson (916) 651-7707

File# 2014-0214-01
 COMMISSION ON TEACHER CREDENTIALING
 Superintendent's Reporting Requirement of Holder's Change in Employment Status

This rulemaking action by the Commission on Teacher Credentialing (Commission) amends section 80303, in Title 5 of the California Code of Regulations. Specifically, these amendments are intended to clarify existing reporting requirements for superintendents of employing schools when an adverse action is taken against a person holding a credential issued by the Commission.

Title 5
 California Code of Regulations
 AMEND: 80303
 Filed 04/01/2014
 Effective 07/01/2014
 Agency Contact:
 Vanessa C. Whitnell (916) 322-4666

File# 2014-0320-04
 DEPARTMENT OF CORRECTIONS AND REHABILITATION
 Secure Alternative Treatment Model

This regulatory action establishes a pilot program pursuant to Penal Code section 5058.1 for the Secure Alternative Treatment Module. The purpose of this pilot program is to identify additional effective options to provide group and individual therapy to seriously mentally ill inmate-patients residing in segregated housing.

Title 15
 California Code of Regulations
 ADOPT: 3999.17
 Filed 03/28/2014
 Effective 03/28/2014
 Agency Contact: Sarah Pollock (916) 445-2308

File# 2014-0324-02
 FISH AND GAME COMMISSION
 Ocean Salmon Sportfishing-April 2014 & Possession
 The Fish and Game Commission amended section 27.80 of title 14 of the California Code of Regulations to adopt the open fishing days, bag limits, and minimum size for ocean sport salmon fishing in effect April 5, 2014 through April 30, 2014.

Title 14
 California Code of Regulations
 AMEND: 27.80
 Filed 04/01/2014
 Effective 04/04/2014
 Agency Contact: Sherrie Fonbuena (916) 654-9866

File# 2014-0221-01
 OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD
 Hand Protection

The Occupational Safety and Health Standards Board is amending one section and repealing another in Title 8 of the California Code of Regulations. The purpose of this rulemaking is to eliminate the terms "unusual" and "excessive" and replace them with language from the federal hand protection standard for general industry. The terms, "unusual" and "excessive" are not defined and OSHSB removed them to eliminate vague and ambiguous terms that would make it difficult for employers to know when hand protection is required.

Title 8
 California Code of Regulations
 AMEND: 1520, 3384
 Filed 04/01/2014
 Effective 07/01/2014
 Agency Contact: Marley Hart (916) 274-5721

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN October 30, 2013 TO
April 2, 2014**

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 1

11/21/13 ADOPT: 2002(c)(4), 2002(c)(5), 2002(c)(8)

Title 2

03/10/14 AMEND: 1900, 2002, 2003
 03/05/14 ADOPT: 630, 632.5, 632.11 AMEND: 631, 631.5, 632, 632.6, 632.7, 632.8, 632.9, 632.10 REPEAL: 632.5, 632.11
 02/10/14 AMEND: 58000
 01/27/14 AMEND: 56800
 01/21/14 AMEND: 1194
 01/13/14 AMEND: 55300
 12/23/13 ADOPT: 18950.2 AMEND: 18942, 18944, 18950, 18950.1, 18950.4 REPEAL: 18727.5, 18950.3
 12/23/13 AMEND: 18351
 12/02/13 ADOPT: 18417
 11/19/13 ADOPT: 21001.1, 21001.2, 21001.3 AMEND: 21000, 21001, 21002, 21003, 21004, 21005, 21006, 21007 (re-numbered to 21004.5), 21008, 21009 (re-numbered to 21005.5)
 11/04/13 AMEND: 1859.2, 1859.71, 1859.71.6, 1859.74.5, 1859.77.4, 1859.82, 1859.83
 10/30/13 AMEND: 1859.76

