



California Regulatory Notice Register

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PROPOSED ACTION ON REGULATIONS

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In the April 9, 2004 Notice Register, 2004, 15Z p. 454, there were inadvertent omissions of regulations filed with the Secretary of State for that week. We are reprinting the report to include all regulations filed for that period.

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**

Information contained in this document is published as received from agencies and is not edited by the Office of State Publishing.

**TITLE 2. FAIR POLITICAL
PRACTICES COMMISSION**

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

CONFLICT OF INTEREST CODES

AMENDMENT

MULTI-COUNTY: Redwoods Community College District

A written comment period has been established commencing on **April 30, 2004** and closing on **June 14, 2004**. Written comments should be directed to the Fair Political Practices Commission, Attention Teri Rindahl, 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 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 or 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 or 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 Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written

comments must be received no later than **May 31, 2004**. 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 Teri Rindahl, 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 respective agency. Requests for copies from the Commission should be made to Teri Rindahl, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**TITLE 2. STATE
ALLOCATION BOARD**

NOTICE OF PROPOSED REGULATORY ACTION

THE STATE ALLOCATION BOARD
PROPOSES TO AMEND REGULATION
SECTION 1859.81, TITLE 2,
CALIFORNIA CODE OF REGULATIONS,
RELATING TO LEROY F. GREENE
SCHOOL FACILITIES ACT OF 1998

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to amend the above-referenced regulation section contained in Title 2, California Code of Regulations (CCR). 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 Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the OPSC, at its own motion or at the instance of any interested person, may adopt the proposals substantially as set forth above without further notice.

AUTHORITY AND REFERENCE CITATIONS

The SAB is proposing to amend this regulation under the authority provided by Sections 17070.35 and 17075.15 of the Education Code. The proposal interprets and makes specific reference to Sections 17075.10 and 17075.15 of the Education Code.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

The Leroy F. Greene School Facilities Act of 1998 established, through Senate Bill 50, Chapter 407, Statutes of 1998, the School Facility Program (SFP). The SFP provides a per-pupil grant amount to qualifying school districts for purposes of constructing school facilities and modernizing existing school facilities. The SAB adopted regulations to implement the Leroy F. Greene School Facilities Act of 1998, which were approved by the Office of Administrative Law and filed with the Secretary of State on October 8, 1999. An amendment to an existing regulation is proposed to conform to the enactment of Senate Bill 303, Chapter 55, Statutes of 2003, and is as follows:

Existing Regulation Section 1859.81 permits school districts to qualify for financial hardship status in order to receive additional State funding for school facility projects. The existing criteria for financial hardship eligibility requires that the district's "current outstanding bonded indebtedness" at the time of its request

must be at least 60 percent of its total bonding capacity. The proposed amendment restricts the type of district indebtedness that may be counted toward the current outstanding indebtedness to reach this 60 percent threshold. Only such debt that has been issued "for the purpose of constructing school facilities" may be included in the current outstanding bonded indebtedness to meet the debt level for financial hardship status.

**IMPACT ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**

The Executive Officer of the SAB has determined that the proposed regulation does not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies or school districts to incur additional costs in order to comply with the proposed regulation.

ECONOMIC IMPACT

The Executive Officer of the SAB has assessed the potential for significant adverse economic impact on businesses or private persons that might result from the proposed regulatory action and the following determinations have been made relative to the required statutory categories:

- The SAB has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- There will be no impact on the creation or elimination of jobs within the state, the creation of new businesses or the elimination of existing businesses or the expansion of businesses in California.
- The SAB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- There will be no non-discretionary costs or savings to local agencies.
- There will be no costs to school districts except for the required district contribution toward each project as stipulated in statute.
- There will be no costs or savings in federal funding to the State.
- There are no costs or savings to any State agency.
- The SAB has made an initial determination that there will be no impact on housing costs.

EFFECT ON SMALL BUSINESSES

It has been determined that the adoption of the regulation section will not affect small businesses in the ways identified in subsections (a)(1)–(4) of Section 4, Title 1, CCR. This regulation only applies to school districts for purposes of funding school facility projects.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, e-mail or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, e-mail or fax, must be received at the OPSC no later than June 14, 2004 at 5:00 p.m. The express terms of the proposed regulation as well as the Initial Statement of Reasons is available to the public.

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

Robert Young, Regulation
Coordinator

Mailing Address: Office of Public School
Construction
1130 K Street, Suite 400
Sacramento, CA 95814

E-mail Address: robert.young@dgs.ca.gov

Fax No.: (916) 445-5526

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Regulatory Action may be directed to Robert Young at (916) 445-0083. If Mr. Young is unavailable, these questions may be directed to the backup contact person, Lisa Jones, at (916) 322-1043.

ADOPTION OF REGULATIONS

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

The modified regulation will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the public comment period, and all persons who requested notification from the agency of the availability of such

changes. Requests for copies of any modified regulation should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulation during the 15-day period.

SUBSTANTIAL CHANGES WILL REQUIRE A NEW NOTICE

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

RULEMAKING FILE

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

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

As data and other factual information, studies, reports or written comments are received, they will be added to the rulemaking file. The file is available for public inspection at the OPSC during normal working hours. Items 1 through 3 are also available on the OPSC Internet Web site at: <http://www.opsc.dgs.ca.gov> under "Regulations," then click on "Proposed Regulations."

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the SAB must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the SAB would be more effective in carrying out the purpose of which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

**TITLE 2. STATE
ALLOCATION BOARD**

NOTICE OF PROPOSED REGULATORY ACTION

THE STATE ALLOCATION BOARD
PROPOSES TO AMEND REGULATION
SECTION 1859.106, TITLE 2,
CALIFORNIA CODE OF REGULATIONS,
RELATING TO LEROY F. GREENE
SCHOOL FACILITIES ACT OF 1998

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to amend the above-referenced regulation section contained in Title 2, California Code of Regulations (CCR). 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 Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the OPSC, at its own motion or at the instance of any interested person, may adopt the proposal substantially as set forth above without further notice.

AUTHORITY AND REFERENCE CITATIONS

The SAB is proposing amendments to this regulation section under the authority provided by Section 17070.35 of the Education Code. The proposal interprets and makes specific reference to Sections 17070.35, 17070.50, 17072.13, 17072.14, 17072.18, 17072.35, 17074.25, 17076.10, 17077.40, 17078.52 and 17251 of the Education Code.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

The Leroy F. Greene School Facilities Act of 1998 established, through Senate Bill 50, Chapter 407, Statutes of 1998, the School Facility Program (SFP). The SFP provides a per-pupil grant amount to qualifying school districts for purposes of constructing school facilities and modernizing existing school facilities. The SAB adopted regulations to implement the Leroy F. Greene School Facilities Act of 1998, which were approved by the Office of Administrative Law and filed with the Secretary of State on October 8, 1999. An amendment to this regulation section is being proposed to conform to the enactment of Assembly Bill 1008, Chapter 570, Statutes of 2003.

Existing Regulation Section 1859.106 provides procedural requirements and allowable cost categories to accomplish a Program Accountability Expenditure Audit to assure the propriety of district expenditures and State apportionments to districts for new construc-

tion projects. The proposed amendments would ensure adjustments to the new construction additional grant for the district's eligible hazardous waste costs on new, leased, and existing sites; and permit such adjustments for districts that did not previously request the additional grant for eligible hazardous waste costs on their funding applications.

**IMPACT ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**

The Executive Officer of the SAB has determined that the proposed regulation does not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies or school districts to incur additional costs in order to comply with the proposed regulation.

ECONOMIC IMPACT

The Executive Officer of the SAB has assessed the potential for significant adverse economic impact on businesses or private persons that might result from the proposed regulatory action and the following determinations have been made relative to the required statutory categories:

- The SAB has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- There will be no impact on the creation or elimination of jobs within the state, the creation of new businesses or the elimination of existing businesses or the expansion of businesses in California.
- The SAB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- There will be no non-discretionary costs or savings to local agencies.
- There will be no costs to school districts except for the required district contribution toward each project as stipulated in statute.
- There will be no costs or savings in federal funding to the state.
- There are no costs or savings to any State agency.
- The SAB has made an initial determination that there will be no impact on housing costs.

EFFECT ON SMALL BUSINESSES

It has been determined that the adoption of the regulation section will not affect small businesses in the ways identified in subsections (a)(1)–(4) of Section 4, Title 1, CCR. This regulation only applies to school districts for purposes of funding school facility projects.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, e-mail or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, e-mail or fax, must be received at the OPSC no later than June 14, 2004 at 5:00 p.m. The express terms of the proposed regulation as well as the Initial Statement of Reasons is available to the public.

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

Robert Young, Regulation Coordinator

Mailing Address: Office of Public School Construction
1130 K Street, Suite 400
Sacramento, CA 95814

E-mail Address: robert.young@dgs.ca.gov

Fax No.: (916) 445-5526

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Regulatory Action may be directed to Robert Young at (916) 445-0083. If Mr. Young is unavailable, these questions may be directed to the backup contact person, Lisa Jones, at (916) 322-1043.

ADOPTION OF REGULATIONS

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

The modified regulation(s) will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the public comment period, and all persons who requested notification from the agency of the availability of such

changes. Requests for copies of any modified regulation should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulation during the 15-day period.

SUBSTANTIAL CHANGES WILL REQUIRE A NEW NOTICE

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

RULEMAKING FILE

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

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

As data and other factual information, studies, reports or written comments are received, they will be added to the rulemaking file. The file is available for public inspection at the OPSC during normal working hours. Items 1 through 3 are also available on the OPSC Internet Web site at: <http://www.opsc.dgs.ca.gov> under "Regulations," then click on "Proposed Regulations."

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the SAB must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the SAB would be more effective in carrying out the purpose of which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

TITLE 2. STATE ALLOCATION BOARD

NOTICE OF PROPOSED REGULATORY ACTION

THE STATE ALLOCATION BOARD
PROPOSES TO ADOPT REGULATION
SECTION 1859.90.1, AND AMEND AN
ASSOCIATED FORM, TITLE 2,
CALIFORNIA CODE OF REGULATIONS,
RELATING TO LEROY F. GREENE
SCHOOL FACILITIES ACT OF 1998

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to adopt the above-referenced regulation section, along with amending an associated form, contained in Title 2, California Code of Regulations (CCR). 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 Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the OPSC, at its own motion or at the instance of any interested person, may adopt the proposals substantially as set forth above without further notice.

AUTHORITY AND REFERENCE CITATIONS

The SAB is proposing to adopt this regulation section under the authority provided by Section 17070.35 of the Education Code. The proposal interprets and makes specific reference to Sections 17070.63 and 17072.35 of the Education Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

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

Proposed adoption of Regulation Section 1859.90.1 sets forth the permissible uses of State bond funds apportioned to school districts for purposes of: retiring local bonds used for a school project, and/or uses permitted by such local bond, or for any "high priority capital outlay" expenditure in the district as permitted in Education Code Section 17070.63(c). The proposed

regulation clarifies the oversight and accounting responsibilities between school districts and their County Offices of Education in accordance with Education Code Section 1240.

Existing Form SAB 50-05, *Fund Release Authorization*, is used by school districts to request release of State bond funds that have been apportioned by the State Allocation Board, upon the district's certification of compliance with specific legal and SFP requirements. The proposed amendments require a district to document that it has signed and dated contracts for a project, and has issued a notice to proceed on a given date. In addition, district representatives will now have to certify that the district will comply with the new Regulation Section 1859.90.1 setting forth the permissible uses of State bond funds.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

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

ECONOMIC IMPACT

The Executive Officer of the SAB has assessed the potential for significant adverse economic impact on businesses or private persons that might result from the proposed regulatory actions and the following determinations have been made relative to the required statutory categories:

- The SAB has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- There will be no impact in the creation or elimination of jobs within the state, the creation of new businesses or the elimination of existing businesses or the expansion of businesses in California.
- The SAB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed actions.
- There will be no non-discretionary costs or savings to local agencies.
- There will be no costs to school districts except for the required district contribution toward each project as stipulated in statute.
- There will be no costs or savings in federal funding to the state.

- There are no costs or savings to any State agency.
- The SAB has made an initial determination that there will be no impact on housing costs.

EFFECT ON SMALL BUSINESSES

It has been determined that the adoption of the regulation section will not affect small businesses in the ways identified in subsections (a)(1)–(4) of Section 4, Title 1, CCR. These regulations only apply to school districts for purposes of funding school facility projects.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, e-mail or fax, relevant to the proposed regulatory actions. Written comments submitted via U.S. mail, e-mail or fax, must be received at the OPSC no later than June 14, 2004 at 5:00 p.m. The express terms of the proposed regulations as well as the Initial Statement of Reasons are available to the public.

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

Robert Young, Regulation
Coordinator

Mailing Address: Office of Public School
Construction
1130 K Street, Suite 400
Sacramento, CA 95814

E-mail Address: robert.young@dgs.ca.gov

Fax No.: (916) 445-5526

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Regulatory Action may be directed to Robert Young at (916) 445-0083. If Mr. Young is unavailable, these questions may be directed to the backup contact person, Lisa Jones, at (916) 322-1043.

ADOPTION OF REGULATIONS

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

The modified regulation(s) will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the public comment period, and all persons who requested notification from the agency of the availability of such changes. Requests for copies of any modified regulation should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulations during the 15-day period.

SUBSTANTIAL CHANGES WILL REQUIRE A NEW NOTICE

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

RULEMAKING FILE

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

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

As data and other factual information, studies, reports or written comments are received, they will be added to the rulemaking file. The file is available for public inspection at the OPSC during normal working hours. Items 1 through 3 are also available on the OPSC Internet Web site at: <http://www.opsc.dgs.ca.gov> under "Regulations," then click on "Proposed Regulations."

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the SAB must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the SAB would be more effective in carrying out the purpose of which the actions are proposed or would be as effective and less burdensome to affected private persons than the proposed actions.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

TITLE 8. OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Pursuant to Government Code Section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2, 142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board of the State of California has set the time and place for a Public Meeting, Public Hearing, and Business Meeting:

PUBLIC MEETING: On **June 17, 2004**, at 10:00 a.m. in the Council Chambers, Second Floor of the Glendale City Hall, 613 E. Broadway, Glendale, California 91026-4308.

At the Public Meeting, the Board will make time available to receive comments or proposals from interested persons on any item concerning occupational safety and health.

PUBLIC HEARING: On **June 17, 2004**, following the Public Meeting in the Council Chambers, Second Floor of the Glendale City Hall, 613 E. Broadway, Glendale, California 91026-4308.

At the Public Hearing, the Board will consider the public testimony on the proposed changes noticed below to occupational safety and health standards in Title 8 of the California Code of Regulations.

BUSINESS MEETING: On **June 17, 2004**, following the Public Hearing in the Council Chambers, Second Floor of the Glendale City Hall, 613 E. Broadway, Glendale, California 91026-4308.

At the Business Meeting, the Board will conduct its monthly business.

The meeting facilities and restrooms are accessible to the physically disabled. Requests for accommodations for the disabled (assistive listening device, sign language interpreters, etc.) should be made to the Board office no later than 10 working days prior to the day of the meeting. If Paratransit services are needed, please contact the Paratransit office nearest you.

NOTICE OF PROPOSED CHANGES TO TITLE 8 OF THE CALIFORNIA CODE OF REGULATIONS BY THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Notice is hereby given pursuant to Government Code Section 11346.4 and Labor Code Sections 142.1, 142.4 and 144.5, that the Occupational Safety and Health Standards Board pursuant to the authority granted by Labor Code Section 142.3, and to

implement Labor Code Section 142.3, will consider the following proposed revisions to Title 8, General Industry Safety Orders of the California Code of Regulations, as indicated below, at its Public Hearing on June 17, 2004.

1. TITLE 8: GENERAL INDUSTRY SAFETY ORDERS
Chapter 4, Subchapter 7, Article 12
Section 3427
Tree Climbing and Access

A description of the proposed changes are as follows:

1. TITLE 8: GENERAL INDUSTRY SAFETY ORDERS
Chapter 4, Subchapter 7, Article 12
Section 3427
Tree Climbing and Access

INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW

The Division of Occupational Safety and Health (Division) initiated this rulemaking action to adopt amendments to GISO, Section 3427 that in part pertain to requirements and procedures for the safe climbing and access into trees for the purpose of tree maintenance or removal work. Because of immediate concerns for the health and safety of the public and tree care workers further explained below; the Division's rulemaking request was for an emergency adoption of amendments relating to safe access into trees.

The Administrative Procedures Act (APA), Article 5, Section 11346.1, permits the emergency adoption of regulations for good cause. The Occupational Safety and Health Standards Board (Board) has proceeded with the actions necessary for the emergency adoption of proposed amendments to Section 3427. However, APA, Article 5, Section 11346.1(e) provides that no regulation, or amendments adopted, as an emergency action shall remain in effect more than 120 days unless the agency has formally adopted the emergency regulation (through the regular or usual rulemaking process) in compliance with APA Sections 11346.2 to 11346.9. This rulemaking action is necessary to meet the provisions of APA Section 11346.1(e), and through the formal or non-emergency related rulemaking procedures, adopt amendments proposed for Section 3427.

In order to ensure a safe method is used to access trees when conventional methods of climbing or use of aerial devices is unsafe, both the Division and the Board believe it is necessary to permit use of cranes under certain circumstances for elevating employees to conduct tree removal operations. Provisions in the GISO, Article 98, Section 4995, prohibit employees

from riding on a crane hook for access to any work location. However, Section 4990 specifically states that the requirements contained in Article 98 do not take precedence over vertical standards “of a specific nature.” Section 3427 is a vertical industry standard for tree maintenance and removal work. The revisions proposed to Section 3427 in this rulemaking action would permit the limited use of cranes for the purpose of accessing trees, for the reasons stated below, provided the conditions prescribed in the proposed standard are met.

The epidemic bark beetle infestation and recent wild land fires that ravaged southern California counties have caused extensive damage to countless thousands of trees, necessitating their removal for purposes of public safety. These damaged trees are not stable. These trees and their branches and limbs are subject to falling, in some cases close to nearby residential and commercial areas, waterways or near high voltage power lines. The damaged condition of these trees presents an immediate hazard not only to the public in nearby areas, but to workers responsible for clearing and removing the trees. The removal of bark beetle and fire damaged trees is also essential before the full restoration of damaged telephone lines, cable and low and high voltage electrical lines can be achieved. Further, it is also necessary to remove these damaged trees as soon as possible to minimize the extent and amount of dry and dead wood that could serve as fuel in the upcoming fire season, as last year’s Southern California fires covered over half a million acres, destroyed approximately 2,300 structures, caused billions of dollars in damage, and resulted in 16 fatalities.

The location and extent of damage to individual trees presents clear danger for tree workers to attempt to access them by conventional methods such as by climbing or use of aerial devices. Bark beetle infestations and fire-damaged trees have been widespread throughout California’s forested lands and have resulted in large numbers of trees either dead or dying. Dead and dying trees not only raise the wild land fire risk, threatening homeowners by increasing fuel for a future fire, but make the trees hazardous to access for trimming or removal by conventional means such as climbing due to the fragile nature of the limbs and external bark of the tree.

Although the primary intent of this rulemaking action is to address the safe removal of bark beetle infested and fire-damaged trees, the scope of the standard would also apply to trees whose condition and/or location are unsafe via climbing or use of an aerial device due to other types of tree infestations, diseases, or the precarious location of the tree in relation to electrical lines and/or commercial or residential properties.

Consequently, amendments are proposed to Title 8, California Code of Regulations, GISO, Section 3427 that would permit a qualified tree worker to enter a tree suspended by the closed safety type hook of a crane when a tree cannot be safely accessed by conventional methods permitted in existing standards.

Federal OSHA’s general industry standards contained in 29 Code of Federal Regulations (CFR), Part 1910, and construction-related standards contained in the 29 CFR, Part 1926, do not address the lifting of personnel attached by a suspended rope to the hook of a crane for the purpose of access to trees. However, federal OSHA industry-specific standards for marine terminals contained in 29 CFR 1917.45(j)(1)(ii) provide in summary, that an employee could be hoisted from the hoisting apparatus of a crane or derrick in a boatswain’s¹ chair or other device rigged to prevent it from accidental disengagement from the hook or supporting member.

The practice of hoisting a tree worker is permitted in the national consensus standard, ANSI Z133.1-2000, entitled “Pruning, Repairing, Maintaining and Removing Trees, and Cutting Brush—Safety Requirements.” However, this work practice is not addressed in California’s standards in GISO, Article 12, “Tree Work, Maintenance and Removal.” Therefore, in order to permit this practice when it is unsafe to access trees using conventional methods (climbing or aerial device), the following amendments to Section 3427 are necessary.

Subsections 3427(a)(1) & (2)

Existing Section 3427 “Climbing and Access,” provides standards for safe working procedures for climbing and accessing trees, pruning and trimming, and tree removal activities. Subsection (a)(1) requires that prior to climbing the tree, the tree shall be visually inspected by a “qualified person” who shall determine and ensure a safe method of entry into the tree. An amendment is proposed that would require that “a qualified tree worker” does the inspection and determination of method for safe entry. The proposed amendment would have the effect of ensuring that a person who has the training, experience and demonstrated familiarity with the techniques and hazards specific to tree work performs the inspection.

The language from existing subsection 3427(a)(2) requires the location of all electrical conductors and equipment within the work area be identified in relation to the work being performed. It is proposed that this subsection be deleted and the requirement editorially moved to subsection (a)(1) for clarity purposes. The amendment would have the effect of

¹ “Boatswain’s chair” is a seat supported by slings attached to a suspended rope, designed to accommodate one employee in a sitting position.

ensuring that the location of all electrical conductors and equipment are identified during the inspection process when determining what the safest method and location of entry into the tree will be.

New Subsection 3427(a)(1)(A).

This proposed new subsection would require that when a tree cannot be safely accessed by climbing or the use of aerial devices, a qualified tree worker may be hoisted into position by using an approved tree worker's saddle suspended from the closed hook of a crane. In addition to the line/rope suspending the worker in a tree saddle, the standard would also require the tree worker's saddle to be secured to an independent safety line attached above the crane hook. The effect of this new subsection would limit the use of a crane to hoist a qualified tree worker only when access by climbing or aerial device is not safe. Further effects of this new subsection would ensure that while the qualified tree worker is suspended from the crane hook, appropriate equipment such as another line (independent of the line used to suspend the worker and tree saddle to the crane hook) is used so that the worker has fall protection while access and positioning from the crane into the tree is achieved.

New Subsection 3247(a)(1)(A)1.

This proposed new subsection would require all climbing equipment, lines, and rigging to have a minimum breaking strength of at least 5000 pounds. This amendment is consistent with the provisions for fall protection systems contained in Section 1670 of the Construction Safety Orders. The effect of this new subsection would ensure that all fall protection equipment meets established design and strength requirements.

New Subsection 3427(a)(1)(A)2.

The provisions of this new subsection would require that the crane boom and load line be moved in a slow, controlled, cautious manner with no sudden movements when the qualified tree worker is attached to the crane. The effect of this new subsection would mitigate potential hazards associated with swinging the worker that may result from sudden or unexpected movements of the crane.

New Subsection 3427(a)(1)(A)3.

GISO Section 5004, "Crane or Derrick Suspended Personnel Platforms," applies to the design, construction and maintenance of personnel platforms, and the hoisting of personnel platforms on load lines of cranes and derricks. A personnel platform must be equipped with a guardrail system and a number of other requirements not applicable or practicable for the design of an approved tree worker saddle. The provisions of Section 5004 then would not be

applicable when hoisting a worker suspended in an approved tree worker saddle. However, Section 5004 contains provisions that address similar safe crane operations when hoisting personnel. Therefore, the proposed new subsection references the provisions of Sections 5004(d)(2), (4), (5), (6), and 5004(e) and would have the effect of specifying safe crane operations for hoisting a qualified tree worker suspended in a tree worker saddle.

New Subsection 3427(a)(1)(A)4.

This proposed new subsection would specify that the qualified tree worker being hoisted shall be in continuous communication with the crane operator, or signals shall be relayed by a qualified signal person as provided in Section 5001. Maintaining effective communication with the crane operator is essential for immediate action necessary by the crane operator for the safety of the tree worker being hoisted by a crane. This new subsection would have the effect of ensuring prompt communication with the crane operator at all times.

New Subsection 3427(a)(1)(A)5.

New subsection 3427(a)(1)(A)5 would require that the crane operator remain at the controls when the qualified tree worker is attached to the crane. This proposed new subsection would have the effect of ensuring that the crane operator could take immediate action to address emergencies and take actions necessary for the safe positioning of the tree worker.

New Subsection 3427(a)(1)(A)6.

The proposed new subsection would require the qualified tree worker to be detached from the crane while the load is hoisted. Crane accidents are most likely to occur when the crane is lifting a load. Therefore, the proposed new subsection would have the effect of prohibiting the tree worker from being attached to the crane when the load is being hoisted.

New Subsection 3427(a)(1)(A)7.

This proposed new subsection would require the employer to ensure that the crane operator and qualified tree worker determine the weight of the load being lifted to prevent the crane from being overloaded. The proposed new subsection would have the effect of mitigating the possibility of overloading the crane as the weight of the tree portion or limb being removed and hoisted would need to be calculated and a determination made that the load is within the crane's lift capacity (load charts) provided by the crane manufacturer.

New Subsection 3427(a)(1)(A)8.

Under certain conditions, GISO Section 5004 permits the hoisting of personnel platforms on the load line of cranes. Section 5004(k)(5) requires that the

hoisting of employees be discontinued in dangerous weather conditions or other impending danger. Proposed new subsection 3427(a)(1)(A)8 adopts similar language and would have the effect of prohibiting work when inclement weather or other dangerous conditions present a hazard to employees.

Notes Nos. 1 and 2.

An informational note is proposed for this section advising that other crane requirements are contained in GISO Group 13, Cranes and Other Hoisting Equipment. A second informational note is proposed advising that Article 38 of the High Voltage Electrical Safety Orders addresses line clearance tree trimming operations. The effect of these notes is to remind the reader of other standards related to crane operations, and tree trimming operations in the vicinity of exposed energized conductors and equipment.

COST ESTIMATES OF PROPOSED ACTION

Costs or Savings to State Agencies

No costs or savings to state agencies will result as a consequence of the proposed action. Board staff is not aware of any state agencies with employees involved in the removal of unsafe trees because the condition of the trees have been compromised by conditions such as severe insect infestation and/or fire damage. Should any state agency be identified that would implement provisions of the proposed standard, the standard would have no fiscal effect for any agency because it does not mandate, but rather provides relief and permits an alternative method (use of a crane) to access trees when conventional methods are unsafe.

Impact on Housing Costs

The Board has made an initial determination that this proposal will not significantly affect housing costs.

Impact on Businesses

The Board has made an initial determination that this proposal will not result in a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. Also, see comments above under the heading "Specific Technology or Equipment."

Cost Impact on Private Persons or Businesses

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.

Costs or Savings in Federal Funding to the State

The proposal will not result in costs or savings in federal funding to the state.

Costs or Savings to Local Agencies or School Districts Required to be Reimbursed

No costs to local agencies or school districts are required to be reimbursed. See explanation under "Determination of Mandate."

Other Nondiscretionary Costs or Savings Imposed on Local Agencies

This proposal does not impose nondiscretionary costs or savings on local agencies.

DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed regulation does not impose a local mandate. Therefore, reimbursement by the State is not required pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed amendments will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, the regulation does not constitute a "new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California Constitution."

The California Supreme Court has established that a "program" within the meaning of Section 6 of Article XIII B of the California Constitution is one which carries out the governmental function of providing services to the public, or which, to implement a state policy, imposes unique requirements on local governments and does not apply generally to all residents and entities in the state. (*County of Los Angeles v. State of California* (1987) 43 Cal.3d 46.)

The proposed regulation does not require local agencies to carry out the governmental function of providing services to the public. Rather, the regulation requires local agencies to take certain steps to ensure the safety and health of their own employees only. Moreover, the proposed regulation does not in any way require local agencies to administer the California Occupational Safety and Health program. (See *City of Anaheim v. State of California* (1987) 189 Cal.App.3d 1478.)

The proposed regulation does not impose unique requirements on local governments. All state, local and private employers will be required to comply with the prescribed standards.

EFFECT ON SMALL BUSINESSES

The Board has determined that the proposed amendments may affect small businesses. However, no economic impact is anticipated.

ASSESSMENT

The adoption of the proposed amendments to the regulation will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

REASONABLE ALTERNATIVES CONSIDERED

Our Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

A copy of the proposed changes in STRIKEOUT/ UNDERLINE format is available upon request made to the Occupational Safety and Health Standard Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833, (916) 274-5721. Copies will also be available at the Public Hearing.

An INITIAL STATEMENT OF REASONS containing a statement of the purpose and factual basis for the proposed actions, identification of the technical documents relied upon, and a description of any identified alternatives has been prepared and is available upon request from the Standards Board's Office.

Notice is also given that any interested person may present statements or arguments orally or in writing at the hearing on the proposed changes under consideration. It is requested, but not required, that written comments be submitted so that they are received no later than June 11, 2004. The official record of the rulemaking proceedings will be closed at the conclusion of the public hearing and written comments received after 5:00 p.m. on June 17, 2004 will not be considered by the Board unless the Board announces an extension of time in which to submit written comments. Written comments should be mailed to the address provided below or submitted by fax at (916) 274-5743 or e-mailed at oshsb@hq.dir.ca.gov. The Occupational Safety and Health Standards Board may thereafter adopt the above proposal substantially as set forth without further notice.

The Occupational Safety and Health Standards Board's rulemaking file on the proposed actions including all the information upon which the proposals are based are open to public inspection Monday through Friday, from 8:30 a.m. to 4:30 p.m. at the Standards Board's Office, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833.

The full text of proposed changes, including any changes or modifications that may be made as a result of the public hearing, shall be available from the

Executive Officer 15 days prior to the date on which the Standards Board adopts the proposed changes.

Inquiries concerning either the proposed administrative action or the substance of the proposed changes may be directed to Keith Umemoto, Executive Officer, or Michael Manieri, Principal Safety Engineer, at (916) 274-5721.

You can access the Board's notice and other materials associated with this proposal on the Standards Board's homepage/website address which is <http://www.dir.ca.gov/oshsb>. Once the Final Statement of Reasons is prepared, it may be obtained by accessing the Board's website or by calling the telephone number listed above.

TITLE 11. DEPARTMENT OF JUSTICE

NOTICE OF PROPOSED ACTION

Notice is hereby given that the Department of Justice (DOJ) has approved regulations to implement Revenue and Taxation Code section 30165.1, which was added by A.B. 71 (Stats. 2003, ch. 890, sec. 7), effective January 1, 2004. Pursuant to express authority, provided in subdivision (o) of section 30165.1, DOJ has adopted these regulations on an emergency basis and hereby gives notice of its intent to adopt these regulations on a permanent basis.

OPPORTUNITY TO SUBMIT COMMENTS AND TO REQUEST A PUBLIC HEARING

DOJ will accept written comments, statements, arguments, or contentions relevant to this regulatory action until June 15, 2004. No public hearing will be held unless an interested person requests a hearing in writing on or before June 1, 2004. Requests for a public hearing should be addressed to

Nancy Wagner
Office of the Attorney General
Tobacco Litigation & Enforcement Section
1300 I Street
P.O. Box 944255
Sacramento, CA 94244-2550
e-mail: tobacco@doj.ca.gov

AUTHORITY AND REFERENCE

Authority to adopt these regulations is set forth in section 30165.1, subdivision (o). Additional authority for regulation section 999.20 is set forth in section 30165.1, subdivision (h). References for these regulations include subdivisions (a), (b), (c), (f), (g), (h) and (i). Specific authority and reference citations are included in parentheses after the text of each regulation.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

Revenue and Taxation Code section 30165.1 complements California's reserve fund statute (Health & Saf. Code, §§ 104555–104557) and provides additional enforcement tools to the state. The reserve fund statute requires every tobacco product manufacturer whose cigarettes or roll-your-own ("RYO") tobacco is sold in California either to become a party to the Tobacco Master Settlement Agreement (MSA) and comply with the terms of that agreement or to establish a qualified escrow account and make annual deposits based on the manufacturer's California sales, as provided by law.

Section 30165.1 requires the Attorney General to establish and maintain on his Internet website a directory of compliant tobacco product manufacturers and brand families which may be sold in California. Section 30165.1 prohibits the sale of cigarettes and RYO tobacco that are not listed in the directory. Any person who sells, distributes, acquires, holds, owns, possesses, transports, imports, or causes to be imported cigarettes or RYO tobacco that the person knows or should know are not included in the directory commits a misdemeanor, as well as a violation of California's Unfair Competition Law, and is subject to civil penalties. A tobacco product distributor that violates this law is also subject to license suspension and revocation.

The proposed regulations prescribe procedures to be followed by all tobacco product manufacturers that wish to sell cigarettes or RYO tobacco in California. Section 999.15 provides definitions of terms used in the regulations. Section 999.16 sets forth the certification process for inclusion on California's directory of compliant tobacco product manufacturers and their cigarettes or RYO tobacco. Section 999.17 lists the conditions under which a tobacco product manufacturer must provide supplemental certifications to the DOJ. Sections 999.18 and 999.19 state the requirements for records retention and production of documents by tobacco product manufacturers, distributors and wholesalers. Section 999.20 specifies the circumstances under which tobacco product manufacturers must certify and make escrow deposits more frequently than on an annual basis. Section 999.21 sets forth additional requirements on nonparticipating manufacturers that do not reside in California and that are not registered to do business in California. Section 999.22 clarifies certain duties of California distributors and the conditions for claiming certain protections provided under section 30165.1. Section 999.23 delineates the conditions a tobacco product manufacturer that has been removed from the directory must satisfy if it seeks to be relisted with its brand families.

**DISCLOSURES/DETERMINATIONS
REGARDING THE REGULATIONS**

- Cost or savings to State Agencies: None
- Cost to any local agency or school district where must be reimbursed in accordance with Government Code sections 17500 through 17630: None
- Mandate and cost to any local agency or school district: None
- Other non-discretionary cost or savings imposed upon local agencies: None
- Cost or savings in federal funding to the state: None
- Cost impacts on representative private persons or businesses: The DOJ is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action beyond those already imposed by the section 30165.1
- Significant statewide adverse economic impact: None. The DOJ has made an initial determination that the proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other States.
- Effect on small business: The DOJ has made an initial determination that compliance with the regulations will not impose significant costs beyond those that are already required by section 30165.1.
- Significant effect on housing costs: None

In accordance with Government Code section 11346.3, the following are required responses of state agencies proposing to adopt or amend any administrative regulations to assess whether and to what extent it will affect the following:

- The creation or elimination of jobs within the State of California: None
- The creation of new businesses or the elimination of existing businesses within the State of California: None
- The expansion of businesses currently doing business within the State of California: None

**INITIAL STATEMENT OF REASONS
AND INFORMATION**

The Attorney General's Office has prepared an initial statement of reasons for the proposed regulatory action and has available all the information upon which the proposal is based (rulemaking file).

**TEXT OF REGULATIONS AND
INITIAL STATEMENT OF REASONS**

Copies of the regulations and of the initial statement of reasons and all the information upon which the proposal is based (rulemaking file) may be

obtained upon request from the Tobacco Litigation & Enforcement Section, Office of the Attorney General, 1300 I Street, P.O. Box 944255, Sacramento, California 94244-2550, or by telephoning the contact person listed below. In addition, the above-cited materials may be accessed on DOJ's website at <http://ag.ca.gov/tobacco>.

CONTACT PERSON

Non-substantive inquiries concerning this action, such as requests for copies of the text of the proposed regulations, may be directed to Nancy Wagner at (916) 323-3724. The back-up contact person is Cassandra Pitts, (916) 323-3762. Inquiries regarding the substance of the proposed regulations may be directed to Senior Assistant Attorney General Dennis Eckhart at the above address or at (916) 323-3770 or Deputy Attorney General Michele DeCristoforo at the above address, (916) 323-3795.

PRESENTATION OF WRITTEN COMMENTS

Interested persons are invited to submit written comments on the adoption of the regulations. A public comment period is provided through June 15, 2004. Filing of written statements will be accepted at the Office of the Attorney General, Tobacco Litigation & Enforcement Section, Attention: Nancy Wagner, 1300 I Street, P.O. Box 944255, Sacramento, California 94244-2550, through close of business 5:00 p.m. on Tuesday, June 15, 2004. The Attorney General's Office will not consider written comments received after June 15, 2004, unless that deadline is extended to provide additional public participation or a public hearing has been requested.

PROPOSED REVISIONS, FINAL ADOPTION OF REGULATIONS

Following the public hearing, the DOJ may adopt, as final, the regulations described in this Notice and Informative Digest. Copies of the Regulations, as finally adopted, will be sent to all persons requesting copies. If, as a result of public comment, changes to regulations are deemed appropriate, copies of the proposed changes will be sent to all persons who previously requested copies, all persons who testified at the public hearing, if any, or submitted written comments during the comment period or at the public hearing, if any, and to those who have requested copies of information regarding the regulations for at least 15 days before the Department accepts the regulations as revised.

Thereafter, the DOJ will accept written comments, arguments, evidence and the like for a period of at least 15 days after the date upon which changes were made available. If adopted, the regulations will appear in the California Code of Regulations, Title 11, Division 1, Chapter 16, Sections 999.15-999.23.

The Attorney General's Office has made an initial determination that no reasonable alternative considered or that has otherwise been identified and brought to the attention of this office, would be more effective in carrying out the purpose for which this regulatory action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the contact person named in this notice.

TITLE 13. DEPARTMENT OF MOTOR VEHICLES

NOTICE IS HEREBY GIVEN

The Department of Motor Vehicles (the department) proposes to amend Sections 155.00, 155.02, 155.04, 155.08, and 155.10, repeal Section 155.06, and adopt Section 155.05 in Article 3, of Chapter 1, Division 1, Title 13 of the California Code of Regulations, total loss and nonrepairable vehicles.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than 5:00 p.m., fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested person or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 p.m. on *June 14 2004*, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulations.

AUTHORITY AND REFERENCE

The department proposes to modify these regulations under the authority granted by Section 1651 of the Vehicle Code and Section 10902 of the Revenue and Taxation Code to implement, interpret or make specific Vehicle Code Sections 431, 9868, 11515, 11515.2 and Revenue & Taxation Code Section 10902.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

The department proposes to amend Sections 155.00, 155.02, 155.04, 155.08 and 155.10, repeal Section 155.06 and adopt Section 155.05, in Article 3.0 of Title 13 of the California Code of Regulations. The proposed amended and adopted sections will specify the application requirements for salvage and non-repairable vehicle certificates, and the Vehicle License Fee refund process for eligible vehicles under Vehicle Code Section 11515.2.

FISCAL IMPACT STATEMENT

- Cost Or Savings To Any State Agency: None.
- Other Non-Discretionary Cost or Savings to Local Agencies: None.
- Costs or Savings in Federal Funding to the State: None.
- Cost Impact on Representative Private Persons or Businesses: The department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Effect on Housing Costs: None.

DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- The proposed regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. No studies or data were relied upon in support of this proposal.
- The adoption of this regulation will neither create nor eliminate jobs or businesses in the state of California, will not result in the elimination of existing businesses, and will neither reduce nor expand businesses currently doing business in the state of California.
- The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate which requires reimbursement pursuant to part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- The proposed regulatory action will not affect small businesses because the regulations only provide definition for the existing language used in the Vehicle Code.

**PUBLIC DISCUSSIONS OF
PROPOSED REGULATIONS**

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the

issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

ALTERNATIVES CONSIDERED

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries relevant to the proposed action and questions on the substance of the proposed regulations should be directed to the department representative, Bonnie DeWatney, Department of Motor Vehicles, P.O. Box 932382, Mail Station E-244, Sacramento, California 94232-3820; telephone number (916) 657-8954 or bdewatney@dmv.ca.gov. In the absence of the department representative, inquiries may be directed to the Regulations Coordinator, Deborah Baity, at (916) 657-5690 or e-mail dbaity@dmv.ca.gov. The fax number for the Regulations Branch is (916) 657-1204.

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

The department has prepared an initial statement of reasons for the proposed action, and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the express terms of the proposed action using underline or italics to indicate additions to, and strikethrough to indicate deletions from, the California Code of Regulations. The contact person identified in this notice shall also make available to the public upon request the final statement of reasons once it has been prepared and submitted to the Office of Administrative Law, and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (Initial Statement of Reasons and Express Terms) may be accessed at www.dmv.ca.gov, Other Services, Legal Affairs Division, Public Comments web page.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the full modified text with changes clearly indicated shall be made available to the public for at least 15 days prior to the date on which the department adopts the

resulting regulations. Request for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.

TITLE 14. FISH AND GAME COMMISSION

NOTICE OF PROPOSED CHANGES IN REGULATIONS

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Section 8591 of the Fish and Game Code and to implement, interpret or make specific sections 8590-8594, 9000, 9001 and 9015 of said Code, proposes to amend sections 180.1 and 180.3, Title 14, California Code of Regulations, relating to spot prawn conversion program.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

In February 2003, the Fish and Game Commission adopted a prohibition on the use of trawl gear for the commercial take of spot prawn, *Pandalus platyceros*, (OAL File #03-0314-03s) resulting in displacement and economic impact to approximately 45 commercial trawl vessels which had previously participated in the fishery annually. The Commission directed the Department to develop options for a conversion program that would add a limited number of additional permits to the existing spot prawn restricted access trap fishery. These permits would be available to owners of spot prawn trawl vessels who met minimum vessel-based landing requirements.

Current regulations establish the restricted access spot prawn trap fishery program with Tier 1 and Tier 2 permits, which became effective April 1, 2002. For the 2003–2004 fishing season, seventeen Tier 1 permits and five Tier 2 permits have been issued by the Department. Tier 3 trawl conversion permits are proposed for issuance that would regulate trap fishing activity subject to the same conditions that apply to the existing Tier 1 spot prawn trap vessel permits. The Department proposes that the Commission consider issuing between 1 and 17 Tier 3 permits, and further proposes that the Tier 1 and Tier 3 combined capacity goal be set at 17 permits; the same as the current 17-vessel capacity goal in place for only Tier 1 vessels.

When selecting the optimum number of conversion permits to issue, it will be critical for the Commission to balance the potential harm to the existing trap fishery participants who would face increased competition against the economic loss already suffered by

vessel owners now precluded from taking spot prawn utilizing trawl gear, many of whom relied on the fishery for nearly 100 percent of their income.

The goal of the conversion program is to provide continued access to the spot prawn resource for those fishermen who most relied on the spot prawn trawl fishery prior to its closure in 2003. The Department has developed a range of initial qualifying criteria that allows the Commission to select from traditional minimum landings levels or a point system, as described below.

The Department proposes the Commission consider limiting the trawl fishery catch history to a qualifying window of 1994–2001, although the Commission may select a window period that starts any time between 1990 and 2001, and ends any time between 1999 and 2002. This wide range of dates is provided by the Department based on comments received from interested or affected individuals or groups.

Tier 3 Initial Issuance Criteria Options

Since trawl landings of spot prawn are generally larger than those made by trap, a range of volumes that was much larger than those used in the qualifying criteria for Tier 1 trap permits is being proposed. The Commission may select qualifying criteria that would include a minimum catch level over many years in total (between 1,000 to 150,000 pounds), or a minimum annual catch level (1,000 to 20,000 pounds) in each year or in each of a number years, participation (between 1 and 100 landings) in each year or in each of a number years, or the number of landings (1–500) over one or more years or over a number of years.

Another qualifying option factors the purchase of the 2000–2001 spot prawn trawl observer permit into the qualifying criteria. This option, in combination with others, would recognize the voluntary participation of these vessel owners in the management of the fishery.

To demonstrate recent participation in the fishery, an option to have at least one spot prawn landing in either 2000 and/or 2001 is provided for use in conjunction with a window period that does not encompass those years

Prawn Point Option

In order to preserve diversity in the composition of the trap fishery participants and make the issuance of Tier 3 permits a more equitable process, the Department also created an option utilizing a prawn point system to determine qualification criteria for issuance of a Tier 3 permit. This point system could be used to qualify for initial permit issuance or to qualify vessels for a lottery that may be held for some or all of the converted permits available. As proposed, prawn points would be awarded to a vessel based on three factors:

- One hundred prawn points would be given for each calendar year the vessel made spot prawn landings with trawl gear during the qualifying period;
- One prawn point would be given for every 200-2000 pounds of spot prawn the vessel landed with trawl gear during the qualifying period; and
- One prawn point would be given for each landing of spot prawn a vessel made with trawl gear during the qualifying period.

The Commission may select from a range of 600–1600 prawn points to qualify for a permit and/or a lottery.

Lottery Option

Whether traditional landings criteria or the prawn point system is selected for initial permit issuance, the line that separates the qualifiers from the non-qualifiers is difficult to draw from a policy standpoint. If the Commission believes, for example, that 11 individuals are more or less equally deserving of a conversion permit, yet they wish to issue fewer than 11 permits, the Commission may elect to have a lottery for some or all of the permits. If the proposed lottery is adopted, the Department will notify vessel owners who meet the eligibility requirements.

Regardless of what initial issuance criteria are selected, some vessel owners who landed spot prawns in the past will not qualify for a permit. The Department is trying to accommodate those vessel owners who relied most heavily on the spot prawn trawl fishery in terms of factors described above, while at the same time attempting to avoid fishery overcapitalization and gear conflicts in available trapping grounds.

Transferability of Tier 3 Permits

A three-year waiting period from the initial issuance of Tier 1 permits is required before they can be transferred, with no minimum landing requirements to qualify for transfer. Tier 1 permits may be transferred beginning on April 1, 2005. To be consistent with Tier 1, a three-year waiting period is proposed for the transfer of Tier 3 permits, also with no minimum landings requirement, making them fully transferable on October 1, 2007.

Making Tier 3 permits transferable at the same time as the Tier 1 permits would result in inequity to Tier 1 holders who have had to wait for three years to sell their permits. Moreover, since very few Tier 1 permits are likely to come available on the market after April 1, 2005, their value is likely to be high. If Tier 3 permits were also transferable beginning in 2005, more permits would be on the market, the value of the permits would decrease, and they would most likely be sold to individuals interested in immediately participating in the fishery at high effort levels.

Fees and Filing Deadlines

The Department proposes that Tier 3 permits have a permit fee of (\$250.00–\$1000.00), late fees of \$50.00, and a \$200.00 transfer fee. Although Tier 1 and 2 permittees currently have a \$250.00 permit fee, the price is not commensurate with the value of the resource and the amount of Department time spent managing this small but valuable fishery. Application deadlines for initial issuance of Tier 3 permits, including deadlines for late fees, and for appealing denied permits, are proposed to be equivalent to the time increments required for Tier 1 permits. All other administrative aspects of the Tier permit structure are proposed to be the same as those of Tier 1 permits.

Vessel Owner on Board Permitted Vessel

Current regulations require the owner of the permitted spot prawn trap vessel to be on board when spot prawns are being taken, except that one additional operator may be designated during a license year. The Tier 1 trap permittees have proposed amendment to this regulation to allow a replacement operator only in the case of a medical/hardship case for both Tier 1 and 3 permittees. They believe that hired operators have no stake in the fishery and frequently create a disorderly fishery because they lack experience setting trap strings and have little regard for the trap gear already on the grounds. However, the trawl fishermen believe that there should be no restriction on replacement operators. The Commission may choose the option of allowing either one replacement operator or any number of replacement operators. In addition the Commission may choose the option of allowing for a replacement operator or operators only in the case of a medical or hardship reason.