Title 3

03/19/14 AMEND: 3406(b)
 03/18/14 ADOPT: 6471 AMEND: 6000, 6400
 03/18/14 AMEND: 3423(b)
 03/10/14 AMEND: 3589(a)
 03/05/14 ADOPT: 1358.3
 02/26/14 AMEND: 3434(b)(c)(d)
 02/25/14 AMEND: 3417(b)
 02/25/14 AMEND: 3700(b)
 02/20/14 AMEND: 3423(b)
 02/20/14 AMEND: 3701, 3701.1, 3701.2, 3701.3, 3701.4, 3701.5, 3701.6, 3701.7, 3701.8
 02/12/14 AMEND: 3700(c)
 02/10/14 AMEND: 3435(b)
 02/05/14 AMEND: 3435(b)

01/27/14 AMEND: 3406(b)
 01/23/14 AMEND: 3591.11
 01/14/14 ADOPT: 1392.13
 01/09/14 AMEND: 1300, 1300.1, 1300.3, 1300.11, 1300.12, 1300.13, 1300.14, 1300.15 REPEAL: 1300.2, 1300.4
 12/16/13 AMEND: 3591.12(a) & (b)
 12/05/1 ADOPT: 1280, 1280.1, 1280.8, 1280.10 AMEND: 1280.73
 11/25/13 AMEND: 3435(b)
 11/13/13 AMEND: 3700(c)
 11/07/13 AMEND: 3591.20(a)
 11/07/13 AMEND: 6512, 6513
 11/06/13 ADOPT: 1180.3.3, 1180.3.4, 1180.3.5, 1180.3.6, 1180.3.7, 1180.3.8, 1180.3.9
 11/04/13 AMEND: 3591.6(a)

Title 4

04/02/14 AMEND: 2066
 03/28/14 AMEND: 10302, 10305, 10315, 10317, 10320, 10322, 10325, 10326, 10327, 10328, 10337
 03/24/14 ADOPT: 10170.1, 10170.2, 10170.3, 10170.4, 10170.5, 10170.6, 10170.7, 10170.8, 10170.9, 10170.10, 10170.11, 10170.12, 10170.13, 10170.14, 10170.15
 03/11/14 ADOPT: 1927.1
 03/10/14 ADOPT: 10080, 10081, 10082, 10083, 10084, 10085, 10086, 10087
 02/03/14 ADOPT: 10170.16, 10170.17, 10170.18, 10170.19, 10170.20, 10170.21, 10170.22, 10170.23, 10170.24
 01/21/14 ADOPT: 10170.1, 10170.2, 10170.3, 10170.4, 10170.5, 10170.6, 10170.7, 10170.8, 10170.9, 10170.10, 10170.11, 10170.12, 10170.13, 10170.14, 10170.15
 12/26/13 ADOPT: 8034(d)
 12/24/13 AMEND: 8070, 8072
 12/23/13 AMEND: 5000, 5170, 5190, 5205, 5212, 5230, 5250
 12/19/13 AMEND: 10325
 12/04/13 AMEND: 12200.20, 12220.20, 12480, 12482, 12500, 12505, 12508 REPEAL: 12488
 11/21/13 ADOPT: 7113, 7114, 7115, 7116, 7117, 7118, 7119, 7120, 7121, 7122, 7123, 7124, 7125, 7126, 7127, 7128, 7129
 11/21/13 AMEND: 1101, 1126, 1373.2, 1374, 1374.2, 1374.3, 1383.2 REPEAL: 1370, 1374.1
Title 5
 04/01/14 AMEND: 80303
 04/01/14 ADOPT: 15498, 15498.1, 15498.2, 15498.3