Reorganization and Clarification of Existing Regulatory Language

Several non-substantive changes are proposed to the existing regulatory language of 180.1 and 180.3 for clarity, consistency and ease of enforcement.

Section 180.1 on Spot Prawn Fishing defines restrictions on traps used in the fishery. In subsection (a) the reference to the closed season in 2000 is proposed for removal since the effective dates have passed. Subsection (a)(1) specifies that traps may be set and baited beginning at 0600 hours on January 31. This is the last day of the closed season in southern California. Clarifying language was added to specify that the January 31 date applies only to waters south of a line drawn due west from Point Arguello, and traps used north of the Point Arguello line may be set and baited beginning at 0600 hours on July 31, the last day of the closed season in northern California.

Clarifying language is proposed to be added to (a)(2) to specify that traps must be out of the water

prior to the beginning of the closed season of May through July north of Point Arguello as is already required during the closed season of November through January south of Point Arguello. Subsection (c) (Trap Limits) would clarify and make specific the trap limits for each of the three permit tiers. The Tier 2 trap limit previously contained in Section 180.3 (b)(2)(C) is proposed to be moved to subsection 180.1(c)(2). Subsection (e), which dealt with an observer fee requirement for the specific period of July 14, 2000 to March 31, 2001, is proposed for removal since effective dates have expired.

Section 180.3 defines the conditions, qualifying criteria, and administrative details of a two-tiered restricted access spot prawn trap fishery. The Section is proposed to be modified so that existing regulations governing the Tier 1 fishery also apply to the Tier 3 fishery. This requires reorganization of existing regulatory text defining permit conditions, initial issuance criteria and transferability provisions, resulting in the addition of new subsection headings throughout for clarity. Subsection (b) will be retitled and a classification for Tier 3 or conversion permits will be added. Subsection (c) becomes specific to the initial issuance criteria for each type of permit. Subsection (d) now addresses a capacity goal of 17 permits for Tiers 1 and 3 combined.

Existing provisions for mechanisms dealing with overcapacity and under capacity situations are proposed for elimination since they only involved the upgrade of a Tier 2 permit, or the 2 for 1 sales of a Tier 1 permit. Given the number of permits issued for the 2004–2005 fishing season, and with the future addition of Tier 3 permits, neither mechanism for transferability is possible given the future capacity of the fishery following implementation of the conversion program.

Proposed subsection (e) now specifies the initial issuance application deadlines for all three types of permits. The proposed application for Tier 3 permits is incorporated by number and reference. Subsection (g) addresses permit renewal for all three types of permits and again incorporates the applications by number and reference. Other non-substantive changes were made in the subsection for clarification.

In subsection (l) the change of ownership of a spot prawn trap vessel permit was addressed for Tier 3 with the same requirements as for Tier 1, although different dates shall apply if adopted. Regarding change of ownership of a spot prawn trap vessel permit; existing regulatory language was clarified so that in the event of death of a transferable permit holder, the permit may be transferred to the decedent's estate, rather than only to an heir. Proposed regulations would still require that the application for transfer be received by the Department within one year of the decedent's

death. In subsection (m) appeal provisions for initial issuance of Tier 3 are outlined and parallel Tier 1 only with different deadlines. In subsection (n) dealing with fees, Tier 3 was added with fees identical to those of Tier 1 with the exception of the permit fee where a range is provided.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Bahia Resort Hotel, 998 W. Mission Bay Drive, San Diego, California, on Tuesday, May 4, 2004 at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Elk Valley Rancheria, 2500 Howland Hill Road, Crescent City, California, on Friday, June 25, 2004, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before June 18, 2004 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@dfg.ca.gov, but must be received no later than June 25, 2004 at the hearing in Crescent City, CA. All written comments must include the true name and mailing address of the commentor.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Robert R. Treanor, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Robert R. Treanor or Sherrie Koell at the preceding address or phone number. **Kristine Barsky, Senior Marine Biologist, Department of Fish and Game, phone (805) 985-3114, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at http://www.dfg.ca.gov/fg_comm/.

AVAILABILITY OF MODIFIED TEXT

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

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

IMPACT OF REGULATORY ACTION

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

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

The proposed action would allow a limited number of trawl vessels to convert to trap gear. Future trap fishing opportunities would be offered to vessel owners who qualify for issuance of a Tier 3 permit, and therefore would provide a future economic benefit for both these vessels and the fish buyers they would supply. Alternatively, depending on the number of new trap vessels allowed in the fishery, the current Tier 1 trap fishery potentially may suffer negative economic consequences as the result of increased competition on the fishing grounds and in the marketplace.

Conversion of trawl vessels to trap vessels could have a negative effect on the existing trap fishery participants, who are also considered individual businesses. If historic trawling grounds do not become productive new trapping grounds, and there is gear congestion within the historic trapping areas due to the addition of Tier 3 trap vessel permittees, current trap permittees could experience some unquantifiable loss of income. Current Tier 1 trap permits, which may be sold beginning April 1, 2005, may also lose some market value as the total number of trap permits increases.

Every spot prawn buyer is considered a business. Any transfer of market share, or competition, between the existing trap fishermen and newly converted fishermen would not result in a loss of business or the ability of California businesses to compete with businesses in other states. In fact, the buyers would likely benefit if more spot prawns were harvested and available for purchase.

Local economies and port communities to the north of Monterey County may benefit from spot prawn fishing activities by newly converted trawl fishermen utilizing traps in what were historically trawl grounds for prawns should trap fishermen successfully attempt to utilize these currently

unfished areas. Trap fishermen typically land nearly all their spot prawn (99 percent by value) in coastal ports south of Santa Cruz County. Department landings data from the years 2001 and 2002 indicate that less than 1 percent (by value) of trap caught spot prawn are landed either in Santa Cruz County or to the north. Conversely, spot prawn trawl fishermen, in the years 2001 and 2002, landed over 32 percent (by value) of their prawns in ports located in Santa Cruz County and to the north. In the years 2001 and 2002, the prawn trawl landings in the coastal counties of Santa Cruz north to the Oregon border represented as much as \$864,000 in total aggregate economic output demand. Of this total aggregate output demand, approximately 32 percent is spent locally for fuel, repairs, ice, bait, and various consumables in the port communities.

The Commission has made an initial determination that the amendment of these regulations may have a significant, statewide adverse economic impact directly affecting businesses. The Commission has considered proposed alternatives that would lessen any adverse economic impact on business and invites you to submit alternative proposals. Submissions may include the following considerations:

- (i) the establishment of differing compliance or reporting requirements or timetables which take into account the resources available to businesses;
 - (ii) consolidation or simplification of compliance and reporting requirements for businesses;
 - (iii) the use of performance standards rather than prescriptive standards; or
 - (iv) exemption or partial exemption from the regulatory requirements for business.
- (b) Impact on the Creation or Elimination of Jobs within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. However, depending on which options are ultimately chosen, there may be incremental fees levied on fishermen converting to prawn trap fishing. Tier 3 permit fees may take the form of trap permit fees (\$250–1000) and in some cases permit transfer fees (\$200). New Tier 3 permittees will have to invest in traps and associated rigging, which could run \$35 to \$75 per

trap, with no guarantee that converting to a new gear type will be profitable or produce an income equivalent to what they realized in past years using trawl gear.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Other Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

It has been determined that the adoption of these regulations may affect small business.

CONSIDERATION OF ALTERNATIVES

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

TITLE 14. OFFICE OF SPILL PREVENTION AND RESPONSE

NOTICE OF PROPOSED RULEMAKING

Notice is hereby given that the Office of Spill Prevention and Response (OSPR) within the Department of Fish and Game, proposes to amend Sections 851.23 in Subdivision 4, Chapter 4, Subchapter 2 of Title 14 of the California Code of Regulations (CCR). These sections pertain to guidelines for Tank Vessel Escorts for Los Angeles/Long Beach Harbors.

PUBLIC HEARING

A public hearing has been scheduled at which any interested party may present statements, orally or in writing, about this proposed regulatory action. The hearing will continue until all testimony is completed, and will be held as follows:

June 15, 2004
Port of Long Beach
Administration Building
925 Harbor Plaza
Long Beach, CA
Sixth Floor Board Room
10:00 a.m.

Pre-hearing registration will be conducted just prior to the hearing. Those registered will be heard in the order of their registration. Anyone else wishing to speak at the hearing will be afforded such opportunity after those registered have been heard. The time allowed for each person to present oral testimony may be limited if a substantial number of people wish to speak.

Individuals presenting oral testimony are requested, but not required, to submit a written copy of their statements. The hearing will be adjourned following the completion of the oral testimony.

SUBMISSION OF WRITTEN COMMENTS

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to OSPR. All written comments must be received by OSPR at this office no later than 5:00 p.m. on June 15, 2004, in order to be considered. Written comments may be submitted by mail, fax, or e-mail, as follows:

Department of Fish and Game
Office of Spill Prevention and Response
P.O. Box 944209
Sacramento, California 94244-2090
Attention: Joy D. Lavin-Jones
Fax: (916) 324-5662
E-mail: jlavinj@ospr.dfg.ca.gov

PERMANENT ADOPTION OF REGULATIONS

OSPR may thereafter adopt the proposal substantially as described in this Notice, 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 proposals—with changes clearly indicated—will be available for 15 days prior to its adoption from the person designated in this Notice as contact person. The text 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

Government Code Section 8670.23.1 grants the Administrator the authority to adopt regulations and guidelines for harbor safety plans in consultation with the port authorities of the harbors and other affected parties. These regulations implement, interpret and make specific Government Code Section 8670.23.1. Government Code Section 8670.23.1(d) requires that the Administrator shall give his highest priority to the development of regulations and guidelines concerning tug escorts.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act (Act), enacted in 1990 by Senate Bill 2040, created a comprehensive state oil spill program for marine waters. Among its many provisions, the Act authorized the Administrator to create harbor safety committees for the following five harbors: San Diego; Los Angeles/Long Beach; Port Huenumbe; San Francisco, San Pablo and Suisun Bays; and Humboldt Bay. Each committee is required to develop harbor safety plans for the safe navigation and operation of tankers, barges and other vessels within the harbors. Government Code Section 8670.23 also directed the Administrator to adopt regulations and guidelines for the development of tug escort requirements for specified harbors.

There are existing regulations specifying the tug escort requirements for Los Angeles/Long Beach harbors. The proposed regulatory amendments would add work hours, manning and training requirements for tug escort crews performing the required escort and assist operations.

SMALL BUSINESS IMPACT STATEMENT

OSPR has determined that the proposed regulations may affect small businesses.

COMPLIANCE WITH GOVERNMENT CODE
SECTIONS 8574.10 AND 8670.54

In accordance with Government Code Section 8574.10, these regulations have been submitted to the Review Subcommittee of the State Interagency Oil Spill Committee for review and comment; and in accordance with Government Code Section 8670.54, these regulations have been submitted to the Oil Spill Technical Advisory Committee for review and comment.

DISCLOSURES REGARDING THE
PROPOSED ACTION

Mandate on local agencies and school districts: NONE.

Costs or savings to any state agency: NONE.

Costs or savings to local agencies or school districts which must be reimbursed in accordance with Part 7 (commencing with Section 17500) of Division 4 of the Government Code: NONE.

Other non-discretionary costs or savings imposed upon local agencies: NONE.

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

Cost impacts on representative private persons or businesses:

These amendments codify current practices and will not result in significant additional costs to private persons or directly affected businesses. OSPR is not

aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant effect on housing costs: NONE.

BUSINESS IMPACTS

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

ASSESSMENT OF JOB/BUSINESS
CREATION OR ELIMINATION

The OSPR has determined that this regulatory proposal will not have a significant impact on the creation or elimination of jobs in the State of California, and will not result in the elimination of existing businesses nor create or expand businesses in the State of California.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), OSPR must determine that no reasonable alternative that has been considered or that has otherwise been identified and brought to the attention of OSPR would be more effective in carrying out the purpose for which this action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF DOCUMENTS
AND OSPR CONTACT PERSON

OSPR has prepared a Initial Statement of Reasons for the proposed regulatory action and has available all the information upon which the proposal is based. Copies of the exact language of the proposed regulations, Initial Statement of Reasons, forms, the rulemaking file, the Final Statement of Reasons (when available) and other information, if any, may be obtained upon request from the:

Department of Fish and Game
Office of Spill Prevention and Response
P.O. Box 944209
Sacramento, California 94244-2090

In addition, the Notice, the exact language of the proposed regulations, and the Initial Statement of Reasons may be found on the World Wide Web at the following address:

**[www.dfg.ca.gov/ospr/organizational/legal/
regulations/regulations.htm](http://www.dfg.ca.gov/ospr/organizational/legal/regulations/regulations.htm)**

Questions regarding the proposed regulations, requests for documents, or any questions concerning the

substance this regulatory action may be directed to Joy Lavin-Jones ((916) 327-0910), or James Rolin ((562) 598-4291).

**TITLE 14. SAN FRANCISCO BAY
CONSERVATION AND
DEVELOPMENT COMMISSION**

**Notice of Proposed Rulemaking to Amend
Title 14, Division 5, Appendix M of the California
Code of Regulations That Would Amend the
Commission’s Permit Fees**

Time, Place and Nature of Proceedings: The San Francisco Bay Conservation and Development Commission gives notice that it will hold a public hearing on Thursday, June 17, 2004, at 1:00 p.m. at the MetroCenter Auditorium, 101 Eighth Street, Oakland, California concerning the proposed amendment to the Commission’s permit fees that are identified in Appendix M, Division 5 of Title 14 of the California Code of Regulations. Related changes would be made to regulation section 10610(e) and Appendix N. Please notify the Commission to receive a meeting notice and any notices of change to the hearing date (see Contact Person, below).

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

Currently, Appendix M to the Commission’s regulations contains a schedule of permit application fees and related rules. The Commission proposes to increase its permit application fees (“fees”) sufficient to generate revenue that is approximately 20 percent of the Commission’s total regulatory program costs. The proposal includes two main approaches: a one-time increase in fees, and subsequent annual adjustments in order to maintain the 20 percent goal. The Commission’s permit fees were last increased in 1991 to generate revenue equal to approximately 20 percent of the agency’s regulatory program costs. After 13 years without further adjustments, as a result of cost increases the Commission’s permit fees now generate only about 6 percent of its program costs. Therefore, the proposed fees would increase by a factor of 3.2 times over current fees.

Other state and local agencies’ fees are substantially higher than the Commission’s. After public hearings in November 6, 2003, and March 18, 2004, the Commission determined that its permit fees should be increased in order to be more consistent with other state and local agencies and to recover 20 percent of the cost of its regulatory program for deposit in the State General Fund. The Commission rejected increasing its fees sufficient to recover the full cost of the program.

The proposed regulation would establish a formula for calculating annual adjustments to the permit fees. The factors used in the formula would be fixed dollar amounts over which the Commission does not have control, and the calculation would be ministerial in nature. Those factors are the fees collected in the previous year, and the revenue needed to approximate 20 percent of the Commission’s regulatory program costs, as set in the Budget Act, for the current year. If 20 percent of the current-year costs were greater than the fees collected in the previous year, then fees would increase accordingly. If 20 percent of the current-year costs were less than the fees collected in the previous year, then fees would decrease accordingly.

Two related sections of the Commission’s regulations would be amended to be consistent with the proposal. Section 10601 specifies a fee for applications for minor repairs and improvements, and Appendix N contains the application requirements, including the fee, for abbreviated regionwide permits. Both these references should instead refer to Appendix M.

**AUTHORITY AND REFERENCE FOR
AMENDMENT TO APPENDIX M**

Authority: Sections 66632(f), Government Code; and Section 29201(e), Public Resource Code.

Reference: Section 66632(c), Government Code; and Section 29520(d), Public Resource Code.

**AUTHORITY AND REFERENCE FOR
AMENDMENT TO REGULATION
SECTION 10610(E)**

Authority: Section 66632(f), Government Code; and Section 29201(e), Public Resources Code.

Reference: Section 66632(f), Government Code; and Section 29520, Public Resources Code.

**AUTHORITY AND REFERENCE FOR
AMENDMENT TO APPENDIX N**

Authority: Sections 66632, Government Code; and Section 29201(e), Public Resources Code.

Reference: Sections 65940–65942, 66632(b) and (f) and 84308, Government Code; Sections 21080.5, 21082, and 29520, Public Resources Code; and San Francisco Bay Plan.

Mandate to Local Agency or School District:
None

Costs to Any Local Agency or School District:
The proposed regulatory action does not impact costs or savings for any local agency or school district, such that costs would qualify for reimbursement under Government Code Section 17500 et seq.

Other Nondiscretionary Costs or Savings Imposed upon Local Agencies: None

Cost or Savings to State Agencies or in Federal Funding to the State: Additional cost to state agencies to file an application for a Commission permit, if any.

Significant Effect on Housing Costs: None

Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States: The impact of an increase in permit application fees on businesses would not be significant. In 2003, a total of 241 applications were received along with a total of \$137,000 in application fees. Of those applicants, 127 were businesses that paid application fees totaling about \$70,000. Projects ranged from very minor work, such as repairs to shoreline protection, to significant, large projects such as a cruise ship terminal in San Francisco. The proposed increase in permit application fees of 3.2 times the current rate, if applied to the 2003 business applicants, would have resulted in additional total application costs of about \$154,000. This would be a relatively small total increase to businesses, approximately 0.03 percent, when compared with the total value of the projects which, in 2003, was about \$471 million. The average application fee paid by businesses in 2003 was about \$570, and that would increase to about \$1,800 under the proposed regulation.

Creation or Elimination of Jobs or Business, or Expansion of Business, in California: The Commission has made an assessment that the proposed regulations would 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.

Business Reporting Requirements: None.

Cost Impact on Representative Persons or Businesses: It is difficult to predict the cost impact on representative persons or businesses because the total application fees received over the past years have varied, and each fee varies with the size of the project. In 2003, a total of 241 permit applicants paid a total of approximately \$137,000 in application fees. Of those applicants, 178 were from the private sector (both persons and businesses) that paid fees totaling about \$75,000. The proposed increase in permit application fees of 3.2 times the current rate, if applied to the 2003 private sector applicants, would result in an additional total costs of approximately \$165,000. This would be a relatively small total increase to the private sector, approximately 0.04 percent, when compared with the total value of the projects which, in 2003, was about \$471 million. The average application fee paid by the private sector in 2003 would increase from about \$421 to about \$1,350 under the proposed regulation.

EFFECT ON SMALL BUSINESS

The cost of applying for a Commission permit will increase, and that increase will be borne by small businesses to the same extent as that increase paid by large businesses, individuals and public agencies. The impact of the increase in fees is not expected to be significant for the same reasons that the impacts on businesses generally is not expected to be significant; see the section above that discusses statewide impacts on businesses.

No-More-Effective Alternative: The Commission must determine that no reasonable alternative that it considered or that has otherwise been identified or brought to its attention would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

CONTACT PERSON AND BACKUP

Inquiries and substantive questions on the proposed regulation should be directed to Ellen M. Sampson, Staff Counsel, San Francisco Bay Conservation and Development Commission, 50 California Street, Suite 2600, San Francisco, California 94111 or to Ms. Sampson at (415) 352-3610 or email at ellens@bcdca.gov. If Ms. Sampson is unavailable, please contact Jonathan Smith at the above address or at (415) 352-3655 or email at jons@bcdca.gov.

AVAILABILITY OF EXPRESS TERMS OF PROPOSED REGULATION AND INITIAL STATEMENT OF REASONS

The text of the proposed regulation, an initial statement of reasons for the changes and all supporting information are available for review at the Commission's office pursuant to Government Code Section 11346.5. Copies of the text and initial statement of reasons can be obtained by contacting Ms. Sampson (see Contact Person above) or by visiting the Commission's web site at www.bcdca.gov from which the documents may be reviewed and printed.

Date by Which Written Comments Must be Received and Where Directed: Written comments submitted in advance of the public hearing on this matter should be directed to Ms. Sampson at the Commission's office (see Contact Person, above) and must be received no later than Wednesday, June 16, 2004, at 5:00 p.m. Written comments will be accepted on Thursday June 17, 2004, during the public hearing on this matter at the time and place listed above, or at the Commission's office. The Commission may close the public comment period at the close of the public hearing.

AVAILABILITY OF CHANGES
TO PROPOSED REGULATION

Pursuant to Government Code Section 11346.8, the full text of substantial changes to the proposed amendment, if any, shall be made available to the public for at least 15 days prior to the date on which the Commission determines whether to adopt the proposed regulation.

RULEMAKING FILE

A rulemaking file for this rulemaking activity is maintained at the Commission's office and is available for public review during the Commission's normal business hours (Monday through Friday, 9 a.m. to 5 p.m. excluding the lunch hour). Requests to review the rulemaking file should be directed to Ms. Sampson (see Contact Person above).

FINAL STATEMENT OF REASONS

Once prepared, the final statement of reasons will be available as part of the Commission's rulemaking file and may be reviewed at the Commission's offices or obtained by calling Ms. Sampson (see Contact Person above).

INTERNET ACCESS

The proposed regulation and related documents will be available for review and printing on the Commission's web site at www.bcdc.ca.gov.

**TITLE 16. CALIFORNIA
ARCHITECTS BOARD**

**LANDSCAPE ARCHITECTS
TECHNICAL COMMITTEE**

NOTICE OF PROPOSED CHANGES
IN THE REGULATIONS

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the actions described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the actions proposed at a hearing to be held at the California Architects Board, 400 R Street, Suite 4000, Sacramento, California 95814, on **June 14, 2004** at 1:00 p.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 **June 14, 2004** or must be received by the Board at the hearing.

The Board, upon its own motion or at the insistence 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 the contact person and will be mailed to those persons who submit written or oral testimony 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 sections 5650, 5651, 5657, 5680.1 of the Business and Professions Code, the Board is considering changes to Division 26 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

BPC section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations, in accordance with the provisions of the Administrative Procedure Act, which are necessary to enable the Board to carry out the provisions of law relating to the practice of landscape architecture.

Amend 16 CCR Section 2604—Filing of Addresses

The existing regulation requires that licensees immediately file a proper and current mailing address with the Board after a change of address. BPC section 5657 requires that licensees file a change of place of business address within 30 days after a change of address. Under BPC section 5681, a penalty not to exceed \$50 may be assessed when a licensee fails to provide the Board with a change of address within 30 days after a change of address.

This proposal would clarify the filing of mailing address requirement for licensees by requiring one address from each licensee to be used for administrative and public disclosure purposes. This proposal would also disclose that the licensee's mailing address will be public record. Finally, this proposal also references the penalty that may be assessed to licensees who fail to provide the Board with a change of address.

**Amend 16 CCR Section 2615—Form of
Examinations**

Currently, under 16 CCR section 2615, the Board recognizes licensure in other states that have licensed landscape architects by way of administering the current national licensing examination, the Landscape Architect Registration Examination (LARE), or a written examination substantially equivalent in scope and subject matter to the written examination last given in California (for purposes of candidates applying for reciprocity in California). Under the regulation, the Board also recognizes examina-

tion credit obtained in other states (for purposes of candidates continuing the examination process in California). British Columbia, Ontario, and Puerto Rico, who are member boards of the Council of Landscape Architectural Registration Boards (CLARB), the national licensing examination vendor, also currently license landscape architects by way of administering the LARE.

This proposal would change the terms “state” and “state licensing authority” to “U.S. jurisdiction, Canadian province, or Puerto Rico” to allow the Board to also recognize licensure and licensing examination credit in those jurisdictions.

Amend 16 CCR Section 2624—License Renewal Three Years After Expiration

Adopt 16 CCR Section 2624.1—Expired License—Five Years After Expiration

The existing regulation, which was adopted on June 16, 2001, outlines the Board’s requirements for a new license when an applicant’s previous license has been expired for more than three years, but less than five years, or for more than five years. An applicant who falls under the first category may establish to the Board that he or she is qualified to practice landscape architecture without having to take and pass the LARE. However, upon reviewing the applicant’s current knowledge of landscape architecture, the Board may require that the applicant take and pass specific (or all) sections of the LARE. The applicant must also be in compliance with BPC section 5680.2 which requires that: 1) no fact, circumstance, or condition exists which would justify revocation or suspension of the license; 2) the applicant pay all current examination fees; and 3) the applicant pass the California Supplemental Examination. Under the existing regulation, an applicant whose license has been expired for more than five years must take and pass all sections of the LARE.