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02/28/14	ADOPT: 19843, 19844, 19848, 19849, 19855 AMEND: 19815, 19816, 19816.1, 19817.2, 19819, 19820, 19824, 19828.4, 19840, 19845.2, 19850, 19851, 19852, 19853 REPEAL: 19839	10133.53, 10133.55, 10133.57, 10133.58, 10133.60 REPEAL: 10133.51, 10133.52
02/13/14	ADOPT: 80033	
02/06/14	ADOPT: 15494, 15495, 15496, 15497	
02/05/14	ADOPT: 80691, 80692	
02/03/14	AMEND: 850, 851, 852, 853, 853.5, 855, 857, 858, 859, 861, 862, 862.5, 863, 864 REPEAL: 854, 864.5, 865, 866, 867, 867.5, 868	
01/23/14	AMEND: 22000	
12/04/13	AMEND: 15440, 15444, 15445, 15446, 15447, 15448, 15450, 15451, 15453, 15455, 15456, 15460, 15461, 15463, 15464, 15467, 15468, 15469, 15471, 15471.2, 15472, 15473, 15474, 15475, 15480, 15483, 15484, 15485, 15486, 15490, 15493	11/06/13 AMEND: 1529, 1532, 1532.1, Appendix B of 1532.1, 1532.2, 1535, 5150, 5189, 5190, 5191, 5192, Appendix A of 5192, 5194, Appendix A of 5194, Appendix B of 5194, Appendix C of 5194, Appendix D of 5194, Appendix E of 5194, Appendix F of 5194, Appendix G of 5194, 5198, Appendix B of 5198, 5200, 5201, 5202, Appendix A of 5202, 5206, 5207, 5208, Appendix J of 5208, 5209, 5210, 5211, 5212, Appendix B of 5212, 5213, 5214, 5217, Appendix A of 5217, 5218, 5220, 8358, Appendix K of 8358, 8359
		11/06/13 AMEND: 105
Title 7		
02/27/14	AMEND: 213	
Title 8		
04/01/14	AMEND: 1520, 3384	
02/12/14	ADOPT: 9785.5, 9792.6.1, 9792.9.1, 9792.10.1, 9792.10.2, 9792.10.3, 9792.10.4, 9792.10.5, 9792.10.6, 9792.10.7, 9792.10.8, 9792.10.9 AMEND: 9785, 9792.6, 9792.7, 9792.9, 9792.10, 9792.11, 9792.12, 9792.15	
02/12/14	ADOPT: 9792.5.4, 9792.5.5, 9792.5.6, 9792.5.7, 9792.5.8, 9792.5.9, 9792.5.10, 9792.5.11, 9792.5.12, 9792.5.13, 9792.5.14, 9792.5.15 AMEND: 9792.5.1, 9792.5.3, 9793, 9794, 9795	
02/12/14	AMEND: 9780, 9780.1, 9783, 9783.1, 9785	
02/05/14	AMEND: 10133.32, 10133.33, 10133.35, 10133.36	
01/21/14	AMEND: 334	
01/21/14	AMEND: 344, 344.1	
01/09/14	AMEND: 8495, 8496, 8497, 8500	
01/09/14	AMEND: 5155	
01/07/14	AMEND: 4297	
12/26/13	AMEND: 9789.12.2, 9789.12.3, 9789.12.4, 9789.12.8, 9789.19	
12/16/13	ADOPT: 10206, 10206.1, 10206.2, 10206.3, 10206.4, 10206.5, 10206.14, 10206.15, 10207, 10208, 10208.1 AMEND: 10205, 10205.12	
12/02/13	AMEND: 15600, 15605	
11/08/13	ADOPT: 10133.31, 10133.32, 10133.33, 10133.34, 10133.35, 10133.36 AMEND: 9813.1, 10116.9, 10117, 10118,	
		11/06/13 AMEND: 105
Title 9		
01/28/14	ADOPT: 7005.5 AMEND: 7005 REPEAL: 7144, 7145, 7146, 7147	
01/14/14	AMEND: 7214.1, 7220.7, 7227.2	
Title 9, 17		
11/05/13	ADOPT: 40000, 40010, 40020, 40030, 40040 (Title 17) REPEAL: 14200, 14210, 14220, 14230, 14240 (Title 9)	
Title 10		
04/01/14	ADOPT: 6700, 6702, 6704, 6706, 6708, 6710, 6712, 6714, 6716, 6718	
04/01/14	ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620	
04/01/14	ADOPT: 6800, 6802, 6804, 6806	
04/01/14	ADOPT: 6520, 6522, 6524, 6526, 6528, 6530, 6532, 6534, 6536, 6538	
03/25/14	ADOPT: 6456	
03/17/14	ADOPT: 6458	
03/10/14	ADOPT: 6424, 6440	
03/06/14	ADOPT: 6420, 6422	
02/25/14	ADOPT: 2218.30	
02/24/14	ADOPT: 2594, 2594.1, 2594.2, 2594.3, 2594.4, 2594.5, 2594.6, 2594.7	
02/20/14	ADOPT: 8000, 8010, 8020, 8030, 8040, 8050, 8060, 8070	
02/11/14	AMEND: 3500, 3523, 3525, 3527, 3528, 3529, 3530, 3541, 3542, 3543, 3561, 3563, 3565, 3568, 3569, 3570, 3571, 3575, 3576, 3577, 3581, 3582, 3601, 3602, 3603, 3621, 3661, 3662, 3663,	

3664, 3665, 3666, 3668, 3681, 3702, 3704, 3721, 3723, 3724, 3725, 3726, 3728, 3729, 3730, 3732, 3741, 3761

02/10/14 ADOPT: 6650, 6652, 6654, 6656, 6657, 6658, 6660, 6662, 6664, 6666, 6668, 6670

01/28/14 AMEND: 2318.6, 2353.1

01/28/14 AMEND: 2318.6, 2353.1, 2354

01/24/14 ADOPT: 217, 217.5, 217.10, 217.15, 217.20, 217.25, 217.30, 217.35, 217.40, 217.45 AMEND: 202, 216, 218, 219, 221 REPEAL: 217

01/07/14 ADOPT: 1430 AMEND: 260.210, 260.211, 260.211.1, 260.231, 1422, 1422.7, 1423, 1581, 1582, 1805.204, 1950.122.8

12/30/13 AMEND: 260.237

12/27/13 AMEND: 2699.100, 2699.200, 2699.201, 2699.205, 2699.207, 2699.209, 2699.210, 2699.400 REPEAL: 2699.202, 2699.208, 2699.211

12/24/13 ADOPT: 2598.3(b), 2598.3(c)

12/23/13 ADOPT: 6456

12/19/13 AMEND: 2698.200

12/19/13 AMEND: 2698.602

12/09/13 ADOPT: 2594, 2594.1, 2594.2, 2594.3, 2594.4, 2594.5, 2594.6, 2594.7

12/03/13 ADOPT: 6540, 6542, 6544, 6546, 6548, 6550, 6552

11/27/13 ADOPT: 1718.1

11/26/13 ADOPT: 2598.1, 2598.2, 2598.3, 2598.4, 2598.5, 2598.6

11/20/13 ADOPT: 2274.50, 2274.51, 2274.52, 2274.53, 2274.54, 2274.55, 2274.56, 2274.57, 2274.58, 2274.59, 2274.60

11/20/13 ADOPT: 2562.1, 2562.2, 2562.3, 2562.4

11/19/13 ADOPT: 10.190500, 10.190501

11/13/13 AMEND: 2699.200, 2699.207

11/13/13 AMEND: 2698.401

Title 11

02/27/14 AMEND: 20

02/19/14 AMEND: 999.10

01/14/14 AMEND: 1015(c)

12/26/13 ADOPT: 4200, 4210, 4220, 4230, 4240

12/18/13 AMEND: 4001, 4002

12/12/13 AMEND: 1001, 1005, 1006, 1007, 1008, 1055, 1070, 1071, 1950

12/12/13 AMEND: 44.3

12/12/13 ADOPT: 51.28

12/02/13 AMEND: 1954(f), 1955(g), 1960(f)

12/02/13 AMEND: 64.1

11/25/13 AMEND: 1005, 1007, 1008

Title 13

03/13/14 AMEND: 1239

02/24/14 AMEND: 1

02/24/14 AMEND: 553.70

12/30/13 AMEND: 423.00

12/16/13 AMEND: 2262.9, 2263, 2282

Title 14

04/01/14 AMEND: 27.80

03/26/14 AMEND: 916.9(g)(2)(A), 936.9(g)(2)(A), 956.9(g)(2)(A)

03/25/14 ADOPT: 5200, 5201, 5202, 5203, 5204, 5205, 5206, 5207, 5208, 5209, 5210, 5211, 5300, 5301, 5302, 5303, 5304, 5305, 5306, 5307

03/24/14 AMEND: 228(a)