The proposal to amend 16 CCR section 2624 and adopt 16 CCR section 2624.1 would do the following: 1) divide the existing regulation into two regulations (one that specifically addresses applicants whose licenses have been expired for three years, but less than five years [16 CCR section 2624], and one that addresses applicants whose licenses have been expired for over five years [16 CCR section 2624.1]), in order to clearly distinguish between the two sets of requirements; 2) list requirements in sequential or appropriate order; 3) exclude the reference to BPC section 5680.2 subsection (c) under 16 CCR section 2624.1; and 4) deletes the BPC section 5651 subsection (b) reciprocity waiver reference.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Cost/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 Section 17561 Requires Reimbursement: None

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

Impact on Jobs/New Businesses: The Board has determined that these regulatory proposals will not have a significant 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.

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 actions.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations would not affect small businesses. The proposed regulations do the following: 1) clarify the filing of mailing address requirement for licensees and establish consistency between BPC section 5657 and CCR section 2604; 2) allow the LATC to recognize licensure and licensing examination credit in all CLARB member board jurisdictions; 3) further clarify requirements for a new license when an applicant’s previous license has been expired for three years, but less than five years, or beyond five years.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative which it considered 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 on affected private persons than the proposal described in this Notice.

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 Board has prepared an initial statement of reasons for the proposed actions and has made available all the information upon which the proposals are 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 proposals are based, may be obtained at the hearing or prior to the hearing upon request from the California Architects Board, Landscape Architects Technical Committee, at 400 R Street, Suite 4000, Sacramento, California, 95814, 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.

CONTACT PERSON

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

Name: Justin Sotelo
Address: Landscape Architects
Technical Committee
400 R Street, Suite 4000
Sacramento, CA 95814
Telephone No.: (916) 445-6573
Fax No.: (916) 324-2333
E-mail Address: Justin_Sotelo@dca.ca.gov

The backup contact person is:

Name: Mona Maggio
Address: Landscape Architects
Technical Committee
400 R Street, Suite 4000
Sacramento, CA 95814
Telephone No.: (916) 445-6573
Fax No.: (916) 324-2333
E-mail Address: Mona_Maggio@dca.ca.gov

Website Access: Materials regarding these proposals can be found at <http://www.latc.ca.gov>.

**TITLE 22. DEPARTMENT OF
SOCIAL SERVICES (CDSS)**

ITEM # 1 Records Reproduction and Removal in
Licensed CCL Facilities
ORD #0803-18

CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held June 16, 2004, as follows:

June 16, 2004
Office Building # 9
744 P St. Auditorium
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on June 16, 2004.

CDSS, upon its own motion or at the instance of any interested party, may adopt the proposals substantially as described or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

CONTACT: Office of Regulations Development
California Department of
Social Services
744 P Street, MS 7-192
Sacramento, California 95814
TELEPHONE: (916) 657-2586
FACSIMILE: (916) 654-3286
E-MAIL: ord@dss.ca.gov

CHAPTERS

Title 22, Division 6, Chapter 1 (General Licensing Requirements), Sections 80044 (Inspection Authority of the Licensing Agency), 80045 (Evaluation Visits), 80066 (Personnel Records), and 80070 (Client Records); Chapter 5 (Group Homes), Section 84063 (Accountability); Chapter 8 (Residential Care for the Elderly), Sections 87344 (Inspection Authority of the Licensing Agency), 87345 (Evaluation Visit), 87566 (Personnel Records), 87570 (Resident Records), and 87571 (Register of Residents); Chapter 8.5 (Residential Care Facilities for the Chronically Ill), Sections 87844 (Inspection Authority of the Department or Licensing Agency), 87866 (Personnel Records), and 87870 (Resident Records); Chapter 9.5 (Foster Family Agencies), Section 88069.7 (Content of Certified Family Home or Licensed Foster Family Home Case Record), and 88070 (Children's Case Records); Chapter 9 (Adoption Agencies), Sections 89119 (Board Meetings—Private Adoption Agencies), and 89182 (Content of Case Record); Chapter 9.5 (Foster Family Agencies), Sections 89244 (Inspection Authority of the Licensing Agency), 89245 (Evaluation Visits), 89370 (Children's Records), and 89566 (Personnel Records for Specialized Foster Family Homes); Division 12, Chapter 1 (Child Care Center), Sections 101200 (Inspection Authority of the Department), 101201 (Evaluation Visits), 101217 (Personnel Records), and 101221 (Child's Records); and Chapter 3 (Family Child Care Homes), Sections 102391 (Inspection Authority of the Department) and 102392 (Site Visits).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The proposed regulations were developed, in large part, as the result of a federal district court decision that held that licensing staff cannot remove records from a licensed facility for copying unless expressly authorized by the regulations or consented to by the licensee. (See *Golden Day Schools, Inc. v. Pirillo*, (C.D. Cal. 2000) 118 Federal Supplement 2d 1037.) In the *Golden Day* case, employees of the Community Care Licensing Division (CCLD) of the California

Department of Social Services (CDSS) made site visits in response to a complaint to two child care centers in South Central Los Angeles. Accompanied by officers of the Los Angeles Police Department, the CCLD employees took various child care center files to the CCLD district office, copied the files, and returned them some hours later—all without the licensee's consent. The licensee subsequently sued the State, alleging, among other things, unreasonable seizure of facility files.

Current laws and regulations permit licensing staff to enter and inspect all licensed residential and day care facilities without advance notice; and, in some situations, to reproduce client and facility records. However, current laws and regulations do not specifically address the issue of whether licensing staff have the authority to actually remove records from licensed residential and day care facilities in order to copy them. Regulatory change is therefore necessary to specify that licensing staff may remove facility records for copying when necessary to carry out the functions of the licensing program.

By a CDSS memo issued July 24, 2001, licensing staff were directed to obtain the licensee's consent before removing files from a facility for copying. If the licensee would not give consent to remove files, licensing staff were directed to take a small copier to the facility to reproduce records; to otherwise arrange for the use of a copier at the facility; or to consider using a portable scanner or digital camera to copy records at facilities. However, these solutions are not practical for the long term.

The proposed regulations will give licensing staff the express authority to copy client or facility records, and to remove them if necessary for copying. The existing regulations do not consistently permit the copying of client or facility records, which has been a hindrance to the licensing program. For example, one licensee of a facility being investigated refused even to let licensing staff hand-copy portions of facility files because the regulations did not clearly state that licensing staff could copy those files.

The proposed regulations will correct the situations described above. They delineate and amplify the licensing program's authority to inspect, audit, and copy client or facility records upon demand during normal business hours; and to remove them if necessary for copying. At the same time, the proposed regulations contain safeguards that prohibit the removal of emergency or health-related information (unless other copies of those documents are available) and establish standards for the safe removal and timely return of records to facilities. They cut across facility categories and apply to all licensed adult and elderly community care facilities, children's residential community care facilities, and child day care facilities. The

proposed regulations will ensure that the CDSS has reasonable access to information in order to be able to better evaluate facilities, investigate complaints, and protect the health and safety of clients in care.

COST ESTIMATE

1. Costs or Savings to State Agencies: None.
2. Costs to Local Agencies or School Districts: None.
3. Nondiscretionary Costs or Savings to Local Agencies: None.
4. Federal Funding to State Agencies: None.

LOCAL MANDATE STATEMENT

These regulations do not impose a mandate on local agencies or school districts. There are no state-mandated local costs in these regulations which require state reimbursement under Section 17500, et seq. of the Government Code.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

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

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

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

SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

ASSESSMENT OF JOB CREATION OR ELIMINATION

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

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

regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Sections 1530, 1568.072, 1569.30, and 1596.81, Health and Safety Code. Subject regulations implement *Golden Day Schools Inc. v. Pirillo* (C.D. Cal. 2000) 118 F.Supp. 2d 1037 and make specific and consistent regulations regarding the copying and removal of records.

CDSS REPRESENTATIVE REGARDING RULEMAKING PROCESS OF THE PROPOSED REGULATION

Contact Person: Robin Garvey
(916) 657-2586

Backup: Maureen Miyamura
(916) 657-2586

GENERAL PUBLIC INTEREST

DEPARTMENT OF CONSERVATION

TO ALL INTERESTED PARTIES:

Enclosed please find the current list of mining operations eligible to sell materials to State and local government agencies. These mining operations have demonstrated to the Department of Conservation that they have met the requirements in Public Resources Code (PRC) Section 2717(b). This list is published in the *California Regulatory Notice Register*.

Operations are listed by the California Mine Identification Number (e.g. 91-01-0000) and segregated by lead agency. Due to mergers, acquisitions, or reorganizations, this number is the most reliable identifier.

Please note, this list includes selected mining operations that meet the requirements for listing under PRC Section 2717(b), but may have an approved closure or reclamation plan prohibiting additional mining and/or material sales. Please check with the appropriate lead agency to confirm a mine's status. The State Mining and Geology Board is the lead agency for certain local jurisdictions as noted on the list.

This list may also be viewed on our website:

[www.conservation.ca.gov/
OMR/ab_3098_list/index.htm](http://www.conservation.ca.gov/OMR/ab_3098_list/index.htm)

To provide better service to our customers the Office of Mine Reclamation (OMR) would like to know if publication of this list could be accomplished

more efficiently. We anticipate more frequent updates of this list in the future. You can help by sending us an e-mail letting us know by what method you would prefer to receive this list. Send your comment to:
omrcal@consrcv.ca.gov

If you have any questions regarding this list, please contact the Reporting and Compliance Unit at (916) 323-9198.

**AB 3098 SMARA Eligible List
April 7, 2004**

(This list supersedes any previous list and will expire July 2, 2004, upon publication of the next quarterly list)

County of Alameda

- | <i>Mine I.D.</i> | <i>Mine Name (Operated By)</i> |
|------------------|-------------------------------------------------------------|
| 91-01-0002 | — Radum (Hanson AGG Mid-Pacific, Inc.) |
| 91-01-0003 | — Niles Canyon Quarry (SRDC, Inc.) |
| 91-01-0006 | — La Vista Quarry (Dumbarton Quarry Associates) |
| 91-01-0007 | — Sunol (RMC Pacific Materials) |
| 91-01-0009 | — Eliot (RMC Pacific Materials) |
| 91-01-0010 | — Pleasanton Pit & Mill (Vulcan Materials/CalMat Division) |
| 91-01-0012 | — Mission Valley Rock/SMP-8 (Mission Valley Rock Company) |
| 91-01-0013 | — Mission Valley Rock Company (Mission Valley Rock Company) |
| 91-01-0016 | — Sheridan Quarry (Sheridan Rd. Partnership) |

City of Fremont

- | <i>Mine I.D.</i> | <i>Mine Name (Operated By)</i> |
|------------------|---------------------------------------------------|
| 91-01-0001 | — Dumbarton Quarry (Dumbarton Quarry Association) |

City of Oakland

- | <i>Mine I.D.</i> | <i>Mine Name (Operated By)</i> |
|------------------|-----------------------------------------|
| 91-01-0008 | — Leona Quarry (Gallagher & Burk, Inc.) |

County of Alpine

- | <i>Mine I.D.</i> | <i>Mine Name (Operated By)</i> |
|------------------|---------------------------------------------------|
| 91-02-0001 | — Merrill Barrow Pit (Stuart P. Merrill) |
| 91-02-0002 | — Gansberg Sand (Chris Gansberg, Jr.) |
| 91-02-0005 | — Fredericksburg Gravel Pit (Teichert Aggregates) |

County of Amador

- | <i>Mine I.D.</i> | <i>Mine Name (Operated By)</i> |
|------------------|---------------------------------------------------------|
| 91-03-0001 | — Surian Litchfield Pit (Larimer-Surian Construction I) |

- | | |
|------------|------------------------------------------------------------|
| 91-03-0002 | — North Carbondale Surface Mine (Jasper Mining) |
| 91-03-0003 | — China Hill Claim (VRA Enterprises) |
| 91-03-0004 | — Owens-Illinois Sand Pit (Owens-Illinois, Inc.) |
| 91-03-0006 | — Lincoln Mine (Sutter Gold Mining Company) |
| 91-03-0008 | — Arroyo Seco Ranch (Ione Mine) (RHI Refractories America) |
| 91-03-0009 | — Ione Red Clay Pit (Gladding McBean) |
| 91-03-0010 | — Buena Vista Clay Pit (Lehigh Southwest Cement Co.) |
| 91-03-0011 | — Ione Quarry (Hanson Aggregates WRP, Inc.) |
| 91-03-0012 | — Goose Hill Quarry (Goose Hill Rock) |
| 91-03-0013 | — Boring Shale Pit (Kreth, Inc.) |
| 91-03-0014 | — Newman Clay Pit (H. C. Muddox) |
| 91-03-0015 | — Berry Mine (H. C. Muddox) |
| 91-03-0016 | — Brown Ranch Pit (H. C. Muddox) |
| 91-03-0017 | — Plymouth Sand & Gravel (Plymouth Sand & Gravel) |
| 91-03-0019 | — Irish Hill Pit (Kreth, Inc.) |
| 91-03-0020 | — Jackson Valley Quarry (George Reed, Inc.) |
| 91-03-0022 | — Jackson Valley Mine (Jackson Valley Energy Partners) |
| 91-03-0024 | — Upper Dry Creek Slate Mine (Industrial Minerals Co.) |
| 91-03-0027 | — North Buckeye (Industrial Minerals Co.) |

County of Butte

- | <i>Mine I.D.</i> | <i>Mine Name (Operated By)</i> |
|------------------|-------------------------------------------------------------------------|
| 91-04-0001 | — Pentz Pit (Baldwin Contracting Co., Inc.) |
| 91-04-0004 | — Robinson Pit—Oroville Wildlife Area (Robinson Construction Co., Inc.) |
| 91-04-0006 | — Bangor Rock Quarry—Site A (Roy E. Ladd, Inc.) |
| 91-04-0007 | — Vance Avenue Pit #1 & Pit #2 (Robinson Construction Co., Inc.) |
| 91-04-0008 | — Mathews ReadyMix—State Land (Mathews ReadyMix, Inc.) |
| 91-04-0011 | — Table Mt. Quarry (Meridian Aggregates) |
| 91-04-0012 | — Franklin Construction Company (Franklin Construction Co.) |
| 91-04-0014 | — Lucky 7 Pit (Duke Sherwood Contracting) |
| 91-04-0015 | — Mineral Resources, LLC. (Mineral Resources, LLC.) |

- 91-04-0018 — Almond Avenue Mine (Butte County Public Works)
- 91-04-0019 — Dunstone Rock Quarry (Bauman Landscape)
- 91-04-0020 — Blue Lead Mine (Blue Lead Mine, Inc.)
- 91-04-0021 — Vance Avenue #2 (Robinson Construction Co., Inc.)
- 91-04-0025 — Pine Creek (Anderson Brothers Corp.)
- 91-04-0028 — Diamler Rock, Inc. (Cary Gunn)
- 91-04-0029 — Pentz Aggregates (Reggie Smart)

City of Oroville

- Mine I.D. Mine Name (Operated By)*
 91-04-0022 — Ron Harmon Mine (Ron Harmon)

County of Calaveras

- Mine I.D. Mine Name (Operated By)*
 91-05-0001 — Snyder Clay Pit (John J. Snyder)
 91-05-0002 — Royal Mountain King (Meridianbear Track Company)
 91-05-0005 — John Hertzog Sand & Gravel (John Hertzog)
 91-05-0006 — Robie Ranch Gravel (Robie Ranch Gravel)
 91-05-0008 — Valley Springs Clay Pit (Co Family Limited Partnership)
 91-05-0009 — #6 Shale Quarry (Lehigh Southwest Cement Company)
 91-05-0010 — Quarry #7 (Lehigh Southwest Cement Company)
 91-05-0012 — Cataract Limestone Quarry (Lehigh Southwest Cement Company)
 91-05-0013 — Wolin & Sons Aggregate (Garamendi Family Trust)
 91-05-0014 — Hogan Quarry (Ford Construction Co., Inc.)
 91-05-0016 — McCarty Pit (Foothill Materials)
 91-05-0018 — Carson Hill Rock Products (Mark & Brad Sutton)

County of Colusa (State Mining and Geology Board)

- Mine I.D. Mine Name (Operated By)*
 91-06-0001 — Thompson Quarry Colusa County (Teichert Aggregates)
 91-06-0009 — Robert C. Cousineau (Robert C. Cousineau)
 91-06-0010 — O'Sullivan Ranch Pit (Clearlake Redi-Mix)
 91-06-0014 — Peterson Farms at Cortina Road

County of Contra Costa

- Mine I.D. Mine Name (Operated By)*
 91-07-0001 — Byron Plant (Unimin Corporation)
 91-07-0003 — Clayton Quarry (Hanson Aggregates Mid-Pacific)
 91-07-0004 — Clayton (RMC Pacific Materials)
 91-07-0005 — Port Costa Materials, Inc. (Pacific Custom Materials, Inc.)
 91-07-0012 — Kellogg (Unimin Corporation)
 91-07-0017 — Sand Hill Ranch (F.T.G. Construction Mtrls., Inc.)

City of Richmond (State Mining and Geology Board)

- Mine I.D. Mine Name (Operated By)*
 91-07-0006 — Richmond Quarry (Dutra Materials)
 91-07-0007 — Point Richmond Quarry (Bauman Landscape)

County of Del Norte

- Mine I.D. Mine Name (Operated By)*
 91-08-0001 — Sultan Bar (North Coast Paving & Rock)
 91-08-0002 — Huffman Bar (North Coast Paving & Rock)
 91-08-0003 — Ranch Bar (Reservation Ranch)
 91-08-0004 — Tedson Bar (Tidewater Contractors, Inc.)
 91-08-0005 — Crockett Bar (Tidewater Contractors, Inc.)
 91-08-0006 — Hole Pit (Tidewater Contractors, Inc.)
 91-08-0007 — Upper Woodruff Bar (Westbrook-Weatherall)
 91-08-0008 — Stary Quarry (Tidewater Contractors, Inc.)
 91-08-0010 — Lopez Rock Quarry (HW LLC)
 91-08-0011 — Hunter Creek (Lowell K. Martin)
 91-08-0012 — Maris Pit (Del Norte County Road Dept.)
 91-08-0013 — Saxton Bar (Reservation Ranch)
 91-08-0014 — Scheve Rock Pit (Scheve Family Trust)
 91-08-0016 — Lower Rowdy Creek Pit (Del Norte County Road Dept.)

County of El Dorado (State Mining and Geology Board)

- Mine I.D. Mine Name (Operated By)*
 91-09-0001 — Bear Creek Aggregates (Butte Equipment Rentals, Inc.)
 91-09-0004 — Chile Bar Mine (Placerville Industries, Inc.)
 91-09-0005 — Cool Cave Quarry (Spreckels Limestone & Agg Prod.)

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- 91-09-0006 — Timm Mine (Yellow Jacket) (Timm Trusts)
- 91-09-0009 — Somerset Sand Mine (El Dorado County Planning)
- 91-09-0010 — Lawyer Pit (Archie's Trucking & Backhoe)
- 91-09-0011 — Cassill Placer Mine (Robert S. Perona Trust)
- 91-09-0015 — Marin Quarry (Sierra Pacific Industries)

County of Fresno

- Mine I.D. Mine Name (Operated By)*
- 91-10-0001 — Mont La Salle Materials Site (Fresno County Public Works)
 - 91-10-0003 — Academy Quarry (Raymond Granite)
 - 91-10-0004 — Al's Concrete (Al's Concrete)
 - 91-10-0005 — Coalinga Pit #1 (Granite Construction Company)
 - 91-10-0006 — Acme Rock (Acme Paving Co., Inc.)
 - 91-10-0007 — Coalinga Pit #2 (Granite Construction Company)
 - 91-10-0008 — Petry Sand Pit (Jesse's Equipment)
 - 91-10-0010 — Sanger (CalMat of Central California)
 - 91-10-0013 — Tulare Valley Rock/Zapato (Artesia Ready Mix Concrete)
 - 91-10-0014 — Rockfield (RMC Pacific Materials)
 - 91-10-0015 — Rockfield-Rouillard (RMC Pacific Materials)
 - 91-10-0016 — Maiorino Farms (Maiorino Farms)
 - 91-10-0017 — Central Valley Pit and Mill (Central Valley Ready Mix, Inc.)
 - 91-10-0018 — Tivy Valley Granite (Charles Raper)
 - 91-10-0019 — Gale Sand Products (Harry Wilmoth)
 - 91-10-0021 — Triple L/Panoche (Triple L. Land Co.)
 - 91-10-0024 — CalMat-Fresno (CalMat of Central California)
 - 91-10-0026 — Bass Avenue Material Site (Fresno County Public Works)

City of Fresno

- Mine I.D. Mine Name (Operated By)*
- 91-10-0025 — Bruckner Gravel Pit (Orange Ave. Disposal Service)

County of Glenn

- Mine I.D. Mine Name (Operated By)*
- 91-11-0001 — Watts Pit (Glenn County Public Works Dept.)
 - 91-11-0002 — Kaiser Pit (Glenn County Public Works Dept.)
 - 91-11-0003 — Stoney Creek (Baldwin Contracting Co., Inc.)

- 91-11-0004 — Orland Sand & Gravel Corp. (Orland Sand & Gravel Corp.)
- 91-11-0005 — Spooner Pit (Valley Rock Products, Inc.)
- 91-11-0006 — Stoney Creek (Valley Rock Products, Inc.)
- 91-11-0007 — Orland Pit (Baldwin Contracting Co.)
- 91-11-0008 — Whitney Pit (Whitney Construction)
- 91-11-0012 — County Road J and I-5 (Valley Rock Products, Inc.)
- 91-11-0013 — Watts Pit (Valley Rock Products, Inc.)
- 91-11-0014 — L&W Pit (Valley Rock Products, Inc.)
- 91-11-0015 — Orland/Hambright (Baldwin Contracting Co.)
- 91-11-0016 — B Pit (Valley Rock Products, Inc.)

County of Humboldt

- Mine I.D. Mine Name (Operated By)*
- 91-12-0001 — Halvorsen Quarry (Halvorsen Properties)
 - 91-12-0002 — Sandy Prairie (Mercer, Fraser Company)
 - 91-12-0003 — A-21 (Mercer, Fraser Company)
 - 91-12-0004 — Trinidad Quarry (Mercer, Fraser Company)
 - 91-12-0005 — Essex (Mercer, Fraser Company)
 - 91-12-0006 — Cooks Valley (Mercer, Fraser Company)
 - 91-12-0007 — Willow Creek (Mercer, Fraser Company)
 - 91-12-0008 — Jacoby Creek Quarry (Barnum Timber Company)
 - 91-12-0010 — Christie Bar (Eureka ReadyMix Co., Inc.)
 - 91-12-0011 — Monschke Pit (Kenneth R. Wallan)
 - 91-12-0012 — Mad River Sand & Gravel (Mad River Sand & Gravel)
 - 91-12-0013 — Johnson Bar (Eureka Ready Mix Concrete Co.)
 - 91-12-0014 — Randall Sand & Gravel (Randall Sand & Gravel)
 - 91-12-0016 — Tosten Quarry (Jim E. Adams Construction)
 - 91-12-0018 — Thomas Bess Mine (Thomas Bess)
 - 91-12-0021 — Fernbridge (Humboldt County Public Works)
 - 91-12-0022 — South Fork Eel (Pacific Lumber) (Humboldt County Public Works)
 - 91-12-0023 — Tooby Bar (Humboldt County Public Works)
 - 91-12-0024 — Drewry Pit (Humboldt County Public Works)

CALIFORNIA REGULATORY NOTICE REGISTER 2004, VOLUME NO. 18-Z

- 91-12-0025 — Monument Pit (Humboldt County Public Works)
- 91-12-0026 — Brannon Mountain Pit (Humboldt County Public Works)
- 91-12-0027 — Dyerville Pit (Humboldt County Public Works)
- 91-12-0028 — Hansen Pit (Humboldt County Public Works)
- 91-12-0029 — Alton Pit (Eureka ReadyMix Company)
- 91-12-0030 — Graham Bar (Redwood Empire Aggregates)
- 91-12-0031 — Johnson Bar (Redwood Empire Aggregates)
- 91-12-0032 — Blue Lake Bar (Redwood Empire Aggregates)
- 91-12-0033 — Emmerson Bar (Redwood Empire Aggregates)
- 91-12-0034 — Charlie Hansen-Hansen Pit (Hansen Pit Mill)
- 91-12-0035 — R. Brown & Sons Quarry (Roger Brown Construction)
- 91-12-0036 — Walsh Quarry (Walsh Quarry)
- 91-12-0037 — Ammon Quarry (McIntosh Construction Company)
- 91-12-0038 — Mason Quarry (Tim Mason)
- 91-12-0039 — Hoopa Gravel Bar (Hoopa Valley Ready Mix)
- 91-12-0040 — McKnight Bar (Mercer, Fraser Company)
- 91-12-0041 — Hindley Pit (Raymond M. Etter)
- 91-12-0042 — Silva Estates Gravel Bar (Eureka Ready Mix Concrete Co.)
- 91-12-0043 — Canevari Timber Company (Mercer Fraser Co., Inc.)
- 91-12-0044 — LP A-370/M200 (Mercer, Fraser Company)
- 91-12-0045 — Redwood Creek (Joseph Hufford Sand & Gravel)
- 91-12-0046 — Grooms Rock Quarry (Grooms Rock Quarry)
- 91-12-0047 — Miller Gravel Bar (R. Brown Construction Company)
- 91-12-0048 — Gravel Bar (Wallan & Johnson)
- 91-12-0049 — Van Duzen Ranch Gravel Bar (J.R. Noble)
- 91-12-0050 — Branstetter Gravel Bar-Bear (Humboldt County Public Works)
- 91-12-0051 — Singley Bar (Eureka Ready Mix Concrete Co.)
- 91-12-0052 — McAdams RockPit (Allen D. Naill)
- 91-12-0054 — Libscomb Hill Quarry (Tonkin Construction Company)
- 91-12-0055 — Moore Rock Quarry (Humboldt County Public Works)
- 91-12-0056 — Bald Hills Road Pit 2 (Humboldt County Public Works)
- 91-12-0058 — Delaney Gravel Bar (Humboldt County Public Works)
- 91-12-0059 — Cook Bar-No. Fork Mattole River (Humboldt County Public Works)
- 91-12-0060 — Charles Bar-Larabee Creek (Humboldt County Public Works)
- 91-12-0061 — Pacific Lumber Bar-Van Duzen (Humboldt County Public Works)
- 91-12-0063 — Drake Materials (Drake Materials, Inc.)
- 91-12-0064 — Hagan Quarry (Jim D. Wheeler)
- 91-12-0065 — Russ Quarry No. 1 (Humboldt County Public Works)
- 91-12-0066 — Ford Ranch Rock Quarry (Kernen Construction)
- 91-12-0067 — Palco Eel River Gravel Bars (Pacific Lumber Co.)
- 91-12-0068 — Fort Seward Ranch (Satterlee Gravel Bar)
- 91-12-0069 — Leland Rock Gravel Bar (Leland Rock)
- 91-12-0070 — Cottrell Ranch Rock Quarries (Three Rivers Logging Co.)
- 91-12-0071 — Pacific Lumber Quarry 1 (The Pacific Lumber Co.)
- 91-12-0072 — Pacific Lumber Quarry 2 (The Pacific Lumber Co.)
- 91-12-0073 — May Ranch Quarry (John N. Petersen, Inc.)
- 91-12-0074 — Palco Quarry 3 (The Pacific Lumber Company)
- 91-12-0076 — Stafford Left Quarry (The Pacific Lumber Company)
- 91-12-0077 — Polasek Quarry (David Trutalli)
- County of Imperial**
- Mine I.D. Mine Name (Operated By)*
- 91-13-0001 — Picacho Mine (Chemgold, Inc.)
- 91-13-0003 — Frink Pit (Ryerson)
- 91-13-0004 — Shoveler Annex (U.S. Gypsum Company)
- 91-13-0005 — Plaster City Quarry (U.S. Gypsum Company)
- 91-13-0006 — Ocotillo (Cal-Grade, Inc.)
- 91-13-0009 — Shell Canyon (Val-Rock, Inc.)

CALIFORNIA REGULATORY NOTICE REGISTER 2004, VOLUME NO. 18-Z

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|---------------------------------------------------------------------------|---------------------------------------------------------------------|
| 91-13-0010 — Wonderstone Rock Pit (Granite Construction Company) | 91-13-0072 — Gibson & Schaefer (Gibson & Schaefer, Inc.) |
| 91-13-0011 — Niland Pit (Frink) (Granite Construction Company) | 91-13-0074 — Flowing Wells South Pit (Granite Construction Co.) |
| 91-13-0013 — Flowing Wells (Granite Construction Company) | 91-13-0075 — Dixieland Ranch Mine (Becker Mealey LLC) |
| 91-13-0015 — Norrish Pit (Granite Construction Company) | 91-13-0076 — Hensler Pit (Granite Construction Company) |
| 91-13-0017 — Merrill Ocotillo-Shell Canyon (Granite Construction Company) | 91-13-0079 — Torres-Martinez Pit (Imperial County) |
| 91-13-0019 — Mesquite (Newmont Gold Company) | 91-13-0080 — Elms Glamis Pit (Elms Equipment Rental, Inc.) |
| 91-13-0020 — Vista Cherokee Rainbow (VCR) (Newmont Mining Corporation) | 91-13-0083 — Highline Pit (Dennis Dill Trucking Co.) |
| 91-13-0024 — Coachella Canal Clay Pit (Imperial County Public Works) | 91-13-0086 — Holtville Clay Pit (Imperial County) |
| 91-13-0025 — Glamis I (Imperial County Public Works) | 91-13-0091 — Shank Road East Highline Pit (All American Aggregates) |
| 91-13-0026 — Niland I (Imperial County Public Works) | 91-13-0093 — Wright Pit II (Aggregate Products, Inc.) |
| 91-13-0032 — Navy Pit Hogue (Imperial County Public Works) | 91-13-0095 — Ammex Pit (Granite Construction Co.) |
| 91-13-0033 — Coyote II (Imperial County Public Works) | 91-13-0098 — Jimenez Pit (Granite Construction Co.) |
| 91-13-0034 — Painted Gorge (Imperial County Public Works) | 91-13-0102 — East Mesa Pit (Becker Mealey LLC) |
| 91-13-0039 — Picacho Wash Pit (Imperial County Public Works) | 91-13-0106 — Frink Mineral Pit (Cal-Grade, Inc.) |
| 91-13-0040 — Andre Road Clay Pit (Imperial County Public Works) | 91-13-0107 — Wilson's Corner Site (Aggregate Products, Inc.) |
| 91-13-0042 — Niland II (Imperial County Public Works) | 91-13-0108 — Api-Highline Pit (Aggregate Products, Inc.) |
| 91-13-0043 — Frink (Imperial County Public Works) | 91-13-0109 — McFarland's Site (Aggregate Products, Inc.) |
| 91-13-0046 — Coyote (CalTrans) | |
| 91-13-0049 — New River Fines (Becker Mealey LLC) | |
| 91-13-0052 — Ocotillo (CalTrans) | |
| 91-13-0057 — Wright Pit (Aggregate Products, Inc.) | |
| 91-13-0059 — City of El Centro M.S. (City of El Centro) | |
| 91-13-0061 — Jackson Gulch (Orlosky, Inc.) | |
| 91-13-0062 — American Girl Canyon (American Girl Mining Joint Venture) | |
| 91-13-0063 — Drop 3 Clay Pit (Imperial Irrigation District) | |
| 91-13-0064 — Mount Signal Gravel Pit (Imperial Irrigation District) | |
| 91-13-0069 — Robert's Pit (Ryerson) | |
| 91-13-0071 — Frink Springs Gravel Pit (Cal-Grade, Inc.) | |

County of Inyo

- | <i>Mine I.D.</i> | <i>Mine Name (Operated By)</i> |
|------------------|------------------------------------------------------|
| 91-14-0001 | Nikolaus & Nikolaus (Nikolaus & Nikolaus, Inc.) |
| 91-14-0002 | Red Hill Quarry (Twin Mountain Rock Company) |
| 91-14-0003 | Pumice (Pacific Custom Materials, Inc.) |
| 91-14-0004 | Hiatt/Adams Pit (Hiatt Ready Mix, Inc.) |
| 91-14-0007 | Pine Creek (Avocet Tungsten, Inc.) |
| 91-14-0008 | Sidehill Mine (Vanderbilt Minerals Corp.) |
| 91-14-0009 | Kaolin-Kingfish Prospect (Vanderbilt Minerals Corp.) |
| 91-14-0010 | Gerstely Mine (U.S. Borax, Inc.) |
| 91-14-0012 | Owens Lake Mine (U.S. Borax Inc.) |
| 91-14-0013 | California Hectorite Pits (Southern Clay Products) |

CALIFORNIA REGULATORY NOTICE REGISTER 2004, VOLUME NO. 18-Z

- 91-14-0014 — American Perlite Company (American Perlite Company)
- 91-14-0017 — Inyo Pit & Mill (F.W. Aggregates, Inc.)
- 91-14-0018 — Ash Meadows Mine (Ash Meadows Zeolite)
- 91-14-0021 — Billie Mine (American Borate Company)
- 91-14-0026 — Materials Site #110 Stateline (CalTrans)
- 91-14-0027 — Materials Site #116 Brockman P (CalTrans)
- 91-14-0031 — Materials Site #116-11 Sunland (CalTrans)
- 91-14-0033 — Materials Site #141 Round Vall (CalTrans)
- 91-14-0036 — Materials Site #177 Coso (CalTrans)
- 91-14-0038 — Materials Site #182 Shoshone (CalTrans)
- 91-14-0046 — Materials Site #286A (CalTrans)
- 91-14-0047 — Materials Site #288 (CalTrans)
- 91-14-0050 — Materials Site #291 Cottonwood (CalTrans)
- 91-14-0051 — Materials Site #300 Keeler (CalTrans)
- 91-14-0052 — Materials Site #301 Cartago (CalTrans)
- 91-14-0055 — Panamint Valley Limestone Quarry (A/C Power—Ace Operations)
- 91-14-0057 — Pangborn Pit (City of Los Angeles)
- 91-14-0064 — Ratcliff/World Beater (Compass Minerals, Ltd.)
- 91-14-0066 — Diaz (Inyo County Road Dept.)
- 91-14-0067 — Lone Pine Mixing Table (Inyo County Road Dept.)
- 91-14-0068 — Independence Southeast (Inyo County Road Dept.)
- 91-14-0069 — Sunland Mixing Table (Inyo County Road Dept.)
- 91-14-0070 — Big Pine (Inyo County Road Dept.)
- 91-14-0071 — Tecopa Hot Springs (Inyo County Road Dept.)
- 91-14-0077 — Homewood Canyon (Inyo County Road Dept.)
- 91-14-0078 — Midway Pit (Inyo County Road Dept.)
- 91-14-0079 — Stockwell Mine (Inyo County Road Dept.)
- 91-14-0080 — K&D Fill Dirt (K&D Fill Dirt)
- 91-14-0081 — Papoose (Inyo County Road Dept.)
- 91-14-0082 — Tecopa Mixing Table (Inyo County Road Dept.)
- 91-14-0083 — Pit #2 East of CDF (City of Los Angeles—DWP)
- 91-14-0084 — Laws Pit (City of Los Angeles—DWP)
- 91-14-0085 — Bishop-Sundland Pit (City of Los Angeles—DWP)
- 91-14-0086 — Division Creek #1 Pit (City of Los Angeles—DWP)
- 91-14-0087 — Division Creek #2 Pit (City of Los Angeles—DWP)
- 91-14-0088 — Mazourka Cyn. Rd. (City of Los Angeles—DWP)
- 91-14-0089 — Alabama Gates #1 (City of Los Angeles—DWP)
- 91-14-0090 — Alabama Gates #2 (City of Los Angeles—DWP)
- 91-14-0092 — Tuttle Ck. #2 (City of Los Angeles—DWP)
- 91-14-0095 — Cottonwood Ck. Pit (City of Los Angeles—DWP)
- 91-14-0097 — So. Haiwee-E/O Power Patrol R (City of Los Angeles—DWP)
- 91-14-0098 — So. Haiwee-E/O Bypass Ch. Pit (City of Los Angeles—DWP)
- 91-14-0099 — S/O Keeler @ Old NSP Site Pit (City of Los Angeles—DWP)
- 91-14-0100 — Blackrock Pit at County Rd. Pit (City of Los Angeles—DWP)
- 91-14-0103 — Ibex-Bentonite (Protech Minerals, Inc.)
- 91-14-0104 — Panamint Rock Co. (Panamint Rock Co.)
- 91-14-0106 — City of Bishop D.G. Pit (City of Bishop)
- 91-14-0108 — Kim-Crete Pumice Mine 1 & 2 (California Lightweight Pumice)
- 91-14-0109 — Sugarloaf Road Pit (City of Los Angeles—DWP)
- 91-14-0110 — Fish Springs #1 Pit (City of Los Angeles—DWP)
- 91-14-0111 — Taboose Creek Campground (City of Los Angeles—DWP)
- 91-14-0112 — Pit at O.H. 55 (City of Los Angeles—DWP)
- 91-14-0113 — N. Haiwee E/O Dam (City of Los Angeles—DWP)
- 91-14-0119 — KMI Zeolite, Inc. (KMI Zeolite, Inc.)
- 91-14-0120 — CR Briggs (CR Briggs Corp.)
- 91-14-0121 — Shoshone Ash (Shoshone Development)

CALIFORNIA REGULATORY NOTICE REGISTER 2004, VOLUME NO. 18-Z

- 91-14-0122 — Black Springs Mine (John W. Nicoll)
- 91-14-0123 — Miracle Lake Mine (Naxos Resources (U.S.A.) Ltd.)
- 91-14-0125 — Joshua Flats Borrow Site (Inyo County Road Dept.)
- 91-14-0126 — Kim-Crete Pumice Mine 3 & 4 (California Lightweight Pumice)
- 91-14-0127 — Briggs North & Gold Tooth Expl. (CR Briggs Corp.)
- 91-14-0128 — Coyote Valley Road Aggregate (Hiatt Ready Mix, Inc.)
- County of Kern**
- Mine I.D. Mine Name (Operated By)*
- 91-15-0001 — Kern County Public Works Sand (Kern County Road Dept.)
- 91-15-0003 — Hy Desert Rustic Stone (Sanford Stone Company)
- 91-15-0005 — Shumake Operation (Cactus Gold Mines Co.)
- 91-15-0008 — 109 Limestone Quarry/Lebec (National Cement Company)
- 91-15-0009 — Microwave Quarry/Lebec Plant (National Cement Company)
- 91-15-0010 — Quarry Site B—Lebec Plant (National Cement Company)
- 91-15-0011 — Old Dutch Cleanser Mine (Matcon Corporation)
- 91-15-0012 — Gilliam & Sons Mining Operation (Gilliam & Sons, Inc.)
- 91-15-0013 — Sand Canyon Quarry (Cal-Ci-Co Rock Co., Inc.)
- 91-15-0014 — Calcite (California Portland Cement Co.)
- 91-15-0015 — Bowman Mine (Asphalt Construction Co., Inc.)
- 91-15-0016 — Mojave Mine (Asphalt Construction Co., Inc.)
- 91-15-0017 — Lost Hills Mine (H.M. Holloway, Inc.)
- 91-15-0018 — Standard Hill Mine (Billiton Minerals USA)
- 91-15-0021 — A&M Products—Quarry (A&M Products, Inc.)
- 91-15-0022 — Boron Open Pit (U.S. Borax, Inc.)
- 91-15-0024 — Arvin Pit (Granite Construction Company)
- 91-15-0025 — James Road Pit & Mill (Hanson Aggregates West, Inc.)
- 91-15-0026 — Cactus Queen (California Portland Cement Co.)
- 91-15-0027 — Canebrake Pit (Ladd Ready Mixed Concrete)
- 91-15-0028 — James Road (Granite Construction Company)
- 91-15-0029 — Summit Lime (Summit Lime Company)
- 91-15-0030 — Garlock Mine (Asphalt Construction Company)
- 91-15-0031 — Bob Morton Construction, Inc. (Bob Morton Construction, Inc.)
- 91-15-0032 — Mojave Quarry (California Portland Cement Co.)
- 91-15-0033 — Yellow Aster Zone II (Glamis Rand Mining Co.)
- 91-15-0036 — Cooper Pit #1 (Stanley Cooper)
- 91-15-0037 — Wheeler Ridge (Vulcan Materials/CalMat Division)
- 91-15-0038 — Cooper Pit #2 (Stanley Cooper)
- 91-15-0039 — Golden Cat Corporation (Golden Cat Corporation)
- 91-15-0040 — Monolith Limestone Quarry (Lehigh Southwest Cement)
- 91-15-0041 — CalMat/San Emigdio (Vulcan Materials/CalMat Division)
- 91-15-0043 — Caliente Sand (Caliente Sand & Mineral Company)
- 91-15-0044 — Edison Sand Co., Inc. (Edison Sand Co., Inc.)
- 91-15-0045 — Tejon Ranch #2 (Tejon Ranch Company)
- 91-15-0046 — Shumaker Mine (Willow Creek)
- 91-15-0047 — Inyokern Pit (Sully-Miller Contracting Co.)
- 91-15-0048 — Garlock Pit (Sully-Miller Contracting Co.)
- 91-15-0050 — Twisselman Clay Pit (Madonna Construction Co.)
- 91-15-0051 — Got Rocks (Got Rocks)
- 91-15-0059 — Materials Site #246 (CalTrans)
- 91-15-0060 — Materials Site #252 (CalTrans)
- 91-15-0061 — McKittrick Diatomite #3 (Texaco Explor. & Prod. Inc.)
- 91-15-0065 — Mojave Aggregate Pit (Mojave Aggregate Pit)
- 91-15-0068 — Griffith Company (Griffith Company)
- 91-15-0072 — Potlatch Mine (Asphalt Construction Company)
- 91-15-0075 — Baltic Project Mine (Rand Mining Company)

- 91-15-0076 — Randsburg Placer Mine (Stockdale Investment)
- 91-15-0077 — Blake Wholesale Stone Co. (Blake's Wholesale Stone)
- 91-15-0079 — Pauley D.G. Mine (Big Iron Leasing, Inc.)
- 91-15-0085 — Boron Properties (Consolidated Mining Minerals M)
- 91-15-0086 — Rand Project (Glamis Rand Mining Company)
- 91-15-0087 — P.V. Clay (Protech Minerals, Inc.)
- 91-15-0090 — Snow White (Vanderbilt Minerals)
- 91-15-0091 — 104 Silica Quarry/Lebec (National Cement Company)
- 91-15-0092 — Reoforce, Inc. (Reoforce, Inc.)
- 91-15-0093 — Cuddy Mine (Channel & Basin Reclamation)
- 91-15-0095 — Sand Canyon Pit (Chelsea Investment Co.)
- 91-15-0097 — Hy Desert Rustic Stone West (Sanford Stone Co.)
- 91-15-0099 — Arvin Borrow Pit (Kern County Waste Mgmt. Dept.)
- 91-15-0102 — US Borax (US Borax)
- 91-15-0103 — National Cement Co. 101 Area (National Cement Co.)
- 91-15-0104 — Buttonwillow Compaction Production (Jerry Medlen)

City of Bakersfield

Mine I.D. Mine Name (Operated By)

- 91-15-0101 — The Sand Pit (The Sand Pit, LLC.)

City of Taft

Mine I.D. Mine Name (Operated By)

- 91-15-0074 — Taft Plant (General Production Service, In)

County of Kings

Mine I.D. Mine Name (Operated By)

- 91-16-0007 — McIntyre (Stoney's Sand & Gravel LLC)
- 91-16-0008 — Westlake Farms—Hwy. 41 Borrow (Kiewit Pacific Company)

County of Lake

Mine I.D. Mine Name (Operated By)

- 91-17-0001 — Davis Pit (Parnum Paving)
- 91-17-0003 — S-Bar-S Quarry (S-Bar-S Quarry)
- 91-17-0006 — Provedello Ponds (Clearlake Lava)
- 91-17-0007 — Putah Creek (DNA River Rock)
- 91-17-0012 — Clearlake Lava Quarry (Clearlake Lava Inc.)
- 91-17-0013 — Point Lakeview (Clearlake Lava Inc.)

- 91-17-0015 — Aggrellite Rock (Aggrellite Rock)
- 91-17-0032 — Middletown Quarry (Dutra Materials)
- 91-17-0034 — Middletown Quarry (Dutra Materials)
- 91-17-0035 — Keithly Ranch Quarry (Parnum Paving, Inc.)
- 91-17-0037 — Middle Creek Terrace Pond Proj. (Clearlake Redi-Mix, Inc.)

County of Lassen

Mine I.D. Mine Name (Operated By)

- 91-18-0001 — Ray Herrington (Standish Pit) (County of Lassen)
- 91-18-0002 — Honey Lake Aggregates (Honey Lake Asphalt)
- 91-18-0003 — Doyle Plant (Baldwin Contracting Co., Inc.)
- 91-18-0005 — Kramer Quarry (Essayons-Hardrock, JV)
- 91-18-0007 — Viewland Pit (Miller's Custom Work, Inc.)
- 91-18-0008 — Ward Lake Pit (Miller's Custom Work, Inc.)
- 91-18-0009 — Gold Run Pit (Pee Wee Enterprises)
- 91-18-0010 — Standish Pit (Sezzi Concrete & Material, Inc)
- 91-18-0011 — Thousand Springs Pit (County of Lassen)
- 91-18-0012 — Hayden Hill Mine (Lassen Gold Mining, Inc.)
- 91-18-0014 — Round Mountain (R.L.G. Round Mtn Rock Almanor)
- 91-18-0016 — Grasshopper Rd. (CalTrans)
- 91-18-0018 — Cowboy Joe (CalTrans)
- 91-18-0021 — B.L.M. Section 4 (Miller's Custom Work, Inc.)
- 91-18-0022 — Susanville Rock Pit (Ford Construction Co., Inc.)
- 91-18-0023 — Cummings Farms Ravendale Pit (Cummings Farms)
- 91-18-0024 — R.W. Harwell (Frank Turner)
- 91-18-0026 — Hayden Hill Mine (Lassen Gold Mining, Inc.)
- 91-18-0027 — Madeline Pit (CalTrans)
- 91-18-0028 — Garnier/Gravier Pit (County of Lassen)
- 91-18-0030 — Standish Pit (County of Lassen)
- 91-18-0031 — Eagle Lake Pit (County of Lassen)
- 91-18-0032 — Ratliff Quarry (J.F. Shea Co., Inc.)
- 91-18-0033 — Round Valley Butte Pit (Mt. Lassen Cinder Co.)
- 91-18-0034 — Azevedo Ranch (Stone Co Construction)

- 91-18-0035 — Parks Pit (J.F. Shea Co., Inc.)
- 91-18-0036 — Cinder Cone Pit (Casiano Land & Livestock Co.)
- 91-18-0037 — Long Valley Pozzolan Plant (Earthco)
- 91-18-0040 — Surian Pit (Larimer-Surian Construction)
- 91-18-0041 — Surian Litchfield Pit (Larimer-Surian Construction)
- 91-18-0043 — Westside Pit (County of Lassen)
- 91-18-0044 — Lassen 7-D Ranch Pit (Lassen 7-D Ranch, Inc.)
- 91-18-0045 — Bridge Creek Cinder Pit (Ladd Associates, Inc.)
- 91-18-0046 — Adin Pit (Bill Joiner's Rock Products)

County of Los Angeles

- Mine I.D. Mine Name (Operated By)*
- 91-19-0010 — Pebbly Beach Quarry (Connolly-Pacific Company)
 - 91-19-0011 — Empire Quarry (Connolly-Pacific Company)
 - 91-19-0021 — Big Rock Creek (CalMat Company)
 - 91-19-0030 — Lang Station (Curtis Sand & Gravel)
 - 91-19-0032 — Rasmussen Soledad Rock Quarry (C.A. Rasmussen Company)
 - 91-19-0036 — Lang Station-Sweetwater (CalMat Company)
 - 91-19-0037 — Del Sur Ridge Quarry (Bouquet Canyon Stone Co., Inc.)
 - 91-19-0038 — Soledad Canyon Mine (Triangle Rock Products)
 - 91-19-0041 — Castaic Clay Manufacturing Company (Castaic Clay Mfg. Co.)
 - 91-19-0043 — Peck Road Gravel Pit (S.L.S. & N., Inc.)
 - 91-19-0047 — Bertha 3 & 4 Claims (North Star Minerals, Inc.)