03/18/14 AMEND: 601, 702(a)(1)

02/19/14 AMEND: 7.00, 7.50, 8.00

02/10/14 AMEND: 701

02/06/14 AMEND: 1665.6(b)

01/21/14 AMEND: 7.50

01/16/14 ADOPT: 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110, 3111, 3112, 3113, 3114, 3115, 3116, 3117

01/14/14 AMEND: 165, 165.5

01/13/14 ADOPT: 4000

01/13/14 ADOPT: 2830, 2831, 2831.1, 2831.2, 2831.3, 2831.4, 2831.5, 2832, 2833, 2834, 2835 AMEND: 2000, 2085, 2501

12/26/13 AMEND: 228(a)

12/30/13 ADOPT: 1761, 1780, 1781, 1782, 1783, 1783.1, 1783.2, 1783.3, 1783.4, 1788

12/23/13 AMEND: 5.79, 27.92

12/20/13 ADOPT: 2012 AMEND: 2010, 2015, 2030, 2040, 2045, 2405, 2505

12/19/13 AMEND: 705

12/19/13 AMEND: 790, 818.02, 825.03, 827.02

12/17/13 AMEND: 2530, 2535

12/09/13 AMEND: 820.01

11/27/13 AMEND: 895.1, 916.9, 936.9, 956.9

11/26/13 AMEND: 895.1

11/21/13 AMEND: 251.4

11/20/13 AMEND: 29.15

11/19/13 AMEND: 699.5

11/18/13 ADOPT: 665

11/14/13 AMEND: 4970.00, 4970.10.2, 4970.10.3, 4970.10.4, 4970.15.1, 4970.15.2

10/30/13 AMEND: 163, 164

10/30/13 ADOPT: 1667.1, 1667.2, 1667.3, 1667.4, 1667.5, 1667.6

Title 15

03/28/14 ADOPT: 3999.17

03/24/14 AMEND: 3044, 3190, 3282, 3335

03/18/14 AMEND: 3290, 3315

02/11/14 ADOPT: 3999.15

02/11/14 ADOPT: 3999.16

02/06/14 ADOPT: 3750, 3751, 3752, 3753, 3754, 3756, 3760, 3761, 3761.1, 3762, 3763, 3764, 3765, 3766 AMEND: 3000, 3075.2, 3768.2, 3768.3

01/23/14 AMEND: 3000, 3075

01/15/14 REPEAL: 3999.9

01/09/14 ADOPT: 1712.2, 1714.2, 1730.2, 1740.2 AMEND: 1700, 1706, 1712, 1712.1, 1714, 1714.1, 1730, 1730.1, 1731, 1747, 1747.1, 1747.5, 1748, 1748.5, 1749, 1749.1, 1750, 1750.1, 1751, 1752, 1753, 1754, 1756, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788, 1790, 1792

01/08/14 AMEND: 3044, 3190, 3315

01/08/14 AMEND: 3000, 3006, 3084.7, 3165, 3176, 3177, 3294.5, 3310, 3315, 3352, 3376, 3376.1, 3377.1, 3379, 3426, 3430, 3434

12/09/13 AMEND: 3000, 3190, 3213, 3334

12/02/13 ADOPT: 1329 AMEND: 1300, 1302, 1303, 1304, 1310, 1311, 1312, 1313, 1314, 1320, 1321, 1323, 1324, 1327, 1328, 1340, 1341, 1342, 1343, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1370, 1371, 1374, 1375, 1378, 1390, 1391, 1401, 1402, 1409, 1413, 1431, 1432, 1433, 1434, 1435, 1437, 1438, 1439, 1453, 1454, 1461, 1464, 1465, 1466, 1467, 1480, 1482, 1484, 1485, 1486, 1487, 1488, 1501, 1502, 1510 REPEAL: 1450

Title 16

02/24/14 ADOPT: 1762 AMEND: 1745, 1769

02/19/14 AMEND: 1021

01/17/14 AMEND: 475, 476, 3065

01/16/14 ADOPT: 1138

01/13/14 AMEND: 70

01/07/14 AMEND: 1524

01/07/14 ADOPT: 1018.01 AMEND: 1018

12/31/13 ADOPT: 4172

12/23/13 ADOPT: 4128 AMEND: 4122, 4130

12/18/13 ADOPT: 5.5, 18, 19, 20, 21, 22 AMEND: 21 (renumbered to 36.1), 26, 98

12/04/13 AMEND: 1065

11/21/13 AMEND: 121

11/18/13 AMEND: 411, 412, 3008, 3009

11/13/13 ADOPT: 15, 16, 16.1, 16.2

11/06/13 ADOPT: 420.1, 3021.1

11/06/13 ADOPT: 420.1, 3021.1

Title 17

03/12/14 ADOPT: 56068, 56069, 56070, 56071, 56072, 56073, 56074, 56620, 56621, 56622, 56623, 56624, 56625 AMEND: 56101

01/28/14 ADOPT: 54521, 54522, 54523, 54524, 54525, 54526, 54527, 54528, 54529, 54530, 54531, 54532, 54533, 54534, 54535 AMEND: 54500, 54505, 54520 REPEAL: 54521, 54522, 54523, 54524, 54525

01/27/14 AMEND: 100600, 100601, 100602, 100608

12/31/13 ADOPT: 95124 AMEND: 95101, 95102, 95103, 95104, 95105, 95110, 95111, 95112, 95113, 95114, 95115, 95116, 95117, 95118, 95119, 95120, 95121, 95122, 95123, 95129, 95130, 95131, 95132, 95133, 95150, 95151, 95152, 95153, 95154, 95155, 95156, 95157

12/17/13 AMEND: 1230, 2641.57

12/02/13 AMEND: 2505

11/21/13 ADOPT: 56068, 56069, 56070, 56071, 56072, 56073, 56074, 56620, 56621, 56622, 56623, 56624, 56625 AMEND: 56101

10/31/13 ADOPT: 6300.1, 6300.3, 6300.5, 6300.7, 6300.9, 6300.11, 6300.13, 6300.15, 6300.17, 6300.19, 6300.21, 6300.23, 6301.1, 6301.3, 6301.5, 6301.7, 6301.9, 6303.1, 6303.3

Title 18

04/02/14 AMEND: 1705

03/10/14 ADOPT: 18662-0, 19002 AMEND: 18662-1, 18662-2, 18662-3, 18662-4, 18662-5, 18662-6, 18662-8 REPEAL: 18662-7, 18662-11, 18662-12, 18662-13, 18662-14

03/04/14 AMEND: 1502

02/25/14 ADOPT: 5255, 5256, 5453, 5552 AMEND: 5200, 5212, 5215, 5215.4, 5215.6, 5216, 5217, 5218, 5219, 5220, 5222, 5224, 5225, 5230, 5233, 5235, 5237, 5240, 5241, 5242, 5247, 5250, 5262, 5264, 5266, 5267, 5270, 5311, 5322, 5323.6, 5323.8, 5324, 5325.6, 5332, 5332.6, 5333, 5333.4, 5333.6, 5334, 5334.4, 5334.6, 5335, 5336.5, 5345, 5421, 5435, 5444, 5450, 5451, 5452, 5460, 5463, 5510, 5511, 5512, 5522.8, 5523.6, 5551, 5561, 5562, 5563,

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	5570, 5573, 5574 REPEAL: 5450, 5512, 5563	01/09/14	ADOPT: 13.2, 21, 22, 23, 24, 25, 27, 29
02/20/14	ADOPT: 19266		AMEND: 13, 13.1, 13.2 (renumbered to 13.3), 20, 21 (renumbered to 26), 26 (renumbered to 28), 28 (renumbered to 30) REPEAL: 23, 24, 25, 27
01/08/14	AMEND: 25106.5-1		
12/24/13	AMEND: 263, 462.020, 462.060, 462.160, 462.180, 462.220, 462.240	12/03/13	AMEND: 597
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12/09/13	AMEND: 1642	11/08/13	AMEND: 3939.15
11/26/13	ADOPT: 2000, 2001	11/07/13	AMEND: 3938, 3939, 3939.4, 3939.12
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