City of Azusa

- Mine I.D. Mine Name (Operated By)*
- 91-19-0007 — Azusa Quarry (Cemex Inc.)
 - 91-19-0018 — Reliance-Azusa (CalMat Company)
 - 91-19-0035 — Fish Canyon Quarry (Azusa Rock Inc.)

City of Irwindale

- Mine I.D. Mine Name (Operated By)*
- 91-19-0006 — Azusa Pit/Irwindale (Azusa Land Reclamation Co.)
 - 91-19-0013 — Pit #1 (United Rock Products Corporation)
 - 91-19-0014 — Pit #2 (United Rock Products Corporation)

- 91-19-0015 — Pit #3 (United Rock Products Corporation)
- 91-19-0016 — Reliance-Irwindale (CalMat Company)
- 91-19-0023 — Durbin (CalMat Company)
- 91-19-0025 — Livingston-Graham, Irwindale (Hanson Aggregates West, Inc.)

City of Los Angeles

- Mine I.D. Mine Name (Operated By)*
- 91-19-0017 — Sheldon (CalMat Company)
 - 91-19-0019 — Boulevard (CalMat Company)
 - 91-19-0022 — CalMat—Sun Valley (CalMat Company)

City of Palmdale

- Mine I.D. Mine Name (Operated By)*
- 91-19-0001 — Holiday-Palmdale (Holiday Rock Co., Inc.)
 - 91-19-0002 — Antelope Valley Aggregate, Inc. (Littlerock Aggregate Co.)
 - 91-19-0008 — Littlerock (Granite Construction Company)
 - 91-19-0020 — Palmdale (CalMat Company)
 - 91-19-0026 — Hi-Grade Materials Co.-Little (Hi-Grade Materials Co.)
 - 91-19-0031 — Hi-Grade Materials Company Pal (Hi-Grade Materials Co.)
 - 91-19-0033 — Palmdale (Service Rock Products Co.)
 - 91-19-0040 — Lane Quarry (George M. Lane)

County of Madera

- Mine I.D. Mine Name (Operated By)*
- 91-20-0001 — Sierra White Quarry (Raymond Granite Co.)
 - 91-20-0003 — Moen Pit (Calaveras Materials, Inc.)
 - 91-20-0004 — Cobb Pit (San Joaquin Sand & Gravel)
 - 91-20-0006 — Lee da Silva (Lee's Concrete Materials Co.)
 - 91-20-0007 — Taylor's Pit (California Industrial Minerals)
 - 91-20-0010 — Triangle Rock Products (Triangle Rock Products)
 - 91-20-0011 — Section 26 DG Pit (Outback Materials)
 - 91-20-0012 — Weldon Pit (Richard J. Weldon, Sr.)
 - 91-20-0013 — Bruce Persson (Bruce Persson)

County of Marin

- Mine I.D. Mine Name (Operated By)*
- 91-21-0001 — Redwood/Silveira Quarry (Redwood Landfill, Inc.)

- 91-21-0002 — Lawson’s Landing (Lawson’s Land-
ing)
- 91-21-0005 — Lafranchi Quarry (Lunny Grading &
Paving, Inc.)
- 91-21-0008 — San Rafael Rock Quarry (Dutra Ma-
terials)
- 91-21-0009 — Bowman Canyon Quarry, Inc. (West
Coast Aggregates)

County of Mariposa

- | <i>Mine I.D.</i> | <i>Mine Name (Operated By)</i> |
|------------------|--------------------------------------------------------------|
| 91-22-0004 | — Colorado Quartz Mine (Colorado
Quartz Gold Corporation) |
| 91-22-0007 | — Yosemite Slate Quarry (Mariposa
Flagstone/Yosemite SL) |
| 91-22-0008 | — Mt. Gaines (Mt. Gaines Consoli-
dated) |
| 91-22-0009 | — Fremont Long Consolidated (Mark
Long) |
| 91-22-0010 | — Iron Springs Consolidated (Mark
Long) |
| 91-22-0011 | — Bear Creek Slate Quarry (Mariposa
Decco Rock, Inc.) |

County of Mendocino

- | <i>Mine I.D.</i> | <i>Mine Name (Operated By)</i> |
|------------------|-----------------------------------------------------------|
| 91-23-0002 | — Camp 5 Pit (Watkins Sand & Gravel) |
| 91-23-0003 | — Ford Gravel Company (Parnum Pav-
ing, Inc.) |
| 91-23-0008 | — Bed Rock, Inc. (Hay, Karen, Richard,
William &) |
| 91-23-0010 | — Red Rock Quarry (Parnum Paving,
Inc.) |
| 91-23-0012 | — Laughlin Ridge Quarry (Parnum Pav-
ing, Inc.) |
| 91-23-0013 | — Stewarts Point Bar (Parnum Paving,
Inc.) |
| 91-23-0015 | — Harris Quarry (Northern Aggregates,
Inc.) |
| 91-23-0016 | — Mill Creek Bar/Adobe Lane Pit (Pols-
ley Enterprise) |
| 91-23-0017 | — Shamrock Quarry (Parnum Paving,
Inc.) |
| 91-23-0020 | — Ten Mile 2nd Crossing (Baxman
Gravel Company, Inc.) |
| 91-23-0021 | — Pieta Quarry (Northern Aggregates,
Inc.) |
| 91-23-0026 | — Tunzi, Inc. (Tunzi, Inc.) |
| 91-23-0027 | — Rowland Gravel Bar (Hoopa Valley
Ready Mix) |
| 91-23-0028 | — Sherwood Road (Baxman Gravel Co.,
Inc.) |

- 91-23-0029 — Presley & Smith Gravel Co. (Presley
& Smith Gravel Co.)
- 91-23-0030 — Cleone (Baxman Gravel Co., Inc.)
- 91-23-0031 — Redwood Valley Gravel Product
(Redwood Valley Gravel Products)
- 91-23-0032 — Big River—7 Mile Quarry
(Mendocino Redwood Co. LLC)
- 91-23-0033 — Mackenzie-Crabtree (Enterra, Inc.)
- 91-23-0034 — Bald Hills Quarry (Bed Rock, Inc.)
- 91-23-0035 — Thomas Bar (W.H. Cleland & Holly
& Co.)
- 91-23-0036 — Cooks Valley—Mendocino (Mercer,
Fraser Company)
- 91-23-0037 — Big River Rock Co. (Big River Rock)
- 91-23-0038 — Wilsey Ranch Quarry (Kibesillah
Rock Co.)
- 91-23-0039 — Blue Ridge Rock Products (Kenneth
J. McCutchan)
- 91-23-0040 — Crabtree Bar-Nashmead (Parnum
Paving, Inc.)
- 91-23-0041 — B & B Quarry (B & B Equipment)
- 91-23-0042 — Warbonnet Rock Products (Warbon-
net Rock Products)
- 91-23-0043 — Diamond H Ranch Coal Mine (Dia-
mond H Ranch)
- 91-23-0047 — Poonkinney Agricultural Rock Q
(Clyde Williams)
- 91-23-0048 — Perry Ridge Quarry (Evergreen Prop-
erties)

County of Merced

- | <i>Mine I.D.</i> | <i>Mine Name (Operated By)</i> |
|------------------|------------------------------------------------------------|
| 91-24-0004 | — Silva Pit (Calaveras Materials Inc.) |
| 91-24-0005 | — Triple C/Snelling (Calaveras Materi-
als Inc.) |
| 91-24-0006 | — La Grange Pit (Calaveras Materials
Inc.) |
| 91-24-0007 | — Craven Pit (Jaxon Enterprises) |
| 91-24-0008 | — J.Blasingame & Sons, Inc. (Blasin-
game & Sons Inc.) |
| 91-24-0009 | — Triangle Rock Prod/Los Banos
(Triangle Rock Products) |
| 91-24-0013 | — Central Valley Resources (Central
Valley Resources) |
| 91-24-0014 | — Winton Plant (Santa Fe Aggregates,
Inc.) |
| 91-24-0016 | — Sunset Pit (County of Merced) |
| 91-24-0018 | — John Mancebo Mine (John Mancebo
Mine) |
| 91-24-0019 | — Carson #2 Pit (Calaveras Materials
Inc.) |

- 91-24-0021 — Harold Hansen Estate (Valley Sand & Gravel)
- 91-24-0026 — Andrian Ranch (Ranchwood Contractors, Inc.)
- 91-24-0028 — Merced River Mining (Merced River Mining & Rec Corp)
- 91-24-0031 — Bettencourt Ranch Sand Pit (Santa Fe Aggregates, Inc.)
- 91-24-0032 — Oak Street Pit (Trico Contractors, Inc.)
- 91-24-0033 — Olive Avenue Pit (Trico Contractors, Inc.)
- 91-24-0034 — Hailey Pit (J. Blasingame & Sons, Inc.)
- 91-24-0036 — Doolittle Plant (Santa Fe Aggregates, Inc.)
- 91-24-0037 — Princeton Pit (Central Valley Concrete, Inc.)
- 91-24-0038 — Woolstenhulme Ranch (Calaveras Materials, Inc.)
- 91-24-0040 — Te Velde Hill (Foster Poultry Farms)
- 91-24-0041 — Henry Te Velde Mining (Henry Te Velde)
- 91-24-0042 — Silveira Pit (Heduino & Diane Silveira)

County of Modoc

- Mine I.D. Mine Name (Operated By)*
- 91-25-0001 — Morgan Ranch Company, Inc. (Morgan Ranch Company, Inc.)
 - 91-25-0002 — Goodwin's Sand & Gravel (Goodwin's Sand and Gravel)
 - 91-25-0003 — Caldwell Cinder Pit Mine (Mt. Lassen Cinder Co.)
 - 91-25-0007 — Hindle Pit (Modoc County Road Department)
 - 91-25-0008 — Shaw Pit (Modoc County)
 - 91-25-0009 — Blacks Canyon Surface Mine (Baldwin Contracting Co)
 - 91-25-0010 — Johnson Pit (Modoc County Road Department)
 - 91-25-0014 — Lake City Mine (Modoc County Road Department)
 - 91-25-0015 — Fitch Sand & Gravel (Fitch Sand & Gravel)
 - 91-25-0016 — Duval Borrow Area (Tuscarora Gas Transmission Co.)
 - 91-25-0017 — Stones Canyon Site (Likely Land & Livestock Co.)
 - 91-25-0024 — Gardner Ranch (C. Clarke Gardner)
 - 91-25-0025 — Larranaga Pit (Fernand Larranaga, Jr.)

- 91-25-0028 — Joiner Pit (Joiner Construction)

County of Mono

- Mine I.D. Mine Name (Operated By)*
- 91-26-0001 — Black Point Cinder, Inc. (Black Point Cinders, Inc.)
 - 91-26-0002 — Hot Creek Kaolin Mine (Standard Industrial Minerals)
 - 91-26-0004 — Frank Sam Mine (U.S. Pumice Company)
 - 91-26-0007 — #24A (CalTrans)
 - 91-26-0010 — #116-2 (CalTrans)
 - 91-26-0011 — #117 Pole Line (CalTrans)
 - 91-26-0013 — #135 Convict Creek (CalTrans)
 - 91-26-0015 — #189 Sweetwater (CalTrans)
 - 91-24-0016 — #190 (CalTrans)
 - 91-26-0017 — #205 Green Lakes (CalTrans)
 - 91-26-0018 — #210 Milner Fan (CalTrans)
 - 91-26-0021 — #213 Benton Hill (CalTrans)
 - 91-26-0024 — #250 (Caltrans)
 - 91-26-0026 — #273 Burcham Flats (CalTrans)
 - 91-26-0029 — Lee Vining Gravel Pit (Mono Rock)

County of Monterey

- Mine I.D. Mine Name (Operated By)*
- 91-27-0003 — Del Monte Forest Quarry (Granite Construction Company)
 - 91-27-0004 — Metz/Chalome Creek Pit (Granite Construction Company)
 - 91-27-0005 — Natividad Quarry (Chemical Lime Company)
 - 91-27-0007 — BLM Rock Pile (Don Wesner Inc.)
 - 91-27-0008 — Arroyo Seco Rock (Wm. J. Clark Trucking Service)
 - 91-27-0011 — Pine Canyon Quarry (Granite Construction Company)
 - 91-27-0012 — Stonewall Canyon Quarry (Syar Industries, Inc.)
 - 91-27-0020 — Echenique Pit (Swift Tectonics, Inc.)
 - 91-27-0021 — Jefferson Pit (The Don Chapin Company, Inc.)
 - 91-27-0025 — Chalome Creek Pit (Swift Techtonics, Inc.)
 - 91-27-0026 — Bradley Mine (Union Asphalt, Inc.)

City of Marina

- Mine I.D. Mine Name (Operated By)*
- 91-27-0006 — Lapis (RMC Pacific Materials)

County of Napa

- Mine I.D. Mine Name (Operated By)*
- 91-28-0002 — Oat Hill Quarry (S. Napa Waste Mngmt Authority)

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- 91-28-0003 — McLaughlin (Homestake Mining Company)
91-28-0004 — Napa Quarry (Syar Industries)
91-28-0005 — American Canyon Quarry (Syar Industries, Inc.)
91-28-0026 — Pope Creek Quarry (Nichelini General Engineering)

County of Nevada

- Mine I.D. Mine Name (Operated By)*
91-29-0002 — North Star Plant (Hansen Bros. Enterprises)
91-29-0004 — Martis Valley Plant (Teichert Aggregates)
91-29-0005 — Plant #2—Truckee (Sha-Neva, Inc.)
91-29-0006 — Greenhorn Gravel Plant (Hansen Brothers Enterprises)
91-29-0007 — Bear River Gravel Plant (Hansen Brothers Enterprises)
91-29-0010 — Ridge Rock Quarry (Ridge Rock Quarry)
91-29-0011 — Trood Placer Mine (Grizzly Hill Gravel)
91-29-0012 — Chevreaux Aggregates, Inc. (Chevreaux Aggregates, Inc.)
91-29-0013 — French Corral (C.M.E. Services)
91-29-0014 — Northstar Mine (Terra Alta Development/Robins)
91-29-0015 — Secret Town (R. J. Miles Co.)
91-29-0018 — Hirschdale Cinder Quarry (Jim Dobbas, Inc.)
91-29-0020 — Red Ledge Mine (Red Ledge Mining Co. L.L.C.)

County of Orange

- Mine I.D. Mine Name (Operated By)*
91-30-0004 — Oglebay Norton Industrial Sand (Oglebay Norton Industrial Sand)
91-30-0007 — R.J. Noble Company (R.J. Noble Company)
91-30-0008 — Marion Clay (Riverside Cement Company)
91-30-0009 — Rancho Mission Viejo (Riverside Cement Company)
91-30-0010 — Irvine Lake (CalMat Co)

City of Anaheim

- Mine I.D. Mine Name (Operated By)*
91-30-0006 — Star (Robertson's Ready Mix)

City of Lake Forest

- Mine I.D. Mine Name (Operated By)*
91-30-0014 — El Toro Materials Parcel I (El Toro Materials Company)

- 91-30-0015 — El Toro Materials Parcel II (El Toro Materials Company)

County of Placer

- Mine I.D. Mine Name (Operated By)*
91-31-0001 — Hoffman Pits (Foresthill Exploration and Min)
91-31-0004 — Chevreaux Aggregates, Inc. (Chevreaux Aggregates, Inc.)
91-31-0005 — Lincoln Pit Clays (Gladding McBean)
91-31-0006 — Richie Quarry (Don Robinson Sand & Gravel, Inc.)
91-31-0007 — Lincoln Clay Products Company (Lincoln Clay Products Company)
91-31-0008 — Robinson Gravel Pit Newcastle (Don Robinson Sand & Gravel, Inc.)
91-31-0009 — Patterson Sand and Gravel (Patterson Sand & Gravel)
91-31-0011 — Bear River Gravel Plant (Hansen Brothers Enterprises)
91-31-0016 — Colfax Shale Mine (Gladding McBean)

City of Rocklin (State Mining and Geology Board)

- Mine I.D. Mine Name (Operated By)*
91-31-0013 — Big Gun Quarry (Big Gun Mining Company)

County of Plumas

- Mine I.D. Mine Name (Operated By)*
91-32-0001 — River Ranch Aggregate (Feather River Materials, Inc.)
91-32-0002 — Chester Pit (Baldwin Contracting Company, Inc.)
91-32-0005 — Twain Enterprises (Twain Enterprises)
91-32-0008 — Feather River Pit (Graeagle Land & Water Co.)
91-32-0009 — Frazier Creek Pit (Graeagle Land & Water Co.)
91-32-0010 — Rocky Point Borrow Site (Plumas County)
91-32-0012 — Willow Creek Borrow Site (Plumas County)
91-32-0015 — Soper Pit (Feather River Material, Inc.)
91-32-0016 — Spanish Creek Aggregates, Inc. (Spanish Creek Aggregates, Inc.)
91-32-0018 — Sloat Pit (Baldwin Contracting Company, Inc.)
91-32-0019 — Feather River Rock (Feather River Rock Co.)

- 91-32-0022 — P.T.L. Trans. D.G. Pit (P.T.L. Trans D.G. Pit)
- 91-32-0023 — Tobin Quarry (Union Pacific Railroad)
- 91-32-0025 — Mud Pit/Rosegurg Pit (Baldwin Contracting Company)
- 91-32-0026 — Roger Clark/Delleker (Clark Construction Co.)
- 91-32-0028 — Butler Quarry (Frontier Construction)
- 91-32-0029 — Heinz Pit (Riverside Rock)
- 91-32-0030 — Spanish Creek Aggregates (Spanish Creek Aggregates)
- 91-32-0032 — Sierra Solutions (Joy Engineering)
- County of Riverside**
- Mine I.D. Mine Name (Operated By)*
- 91-33-0001 — Glen Ivy (Werner Corporation)
- 91-33-0002 — Avalon Street Pit (E. L. Yeager Construction Co.)
- 91-33-0003 — Painted Hills (Whitewater Rock & Supply Company)
- 91-33-0006 — Pacific Clay Pits (Pacific Clay Products)
- 91-33-0007 — Mobile Sand Company (Standard Concrete Products)
- 91-33-0008 — Cabazon Quarry (Robertson's Ready Mix)
- 91-33-0009 — Jack Rabbit Canyon (Triangle Rock Products)
- 91-33-0010 — Glen Ivy (Werner Corporation)
- 91-33-0011 — Sierra Plant (Chandler's Aggregates Inc.)
- 91-33-0013 — U.S. Tile No. 6 (USA Waste of CA, Inc.)
- 91-33-0014 — Chandler Aggregates—Coldwater (Chandler Aggregates Inc.)
- 91-33-0016 — 3M Corona (3M)
- 91-33-0018 — Alberhill Shale Clay Mine (Maruhachi Ceramics of America)
- 91-33-0019 — Kennedy Hills (Kennedy Hills Enterprises, LLC)
- 91-33-0020 — Mountain Avenue Pit #2 (Elsinore Ready Mix Co., Inc.)
- 91-33-0023 — Corona Clay (Rentrac, Inc.)
- 91-33-0025 — Liston Pit (Rentrac, Inc.)
- 91-33-0028 — Palm Desert Rock & Sand (Coronet Concrete Products, Inc.)
- 91-33-0029 — Philadelphia Recycling Mine (Plyley Enterprises Inc.)
- 91-33-0030 — Indio Pit (Granite Construction)
- 91-33-0031 — Garnet Pit (Granite Construction Co.)
- 91-33-0033 — Thermal Pit (Granite Construction Co.)
- 91-33-0034 — Ben's Mine (Mission Clay Products)
- 91-33-0035 — Eagle Valley Quarry (Hanson Agg West Inc.)
- 91-33-0039 — Mayhew Canyon (C.L. Pharris Sand & Gravel, Inc.)
- 91-33-0040 — Juniper Flats (C.L. Pharris Sand & Gravel, Inc.)
- 91-33-0042 — Shamrock Sand & Rock, Inc. (Shamrock Sand & Rock, Inc.)
- 91-33-0043 — Prado Pit (Copp Materials, Inc.)
- 91-33-0046 — Bradshaw Pit (Riverside Co. Transportation)
- 91-33-0047 — Terwilliger Road Pit (Riverside Co. Transportation)
- 91-33-0048 — Mountain View Rd. Pit (Riverside Co. Transportation)
- 91-33-0049 — Bundy Canyon Pit (Riverside Co. Transportation)
- 91-33-0051 — Midland Pit (Riverside Co. Transportation)
- 91-33-0052 — East Benton Pit (Riverside Co. Transportation)
- 91-33-0053 — Juniper Flats Pit (Riverside Co. Transportation)
- 91-33-0054 — Markham Pit (Riverside Co. Transportation)
- 91-33-0055 — Little Lake Pit (Riverside Co. Transportation)
- 91-33-0060 — Kaiser Eagle Mountain (Kaiser Ventures, Inc.)
- 91-33-0061 — Harlow Quarry (Paul Hubbs Construction Co.)
- 91-33-0062 — Pyrite Quarry (Paul Hubbs Construction Co.)
- 91-33-0063 — James E. Simon Company (James E. Simon Company)
- 91-33-0066 — Dillon Road Sand & Gravel Mine (E.L. Yeager Construction Co.)
- 91-33-0067 — B.L.M.—Thousand Palms (E.L. Yeager Construction Co.)
- 91-33-0071 — Valley Rock & Sand (Valley Rock & Sand, Inc.)
- 91-33-0072 — R Bar C (Valley Rock & Sand, Inc.)
- 91-33-0075 — Glen Ivy (Werner Corporation)
- 91-33-0076 — Standard Gypsum Mine (Pacific Gypsum Products, Inc.)
- 91-33-0078 — Tom's Quarry (Crawford Associates)
- 91-33-0080 — Midland/Shepwell's (Shepwell's Inc.)
- 91-33-0082 — Sam Jones Mine (Sam Jones)

- 91-33-0083 — River Road Bridge Sand Removal (Riverside County Transportation)
- 91-33-0084 — Indio Mine (Coachella Valley Aggregates)
- 91-33-0086 — Thousand Palms Sand & Gravel (E.L. Yeager Construction Co.)
- 91-33-0088 — Shepwell's Williams Pit (Shepwell's, Inc.)
- 91-33-0089 — PVID North Gravel Pit (Palo Verde Irrigation District)
- 91-33-0090 — New Thermal Pit (Riverside County Transportation)
- 91-33-0093 — Dillon Road Mine (A-1 Aggregates, Inc.)
- 91-33-0094 — Brookside Materials Site (Riverside County Transportation)
- 91-33-0095 — Vista Mining (James O. Rue)

City of Banning

Mine I.D. Mine Name (Operated By)

- 91-33-0012 — Banning Quarry (Robertson's Ready Mix)

City of Corona

Mine I.D. Mine Name (Operated By)

- 91-33-0005 — All American Aggregates (All American Asphalt)
- 91-33-0027 — Corona Quarry (CalMat Company)

City of Lake Elsinore

Mine I.D. Mine Name (Operated By)

- 91-33-0015 — Wyroc Lake Street Quarry (Wyroc, Inc.)

City of Riverside

Mine I.D. Mine Name (Operated By)

- 91-33-0077 — City of Riverside Granite Pit (City of Riverside, Public Works)

County of Sacramento

Mine I.D. Mine Name (Operated By)

- 91-34-0001 — Van Vleck Rancho Sand & Gravel (Van Vleck Rancho Sand & Gravel)
- 91-34-0003 — Van Vleck Ranch Pit (H.C. Muddox)
- 91-34-0005 — McDonell Clay Pit (Industrial Minerals Company)
- 91-34-0006 — Teichert-Perkins Plant (Teichert Aggregates)
- 91-34-0008 — Teichert-Aspen IV (Teichert Aggregates)
- 91-34-0009 — Teichert-Aspen V (Teichert Aggregates)
- 91-34-0012 — Rancho Cordova (RMC Pacific Materials)
- 91-34-0013 — Lower Bradford Clay (Van Vleck Rancho Sand & Gravel)

- 91-34-0016 — Van Vleck Michigan Bar Pit (H.C. Muddox)
- 91-34-0018 — Sandy Pan Pit #8 (H.C. Muddox)
- 91-34-0023 — Clark Site (American River Aggregates)
- 91-34-0024 — Yost Site (American River Aggregates)
- 91-34-0025 — Happy Lane (Granite Construction Company)
- 91-34-0027 — Fairbairn South II (Granite Construction Company)
- 91-34-0028 — Teichert-Aspen 5A (Teichert Aggregates)
- 91-34-0030 — Borrow Site 2L (Sacramento Area Flood Control)
- 91-34-0033 — Pilleken Ranch (River City Aggregates)
- 91-34-0034 — Teichert-Aspen III South (Teichert Aggregates)
- 91-34-0036 — Granite I (Granite Construction Co.)
- 91-34-0037 — Teichert-Aspen VI (Teichert Aggregates)
- 91-34-0038 — Grech Ranch (Triangle Rock Products)
- 91-34-0039 — East Mining (American River Aggregates)
- 91-34-0040 — Ben Brown Pit (Ben Brown Ranches, Inc.)
- 91-34-0043 — Vineyard 1 (Granite Construction Company)
- 91-34-0044 — Aerojet Mining Site (American River Aggregates)
- 91-34-0045 — Aspen IV South (Teichert Aggregates)
- 91-34-0046 — Aspen V South (Teichert Aggregates)

City of Sacramento

Mine I.D. Mine Name (Operated By)

- 91-34-0021 — Perkins (Granite Construction Company)
- 91-34-0035 — SAFCA Borrow Site 18A (Sacramento Area Flood Control)

County of San Benito

Mine I.D. Mine Name (Operated By)

- 91-35-0001 — Joe Pit (KCAC, Inc.)
- 91-35-0002 — Tres Pinos Creek Pit (Hillsdale Rock Company, Inc.)
- 91-35-0003 — San Juan Pit #6 (Hillsdale Rock Company, Inc.)
- 91-35-0004 — Plant 25 (The Don Chapin Co., Inc.)
- 91-35-0005 — Ashurst-Lewis (Wilbur-Ellis Company)

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- 91-35-0006 — Paicines Ranch (San Benito Supply)
- 91-35-0008 — Williams Quarry (Stevens Creek Quarry, Inc.)
- 91-35-0009 — Southside Sand & Gravel (Granite Rock Company #22349)
- 91-35-0010 — Harris Quarry (Granite Rock Company #22349)
- 91-35-0011 — San Benito Sand (Granite Rock Company #22349)
- 91-35-0012 — A.R. Wilson Quarry (Granite Rock Company #22349)
- 91-35-0014 — San Juan Asphalt (San Juan Asphalt)
- 91-35-0016 — Lomerias Muertas (Hillsdale Rock Company, Inc.)
- 91-35-0019 — Muleshoe Mine (Buffalo Gypsum, Inc.)
- 91-35-0020 — Benitoite Gem Mine (Benitoite Gem Mine)
- County of San Bernardino**
- Mine I.D. Mine Name (Operated By)*
- 91-36-0001 — Lavic Quarry (Twin Mountain Rock Company)
- 91-36-0002 — Mountain Pass Mine (Molycorp, Inc.)
- 91-36-0007 — Apple Valley Clay Mine (Maruhachi Ceramics of America)
- 91-36-0012 — San Bernardino (CalMat Company)
- 91-36-0015 — Castle Mountain Venture (Viceroy Gold Corp.)
- 91-36-0017 — Red Top Mine (Sierra Aggregate Company, Inc.)
- 91-36-0018 — Inland Rock (Hanson Agg West Inc.)
- 91-36-0019 — Black Mountain Quarry (Southdown-CA Cement)
- 91-36-0020 — Amboy (Tetra Technologies, Inc.)
- 91-36-0021 — Bristol Dry Lake (National Chloride Company of America)
- 91-36-0023 — Oro Grande Quarry (Riverside Cement Company)
- 91-36-0025 — Oro Grande Silica (Victorville Industrial Mineral)
- 91-36-0026 — Colosseum Mine (LAC Minerals USA)
- 91-36-0027 — Borosolvay Borrow Pit (IMC Chemicals, Inc.)
- 91-36-0028 — East Gravel Pit (IMC Chemicals, Inc.)
- 91-36-0031 — Lake and Mineral Resource (IMC Chemicals, Inc.)
- 91-36-0033 — Hector Mine (Rheox Inc.)
- 91-36-0034 — Birdseye Granite (Brubaker-Mann Inc.)
- 91-36-0035 — Colton Quarry (California Portland Cement Co.)
- 91-36-0036 — Baxter Quarry (California Portland Cement Co.)
- 91-36-0037 — Superior Quarry (California Portland Cement Co.)
- 91-36-0040 — Lytle Creek (C.L. Pharris Sand & Gravel)
- 91-36-0041 — Newberry Springs (Hanson Agg West, Inc.)
- 91-36-0042 — Hi-Grade Materials Company (Hi-Grade Materials Company)
- 91-36-0043 — Cadiz Dry Lake (Lee Chemical, Inc.)
- 91-36-0045 — Marble Canyon (Specialty Minerals, Inc.)
- 91-36-0046 — Agcon, Inc. (Agcon, Inc.)
- 91-36-0047 — Oro Grande Rock Plant (Industrial Asphalt)
- 91-36-0052 — Sentinel Quarry/USFS Land (OMYA (CA) Inc.)
- 91-36-0054 — Cushenbury (Mitsubishi Cement Corporation)
- 91-36-0055 — 29 Palms Pit (Granite Construction Co.)
- 91-36-0059 — Fontana Pit (Hanson Agg West, Inc.)
- 91-36-0063 — Essex Pit I (Sully-Miller Contracting Co.)
- 91-36-0067 — White Knob/White Ridge; Limes (OMYA (CA) Inc.)
- 91-36-0074 — B and B Mine Group (CalTac, Inc.)
- 91-36-0076 — Daggett Borrow Pit (CalTrans)
- 91-36-0077 — Newberry Borrow Pit (CalTrans)
- 91-36-0082 — Opah Ditch Borrow Pit (CalTrans)
- 91-36-0086 — Fertilizer Amboy Mine (C.V. Organic Fertilizer Co.)
- 91-36-0087 — Calspar (Pacific Coast Minerals)
- 91-36-0089 — Bentonite Open Pit Mine (Brubaker-Mann Inc.)
- 91-36-0090 — Wine Red Quarry (Brubaker-Mann Inc.)
- 91-36-0091 — Gold, Brown, and Lilac Quarrie (Brubaker-Mann Inc.)
- 91-36-0092 — Green Mountain Quarry (Brubaker-Mann Inc.)
- 91-36-0093 — Shadow Mountain/White Rock (Brubaker-Mann Inc.)
- 91-36-0099 — Dale Lake Project (Superior Salt, Inc.)
- 91-36-0103 — Kingston Minerals Group: K-1 (Caltac, Inc.)

- 91-36-0104 — Silver Lake Mine (Hahm International)
- 91-36-0105 — Allvic & Alumina Quarry (Southdown-Victorville Plant)
- 91-36-0106 — White Mountain Quarry (Southdown-Victorville Plant)
- 91-36-0107 — Old Quarries (Southdown-Victorville Plant)
- 91-36-0111 — Sigma Clay Mine (Sigma Clay Company)
- 91-36-0113 — Ludlow Pit (FNF Construction, Inc.)
- 91-36-0116 — Cushenbury Sand & Gravel Quarry (Channel & Basin Reclamation)
- 91-36-0117 — Essex Pit II (Sully-Miller Contracting Co.)
- 91-36-0120 — Essex Sand & Gravel Mine (E.L. Yeager Construction Co.)
- 91-36-0124 — Fort Cady Borate Mine (Fort Cady Minerals Corp.)
- 91-36-0125 — Omega Mine (Protech Minerals, Inc.)
- 91-36-0126 — Vulcan Mine (Protech Minerals)
- 91-36-0128 — Black Angel Mine (Sigma Stone Co.)
- 91-36-0131 — Jacobson Construction Gravel (Jacobson Construction)
- 91-36-0137 — Cajon Creek (CalMat Co.)
- 91-36-0138 — Upper Furnace Quarry (Specialty Minerals, Inc.)
- 91-36-0139 — Arctic Canyon (Specialty Minerals, Inc.)
- 91-36-0140 — Amboy Limestone Quarry (OMYA (CA) Inc.)
- 91-36-0142 — Wildwash (E.L. Yeager Construction Co.)
- 91-36-0143 — Beige Rock (Brubaker-Mann, Inc.)
- 91-36-0157 — Desert Pink Quarry (Brubaker-Mann, Inc.)
- 91-36-0159 — Mud Hills Mine (Lost Packer Mining Company)
- 91-36-0160 — Pioneer (Protech Minerals, Inc.)
- 91-36-0161 — Gordon Lint Mine (Daily Transit Mix, LLC.)
- 91-36-0163 — USA V1 Mine (US Tile)

City of Apple Valley

- Mine I.D. Mine Name (Operated By)*
- 91-36-0022 — Scheerer Quarry (Riverside Cement Company)

City of Barstow

- Mine I.D. Mine Name (Operated By)*
- 91-36-0038 — Barstow (Service Rock Products)

City of Highland

- Mine I.D. Mine Name (Operated By)*
- 91-36-0072 — Plunge Creek Basins (Robertson's Ready Mix)

City of Needles

- Mine I.D. Mine Name (Operated By)*
- 91-36-0102 — Gravel Gertie (Tri-State Hwy. 95 So. Rock, Sand)

City of Redlands

- Mine I.D. Mine Name (Operated By)*
- 91-36-0068 — Alabama Street (C.L. Pharris Sand & Gravel, Inc.)
 - 91-36-0069 — Johnson Pit (C.L. Pharris Sand & Gravel, Inc.)
 - 91-36-0070 — Redlands Aggregate (C.L. Pharris Sand & Gravel, Inc.)
 - 91-36-0073 — Old Webster Quarry (Robertsons Ready Mix)
 - 91-36-0088 — Orange Street (C.L. Pharris Sand & Gravel, Inc.)
 - 91-36-0122 — California Street Landfill (City of Redlands)
 - 91-36-0158 — Johnson Pit North (Cemex USA Construction Materials)
 - 91-36-0162 — Alabama Street Southeast Quarry (Cemex Construction Materials)

City of Rialto

- Mine I.D. Mine Name (Operated By)*
- 91-36-0004 — Rialto Plant (Holliday Trucking, Inc.)
 - 91-36-0146 — Mid-Valley Sanitary Landfill (County of San Bernardino Waste)

City of San Bernardino

- Mine I.D. Mine Name (Operated By)*
- 91-36-0010 — Lytle Creek (Fourth Street Rock Crusher)
 - 91-36-0011 — Fourth Street Rock Crusher/75 (Fourth Street Rock Crusher)
 - 91-36-0065 — Sand Pit, Vern Anthony Gunite (Vern Anthony Gunite, Inc.)

City of Upland

- Mine I.D. Mine Name (Operated By)*
- 91-36-0003 — Campus Plant (Holliday Rock Co., Inc.)
 - 91-36-0006 — Foothill Plant (Holliday Rock Company, Inc.)
 - 91-36-0014 — Upland Pit (CalMat Company)
 - 91-36-0024 — Mtn View Land Co. (Mtn View Land Co.)

County of San Diego

- Mine I.D. Mine Name (Operated By)*
- 91-37-0002 — North Twin Oaks Valley Quarry (Hanson Aggregate Co.)
- 91-37-0005 — Pala Rock Plant (Sand) (Hanson Aggregate Co.)
- 91-37-0010 — Lakeside Sand Pit (C.W. McGrath, Inc.)
- 91-37-0011 — Hillsdale Pit (C.W. McGrath, Inc.)
- 91-37-0019 — TTT Quarry (Superior Ready Mix Concrete)
- 91-37-0020 — Hester's Granite (Hanson Agg)
- 91-37-0021 — Slaughter House Canyon (Pioneer Concrete of CA., Inc.)
- 91-37-0022 — McGrath Borrow Pit (C.W. McGrath, Inc.)
- 91-37-0027 — Sloan Canyon (Sloan Canyon Sand Company)
- 91-37-0033 — Lakeside (Vulcan Materials)
- 91-37-0034 — El Monte Pit (Hanson Aggregate Co.)
- 91-37-0035 — Otay Ranch Pit (Hanson Aggregate Co.)
- 91-37-0036 — Nelson & Sloan Pit 12 (Hanson Aggregate Co.)
- 91-37-0042 — Monte Vista Borrow Pit (San Diego County Public Works)
- 91-37-0043 — Allen Borrow Pit (San Diego County Public Works)
- 91-37-0044 — Buckman Springs Borrow Pit (San Diego County Public Works)
- 91-37-0045 — Olive Street Borrow Pit (San Diego County Public Works)
- 91-37-0046 — McCain Borrow Pit (San Diego County Public Works)
- 91-37-0047 — Burnand Borrow Pit (San Diego County Public Works)
- 91-37-0048 — Warner Borrow Pit (San Diego County Public Works)
- 91-37-0050 — Moretti-Mesa Grande B.P. (San Diego County Public Works)
- 91-37-0052 — National Quarries (National Quarries)
- 91-37-0053 — Jamul Quarry (CalMat Co.)
- 91-37-0054 — Inland Valley Materials (Inland Valley Materials)
- 91-37-0056 — Palo Verde Lake Desiltation & (Palo Verde Ranch HOA)
- 91-37-0057 — The Pauma Valley Country Club (The Pauma Valley Country Club)
- 91-37-0063 — Woodward Sand (Lakeside Land Company, Inc.)

- 91-37-0064 — Baxter Quarry (M.J. Baxter Drilling Company)

City of Oceanside

- Mine I.D. Mine Name (Operated By)*
- 91-37-0012 — El Corzan (City of Oceanside)
- 91-37-0016 — Oceanside/Carlsbad (Hanson Aggregate Co.)

City of Poway (State Mining and Geology Board)

- Mine I.D. Mine Name (Operated By)*
- 91-37-0030 — Vulcan—Poway (Vulcan Materials)

City of San Diego

- Mine I.D. Mine Name (Operated By)*
- 91-37-0007 — Carroll Canyon Plant (Hanson Aggregate Co.)
- 91-37-0013 — Sim J. Harris Company (Hanson Aggregate Co.)
- 91-37-0024 — Mission Gorge Pit (Superior Ready Mix Concrete, L)
- 91-37-0026 — Mission Valley (CalMat Co.)
- 91-37-0028 — Mission Valley-Ex Fenton (CalMat Co.)
- 91-37-0029 — Carroll Canyon (CalMat Co.)
- 91-37-0037 — Border Highlands Pit (Jim & Lois Nelson LP)

City of San Marcos

- Mine I.D. Mine Name (Operated By)*
- 91-37-0015 — UCLH San Marcos (Hanson Aggregate Co.)

City of Santee

- Mine I.D. Mine Name (Operated By)*
- 91-37-0025 — RCP Pits 1, 2, 3, & 5 Inclusive (RCP Block & Brick, Inc.)

County of San Joaquin

- Mine I.D. Mine Name (Operated By)*
- 91-39-0001 — Oakwood Lake Pit (Brown Sand, Inc.)
- 91-39-0002 — QX 94-1 Vernalis (Granite Const., Co.)
- 91-39-0005 — Rose (Teichert Aggregates)
- 91-39-0006 — Tracy Rock Plant (Teichert Aggregates)
- 91-39-0007 — Pereira (Teichert Aggregates)
- 91-39-0008 — Tracy Pit (Granite Construction Company)
- 91-39-0009 — RME Pit (Granite Construction Company)
- 91-39-0010 — Valley Rock (Valley Mtrls)
- 91-39-0011 — Kasson Road Pit (F.T.G. Construction Mtrls, Inc.)

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- 91-39-0012 — Mossdale Road Pit (F.T.G. Construction Mtrls, Inc.)
- 91-39-0013 — Purviance/Garabaldi (Reeves Sand & Gravel Inc.)
- 91-39-0014 — Kerlinger-Huck (RMC Pacific Materials)
- 91-39-0015 — Kerlinger/Rhodes (RMC Pacific Materials)
- 91-39-0016 — Solari Pit (George Reed, Inc.)
- 91-39-0018 — Featherstone Ranch (George Reed, Inc.)
- 91-39-0019 — Main Riverbank Pit (George Reed, Inc.)
- 91-39-0020 — KRC Aggregate, Inc. (KRC Aggregate, Inc.)
- 91-39-0021 — Vernalis (Teichert Aggregates)
- 91-39-0022 — Mossdale Ranch (Brown Sand, Inc.)
- 91-39-0024 — Traina (Teichert Aggregates)
- 91-39-0025 — Christensen Ranch (George Reed, Inc.)
- 91-39-0029 — DSS Company Vernalis Quarry (DSS Company)
- 91-39-0030 — Burgin/Torla (Reeves Sand & Topsoil Co.)
- 91-39-0031 — Moffatt Mine (A.A. & Bob Allen, Inc.)
- 91-39-0032 — McGah & Peterson Property (Granite Construction Company)
- 91-39-0033 — Rumble Ranch (George Reed, Inc.)
- 91-39-0034 — Merritt Ranch (George Reed, Inc.)
- 91-39-0035 — Noceti Farms (Reeves Sand & Gravel, Inc.)
- County of San Luis Obispo**
- Mine I.D. Mine Name (Operated By)*
- 91-40-0002 — Hartzell Ranch Santa Rita Ston (Hartzell Ranch)
- 91-40-0003 — Santa Margarita (Hanson Agg-Mid-Pacific, Inc.)
- 91-40-0004 — Toresh Ready Mix, Inc. (Troesh Ready Mix, Inc.)
- 91-40-0005 — Hartzell Ranch Red Rock Quarry (W.W. Hartzell, Jr.)
- 91-40-0006 — Brughelli Pit (Damon-Garcia)
- 91-40-0007 — Guerra Pit (Dale Guerra)
- 91-40-0008 — Homeplace Pit (Anna Mainini)
- 91-40-0009 — Cambria Pit (Negranti Construction)
- 91-40-0010 — Whale Rock Pit (Negranti Construction)
- 91-40-0011 — Land Red Rock Pit (Negranti Construction)
- 91-40-0013 — Rocky Canyon (Union Asphalt, Inc.)
- 91-40-0014 — Sisquoc Mining Operation (Union Asphalt, Inc.)
- 91-40-0015 — Miller Mine (Union Asphalt, Inc.)
- 91-40-0016 — Tiber Canyon Sand Pit (R. Burke Corporation)
- 91-40-0019 — Lime Mountain Company (Lime Mountain Company)
- 91-40-0021 — North River Road Pit (Viborg Sand & Gravel, Inc.)
- 91-40-0022 — Mountain Springs Shale Pit (Viborg Sand & Gravel, Inc.)
- 91-40-0024 — Froom Ranch Pit (Madonna Construction Co.)
- 91-40-0026 — Bianchi Pit (Winsor Construction)
- 91-40-0027 — Navajo Rock & Sand—Navajo Cr (Navajo Concrete)
- 91-40-0028 — Huasna River Pit (San Luis Obispo County)
- 91-40-0029 — North River Road Mine (San Luis Obispo County)
- 91-40-0031 — Cambria Rock (Cambria Rock)
- 91-40-0034 — Templeton/Ormonde (M. J. Hermreck & Willco Assoc.)
- 91-40-0035 — Beecham Red Rock Pit (J.H. Beecham)
- 91-40-0036 — Oceano Sand Company (Oceano Sand Company)
- 91-40-0038 — Patchett Pit (DeChance Construction Co., Inc.)
- 91-40-0039 — 3/S Ranch Pit (3/S Ranch Pit)
- 91-40-0041 — Rancho San Simeon (Rancho San Simeon)
- 91-40-0042 — Sycamore Road Pit (Borzini Sand & Gravel)
- 91-40-0043 — Arroyo Del Osos Beach (Winsor Construction)
- 91-40-0045 — Barrett Pit (Barrett Brothers Pit)
- 91-40-0047 — Grieb Ranch Quarry (Harley Green Stone Co.)
- 91-40-0048 — Nesbitt (Union Asphalt, Inc.)
- 91-40-0049 — Farming Camp (Darrell Twisselman)
- 91-40-0050 — California Valley Mine (Darrell Twisselman)
- 91-40-0051 — Hartzell Ranch (W.W. Hartzell, Jr.)
- 91-40-0052 — Creston Pit (Union Asphalt, Inc.)
- City of Atascadero**
- Mine I.D. Mine Name (Operated By)*
- 91-40-0001 — Millhollin Pit (Glen Millhollin)

City of Paso Robles

- Mine I.D. Mine Name (Operated By)*
 91-40-0023 — 1529 North River Road (Viborg Sand & Gravel, Inc.)
 91-40-0030 — Salinas River Borrow Pit (City of Paso Robles)
 91-40-0040 — Lone Oak (Willco/Hermreck)

County of San Mateo

- Mine I.D. Mine Name (Operated By)*
 91-41-0002 — Brisbane Quarry (California Rock & Asphalt)
 91-41-0003 — Langley Hill Quarry (Langley Hill Quarry)
 91-41-0004 — Pescadero Quarry (San Mateo Co Public Works)
 91-41-0005 — Pilarcitos Quarry (West Coast Aggregates)

County of Santa Barbara

- Mine I.D. Mine Name (Operated By)*
 91-42-0003 — Sisquoc (Hanson Agg Mid Pacific)
 91-42-0004 — Parks Sand Pit (Parks Land & Cattle Co., Inc.)
 91-42-0006 — Bee Rock Quarry (Granite Construction Company)
 91-42-0007 — Lompoc Plant (Celite Corporation)
 91-42-0008 — Colson Quarry (G. Antolini & Son)
 91-42-0009 — Tepusquet Quarry (G. Antolini & Son)
 91-42-0011 — Acin Ranch Site 1 Acin Rnc (Sepulveda Building Materials L)
 91-42-0014 — Sisquoc Mining Operation (Union Asphalt Inc.)
 91-42-0016 — Buellflat Rock Company, Inc. (Buellflat Rock Co.)
 91-42-0019 — Palos Colorados & Miguelito (Celite Corp)
 91-42-0020 — Ellwood Ranch Quarry (Santa Barbara Sand)
 91-42-0021 — El Jaro (Morrison Knudsen)
 91-42-0022 — Buellton Pit (Granite Construction Company)
 91-42-0023 — Ventucopa Plant (General Production Service, Inc.)
 91-42-0024 — Gregersen Pit (Solvang Sand Co.)

City of Lompoc

- Mine I.D. Mine Name (Operated By)*
 91-42-0026 — V & J Mine (V & J Rock Transport, Inc.)

City of Santa Barbara

- Mine I.D. Mine Name (Operated By)*
 91-42-0001 — Live Oak Shale Quarry (Daniels Equipment, Inc.)

City of Santa Maria

- Mine I.D. Mine Name (Operated By)*
 91-42-0025 — City of Santa Maria PWD (City of Santa Maria PWD)

County of Santa Clara

- Mine I.D. Mine Name (Operated By)*
 91-43-0001 — Curtner Products (Oliver de Silva, Inc.)
 91-43-0002 — Serpa Pit (Raisch Company)
 91-43-0003 — Azevedo Quarry (A.J. Raisch Paving Company)
 91-43-0004 — Hanson Permanente Quarry (Hanson Permanente Cement)
 91-43-0005 — Polak Pit Quarry (Granite Rock Company #22349)
 91-43-0006 — Lexington Quarry (West Coast Aggregates, Inc.)
 91-43-0007 — Stevens Creek Quarry Inc. (Stevens Creek Quarry Inc.)
 91-43-0008 — Calaveras Quarry (C.W. Swenson, Inc.)
 91-43-0010 — Freeman Quarry (West Coast Aggregates, Inc.)

County of Santa Cruz

- Mine I.D. Mine Name (Operated By)*
 91-44-0001 — Olive Springs Quarry (Olive Springs Quarry, Inc.)
 91-44-0002 — Felton Plant (Hanson Aggregates-Mid Pacific)
 91-44-0003 — Felton Quarry (Granite Construction Company)
 91-44-0004 — Olympia (RMC Pacific Materials)
 91-44-0005 — Bonny Doon Limestone & Shale Q (RMC Pacific Materials)
 91-44-0006 — Wilder Sand Plant (Granite Rock Company #22349)
 91-44-0007 — Quail Hollow Quarry (Granite Rock Co.)
 91-44-0008 — Cabrillo Sand & Gravel (Cabrillo Sand & Gravel)

County of Shasta

Mine I.D. Mine Name (Operated By)
 91-45-0001 — Mountain Gate Limestone Quarry (Mountain Gate Limestone Quarry)
 91-45-0004 — Anderson Cottonwood Concrete (Anderson Cottonwood Concrete P)
 91-45-0005 — Jack Rabbit Flat Lava Rock (Fruit Growers Supply Company)
 91-45-0006 — Brush Mountain (Packway Materials, Inc.)
 91-45-0007 — Wilcox Processing Plant (Packway Materials, Inc.)
 91-45-0010 — Burney D.E. Pit (Lehigh Southwest Cement Company)
 91-45-0012 — Gray Rock Quarry (Lehigh Southwest Cement Company)
 91-45-0013 — Falkenburg Quarry (Lehigh Southwest Cement Company)
 91-45-0014 — Shea Sand & Gravel (J.F. Shea Co., Inc.)
 91-45-0015 — Shaw Pit (J.F. Shea Co., Inc.)
 91-45-0016 — Hinds Pit (J.F. Shea Co., Inc.)
 91-45-0017 — Fawndale Rock Quarry (J.F. Shea Co., Inc.)
 91-45-0018 — Dicalite Corporation (Dicalite Corporation)
 91-45-0020 — Brush Mountain Cinder Pit (Shasta County)
 91-45-0021 — Crystal Creek Aggregate (Crystal Creek Aggregate, Inc.)
 91-45-0022 — Blue Sand Pit (Shasta County Public Works)
 91-45-0023 — Bear Gulch Limestone Quarry (Bear Gulch Enterprises, Inc.)
 91-45-0024 — Braden Sand Pit (Hat Creek Construction, Inc.)
 91-45-0025 — B & S 2 (Westside Aggregate)
 91-45-0028 — Black Butte Cinders (Black Butte Cinders)
 91-45-0029 — Oak Run Quarry (L.W. Hall Company Inc.)
 91-45-0030 — Pocket Hill Mine (Crystal Creek Agg, Inc.)
 91-45-0036 — B&S Cinders (Westside Aggregate)
 91-45-0040 — Eagle Crest (Brian Burk)
 91-45-0042 — Ben Bridge Allotment (Volcano Rock, Inc.)
 91-45-0043 — Moore Sand & Gravel (Anderson Cottonwood Concrete)
 91-45-0045 — Brush Mountain Fruit Growers (Hat Creek Construction, Inc.)

91-45-0046 — Happy Valley Gravel (Happy Valley Gravel Co.)
 91-45-0047 — Blacks Mine (Northstate Asphalt, Inc.)
 91-45-0049 — Hidden Valley Aggregate (Packway Materials, Inc.)
 91-45-0051 — Gray Rocks South (Lehigh Southwest Cement Company)
 91-45-0052 — Eastside Aggregates (Hat Creek Construction, Inc.)
 91-45-0053 — Bales Montain Quarry (Frank & Gudrun Vopat)
 91-45-0054 — Redding Wake Board & Ski Park (Westside Aggregate)
 91-45-0055 — Rich Ranch

City of Redding

Mine I.D. Mine Name (Operated By)
 91-45-0019 — Aggregate Products (J.F. Shea Co., Inc.)
 91-45-0039 — Swarts Mine (Westside Aggregates)

County of Sierra

Mine I.D. Mine Name (Operated By)
 91-46-0001 — Dana Park Decomposed Granite Pit (Alton A. Jack)
 91-46-0003 — Sixteen To One Mine (Original Sixteen To One, Inc.)
 91-46-0007 — Cole Cash (Janet Cummings)
 91-46-0010 — Webber Pit (P.T.L. Trans.)
 91-46-0012 — Taber Mine (Ancient Channel Mining Co.)
 91-46-0013 — Borrow Pit (Sierra Pacific Industries)

County of Siskiyou

Mine I.D. Mine Name (Operated By)
 91-47-0001 — Hart Quarry (Hart Cattle Company)
 91-47-0002 — Silva Quarry (Bob Silva Excavation)
 91-47-0004 — Mt. Shasta Pit (Siskiyou County Public Works)
 91-47-0005 — Wolford Pit (Siskiyou County Public Works)
 91-47-0006 — Yellow Butte Pit (Siskiyou County Public Works)
 91-47-0008 — L&C Livestock Pit (Siskiyou County Public Works)
 91-47-0009 — Yreka Transit Mix, Inc. (Yreka Transit Mix, Inc.)
 91-47-0010 — Rebecca & Deboy Mine (BSB Cinder Company)
 91-47-0011 — Hyytinen Mine Claim (Glass Mountain Pumice, Inc.)
 91-47-0013 — Block Pumice 1-4 Claims (Echo Mountain Stone)

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- 91-47-0014 — Moore's Gravel (Moore's Gravel)
- 91-47-0016 — Upton Mine (Sousa Ready Mix, Inc.)
- 91-47-0018 — Tschopp Kidder Creek Quarry (Frontier Construction)
- 91-47-0019 — Hopkins Pit (J.F. Shea Co., Inc.)
- 91-47-0023 — Shastalite Cinder Mines (Shastalite Cinder Mines)
- 91-47-0025 — JJJ-Ranch (Dave Biondi)
- 91-47-0026 — Dennis York (Dennis York)
- 91-47-0027 — McLaughlin Quarry (Tschopp Excavating)
- 91-47-0032 — Lynn & Coe (Frontier Construction)
- 91-47-0033 — Dunlap (7D) Ranch (Yreka Transit Mix Concrete)
- 91-47-0037 — Truax Quarry (Kiewit Pacific Co.)
- 91-47-0041 — Ager Gravel Pit (Pearl A. Spencer)
- 91-47-0042 — Gundlach (Greg Gundlach)
- 91-47-0043 — Cherry Flats (Eddie Conner)
- 91-47-0045 — Hurlimann/Johnson (Mark Johnson)
- 91-47-0051 — Graystone Mine (Nathan & Shirley Hammond)
- 91-47-0052 — River Ranch Mine (Tim Louie Construction)
- 91-47-0053 — Lor "O" (Belle Terre Discoveries)
- 91-47-0054 — Indian Creek Pit (Frontier Construction)
- 91-47-0055 — Timberhitch Pits (McMillan Sand & Gravel)
- 91-47-0056 — Truck Village (Keith Darrah)
- 91-47-0057 — Nash Pit (Kiewit Pacific Company)
- 91-47-0059 — Williams Pit (Frontier Construction)
- 91-47-0060 — Truax-2 (Butte Valley Quarry) (Siskiyou County Public Works)
- 91-47-0061 — Soda Springs LLC (Big Springs) (Siskiyou County Public Works)

City of Mt. Shasta

- Mine I.D. Mine Name (Operated By)*
- 91-47-0015 — Springhill Mine (Sousa Ready Mix Inc.)

City of Montague

- Mine I.D. Mine Name (Operated By)*
- 91-47-0048 — West Pit (Frontier Construction)

County of Solano

- Mine I.D. Mine Name (Operated By)*
- 91-48-0002 — Lake Herman Quarry (Syar Industries, Inc.)
 - 91-48-0003 — Potrero Hills Landfill (Potrero Hills Landfill)
 - 91-48-0004 — Potrero Hills Quarry (OEA Aerospace Inc.)

- 91-48-0005 — Goodyear Quarry (Parish Pit) (Syar Industries, Inc.)
- 91-48-0006 — Tule Vista Livestock Co. (Tule Vista Livestock Co.)
- 91-48-0007 — Decker Island Sand Harvesting (Mega Sand, Inc.)
- 91-48-0008 — Panoche Borrow Areas (IT Corporation)
- 91-48-0009 — Asta Sand Pit (Asta Construction Co.)

County of Sonoma

- Mine I.D. Mine Name (Operated By)*
- 91-49-0003 — Windsor III (Hanson Aggregates-Mid Pacific)
 - 91-49-0004 — Canyon Rock Co., Inc. (Canyon Rock Co., Inc.)
 - 91-49-0005 — Ielmorini Quarry (North Bay Construction, Inc.)
 - 91-49-0006 — Stony Point Rock Quarry (Stony Point Rock Quarry, Inc.)
 - 91-49-0007 — Cheney Gulch Quarry (Stony Point Rock Quarry)
 - 91-49-0008 — Sonoma Rock Company (C.R. Federick Inc.)
 - 91-49-0009 — Nuns Canyon Quarry (Nuns Canyon Quarry, Inc.)
 - 91-49-0012 — Petaluma Quarry (Dutra Materials)
 - 91-49-0013 — DeWitt Sand & Gravel (Jerry DeWitt Trucking, Inc.)
 - 91-49-0021 — Lakeville Quarry (Ghilotti Brothers Construction)
 - 91-49-0028 — Russian River Channel-Vested (Syar Industries, Inc.)
 - 91-49-0030 — Healdsburg Terrace (Grace Ranch) (Syar Industries, Inc.)
 - 91-49-0032 — Mark West Quarry (Mark West Quarry)
 - 91-49-0034 — Bohan & Canelis-Austin Creek (Bohan & Canelis)
 - 91-49-0038 — Spaletta Quarry (Spaletta Quarry)
 - 91-49-0043 — Blue Rock Company (Blue Rock Company)
 - 91-49-0044 — Brooks Quarry (Wesley A. Brooks)
 - 91-49-0045 — Stony Point Rock Quarry Sonoma (Cheney Gulch Quarry)
 - 91-49-0047 — Trinity Quarry (Gordenker Turkey Farms, Inc.)
 - 91-49-0051 — Windsor/Mariani I (Hanson Aggregates-Mid-Pacific)
 - 91-49-0052 — Twin Bridges (Gualala Aggregates, Inc.)

- 91-49-0053 — Naco-West, et al. (Shamrock Materials, Inc.)
- 91-49-0054 — Windsor Master Rec Plan (Hanson Agg Mid-Pacific)
- 91-49-0056 — Healdsburg Terrace Phase III (Syar Industries, Inc.)
- 91-49-0057 — Windsor/Vimark (Kaiser Sand & Gravel Co.)
- 91-49-0058 — Healdsburg Terrace Phase IV (Syar Industries, Inc.)
- 91-49-0060 — Healdsburg Terrace Phase V (Syar Industries, Inc.)
- 91-49-0061 — Vimark, et al. (Shamrock Materials, Inc.)

County of Stanislaus

- | <i>Mine I.D.</i> | <i>Mine Name (Operated By)</i> |
|------------------|-----------------------------------------------------------|
| 91-50-0003 | — Warner (Calaveras Materials, Inc.) |
| 91-50-0005 | — OHE's Sand & Gravel (OHE's Sand & Gravel) |
| 91-50-0006 | — Waterford Plant (Santa Fe Aggregates, Inc.) |
| 91-50-0007 | — LaGrange Plant (Santa Fe Aggregates, Inc.) |
| 91-50-0008 | — Frank B. Marks & Son, Inc. (Frank B. Marks & Son, Inc.) |
| 91-50-0009 | — Cree Ranch Pit (Calaveras Materials, Inc.) |
| 91-50-0010 | — LaGrange Pit (George Reed, Inc.) |
| 91-50-0012 | — Ardis Pit (George Reed, Inc.) |
| 91-50-0013 | — Roberts Ferry (7-11 Materials) |
| 91-50-0014 | — Waterford Pit (7-11 Materials) |
| 91-50-0016 | — Reed Waterford Pit (George Reed, Inc.) |
| 91-50-0018 | — Schmidt Pit (Calaveras Materials, Inc.) |
| 91-50-0019 | — De Martini Mine (James De Martini) |
| 91-50-0021 | — Green Pit (West Coast Aggregates) |
| 91-50-0022 | — 7/11 Materials Pit (7/11 Materials, Inc.) |
| 91-50-0023 | — Ohe Sand & Gravel (Mike Ohe) |

County of Sutter

- | <i>Mine I.D.</i> | <i>Mine Name (Operated By)</i> |
|------------------|------------------------------------------------------------|
| 91-51-0001 | — Butte Sand & Gravel (Butte Sand & Gravel) |
| 91-51-0002 | — Bihlman Pit (Bihlman Pit) |
| 91-51-0003 | — West Butte Aggregate (West Butte Aggregate) |
| 91-51-0004 | — Reclamation District, Pit #1 (Reclamation District 1001) |
| 91-51-0006 | — Butte Ranch Borrow Site (Butte Sand and Gravel) |

County of Tehama

- | <i>Mine I.D.</i> | <i>Mine Name (Operated By)</i> |
|------------------|-----------------------------------------------------------|
| 91-52-0002 | — Carmichael Rock Quarry (Carl J. Woods Construction Co.) |
| 91-52-0003 | — Fox Sand and Gravel (Fox's Sand & Gravel) |
| 91-52-0005 | — Dibble Creek (Tehama Asphalt Processing, Inc.) |
| 91-52-0006 | — Thomes Creek Rock, Inc. (Thomes Creek Rock, Inc.) |
| 91-52-0008 | — Red Bluff Rock/Thomes Creek (Red Bluff Rock) |
| 91-52-0010 | — Nicol Pit #103 (Tehama County) |
| 91-52-0012 | — Eaton Pit #100 (Tehama County) |
| 91-52-0013 | — Schmitt Pit #1 (Tehama County) |
| 91-52-0014 | — Nicol Pit #88 (Tehama County) |
| 91-52-0015 | — Doyle Ranch Pit #17 (Tehama County) |
| 91-52-0016 | — Cottonwood Creek (Cottonwood Cr. Sand & Gravel) |
| 91-52-0017 | — Leininger (Ben's Truck & Equipment, Inc.) |
| 91-52-0019 | — Amen Pit #104 (Tehama County) |
| 91-52-0022 | — Paynes Creek Cinder Pit (Tehama County) |
| 91-52-0023 | — Dye Creek Quarry (Nordic Industries, Inc.) |
| 91-52-0024 | — H.L. Rodney Cinders (H.L. Rodney Cinders) |
| 91-52-0025 | — Hub Johnson PT (Ben's Truck Equipment, Inc.) |
| 91-52-0027 | — Hooker Creek (Westside Aggregate) |
| 91-52-0028 | — Deer Creek Rock (Deer Creek Rock) |
| 91-52-0029 | — Smith Property (Chuck Wolf) |
| 91-52-0032 | — Fishman Pit (Thomes Creek Rock, Inc.) |
| 91-52-0033 | — Endicott (Endicott Trucking) |
| 91-52-0034 | — Pine Creek (Ben's Truck & Equipment, Inc.) |
| 91-52-0035 | — Long Ranch Quarry (Coyote Rock Products) |
| 91-52-0036 | — Rathja Pit (Chuck Wolf) |
| 91-52-0037 | — Stromer Pit (Valley Rock Prod., Inc.) |
| 91-52-0038 | — Anderson Brothers Corp. (Anderson Brothers Corp.) |

County of Trinity

- | <i>Mine I.D.</i> | <i>Mine Name (Operated By)</i> |
|------------------|-----------------------------------------------|
| 91-53-0002 | — Dinsmore Bar (Mercer, Fraser Company) |
| 91-53-0006 | — Riley Placer Mine (Lewiston Mining Company) |

- 91-53-0007 — LaGrange Mine (Eagle Rock, Inc.)
- 91-53-0012 — Blue Rock Co. (Don Wesner)
- 91-53-0014 — Blue Rock Quarry (Roy E. Ladd, Inc.)
- 91-53-0015 — Smith Tailings @ Junction City (Weaver City Construction)
- 91-53-0018 — Bully Choop Mine (Canadian Reserve, Inc.)
- 91-53-0021 — Blue Rock Quarry-2 (Roy E. Ladd, Inc.)
- 91-53-0024 — Oswald Mine (MP, Inc.)
- 91-53-0025 — Ruth Mine (County Dept. of Transportation)

County of Tulare

- Mine I.D. Mine Name (Operated By)*
- 91-54-0001 — Porterville Ready Mix Sand Co. (PRM Sand Co.)
 - 91-54-0002 — Lee Gill Granite Pit (Mitch Brown Gen. Eng.)
 - 91-54-0005 — Britten Granite Pit (L.E. Britten Construction)
 - 91-54-0006 — Kaweah River Rock (Kaweah River Rock Company, Inc.)
 - 91-54-0007 — Lemon Cove (RMC Pacific Materials)
 - 91-54-0009 — Ledbetter Borrow Pit (Edward Hunsaker)
 - 91-54-0011 — Hunsaker Granite (Willima Hunsaker Granite)
 - 91-54-0012 — Tulare Valley Rock/Dry Creek (Artesia Ready Mix Concrete)
 - 91-54-0013 — Lemoncove Granite Pit (Lemoncove Granite Pit)
 - 91-54-0015 — Tescon (Halopoff & Sons, Inc.)
 - 91-54-0016 — Fountain Springs Quarry (Desert Aggregates, Inc.)
 - 91-54-0017 — Desert Agg Terra Bella (Desert Aggregates, Inc.)
 - 91-54-0019 — Deer Creek Ranch (Shan King)
 - 91-54-0021 — Deer Creek Quarry (Deer Creek Rock Company, Inc.)
 - 91-54-0022 — Tule River/Success Dam (Mitchell Brown Gen. Eng., Inc.)
 - 91-54-0023 — Hershey Pit (Tulare Co. Public Works Dept.)
 - 91-54-0024 — Galasso Pit (Tulare Co. Public Works Dept.)
 - 91-54-0025 — Chrisman Pit (Tulare Co. Public Works Dept.)
 - 91-54-0026 — Travioli Granite (Dunn's Sand, Inc.)
 - 91-54-0027 — Muller Granite (A.J. Muller)

- 91-54-0028 — Boydston Mine (Mitchell Brown Gen. Eng., Inc.)
- 91-54-0031 — Weisenberger Pit (Mitchell Brown Gen. Eng., Inc.)

County of Tuolumne

- Mine I.D. Mine Name (Operated By)*
- 91-55-0001 — Jamestown Mine (Tuolumne County)
 - 91-55-0002 — Blue Mountain Minerals (Blue Mountain Minerals)
 - 91-55-0003 — Sierra Rock Products, Inc. (Sierra Rock Products, Inc.)
 - 91-55-0004 — Pine Mountain Quarry (William G. Crook)
 - 91-55-0005 — Table Mountain Quarry (George Reed, Inc.)
 - 91-55-0006 — Columbia Quarry (Blue Mountain Minerals)
 - 91-55-0007 — Rainbow Quarry (Montezuma Aggregates, Inc.)
 - 91-55-0008 — Priest Grade Pit (Tuolumne County Public Works)

County of Ventura

- Mine I.D. Mine Name (Operated By)*
- 91-56-0001 — Ridgelite (Pacific Custom Mtrls, Inc.)
 - 91-56-0004 — Ventura River (Hanson Agg-West, Inc.)
 - 91-56-0007 — El Rio (Hanson Agg-West, Inc.)
 - 91-56-0008 — Saticoy (Hanson Agg-West, Inc.)
 - 91-56-0009 — Grimes Canyon Quarry/Red Rock (Best Rock)
 - 91-56-0010 — Grimes Canyon Quarry (Best Rock Products)
 - 91-56-0011 — Mary Smith Quarry (A.J. Sanders)
 - 91-56-0013 — Sespe Rock Quarry (Blue Star Materials)
 - 91-56-0014 — Moorpark (Cemex Inc.)
 - 91-56-0015 — Tapo Rock and Sand, Inc. (Tapo Rock and Sand, Inc.)
 - 91-56-0016 — Cuyama Gypsum Deposit (Lehigh Southwest Cement Company)
 - 91-56-0017 — Saticoy Plant (Calmat Company)
 - 91-56-0018 — Ferro-Saticoy (Calmat Company)
 - 91-56-0021 — Tapo Canyon Mine (P.W. Gillibrand Co./CZS Corp.)
 - 91-56-0022 — Fruitvale (Southdown CA Agg)
 - 91-56-0024 — Rose Avenue-Saticoy (CalMat Co.)
 - 91-56-0025 — The Ojai Quarry (Schmidt Construction, Inc.)
 - 91-56-0026 — El Rio-Plant (Hanson Agg West, Inc.)
 - 91-56-0027 — Briggs Road-Plant (Sully-Miller Contracting Company)

- 91-56-0028 — Wayne J. Sand & Gravel (Wayne J. Sand & Gravel, Inc.)
- 91-56-0029 — Toland Park (County of Ventura)
- 91-56-0030 — Grimes Canyon Clay Removal (Santa Clara Valley Ag. Dev. Co.)
- 91-56-0032 — Grimes Rock (Grimes Rock, Inc.)
- 91-56-0033 — Ozena Valley Ranch (Ozena Valley Ranch)

County of Yolo

- Mine I.D. Mine Name (Operated By)*
- 91-57-0002 — Woodland Plant (Teichert Aggregates)
 - 91-57-0006 — Schwarzgruber & Sons, Inc. (Schwarzgruber & Sons, Inc.)
 - 91-57-0008 — Off-Channel (Solano Concrete Co., Inc.)
 - 91-57-0010 — Woodland Facility (Granite Construction Company)
 - 91-57-0011 — Esparto-Reiff Property (Teichert Aggregates)
 - 91-57-0012 — Woodland Properties (Teichert Aggregates)
 - 91-57-0014 — Capay (Granite Construction)
 - 91-57-0015 — Cache Creek Off-Channel (Syar Industries, Inc.)

County of Yuba (State Mining and Geology Board)

- Mine I.D. Mine Name (Operated By)*
- 91-58-0001 — Western Aggregates, Inc. (Western Aggregates, Inc.)
 - 91-58-0002 — Hallwood Pit (Baldwin Contracting Co., Inc.)
 - 91-58-0003 — Cal Sierra Development, Inc. (Cal Sierra Development)
 - 91-58-0004 — Sperbeck Quarry (Carl J. Woods Construction Co.)
 - 91-58-0006 — Hallwood Plant (Teichert Aggregates)
 - 91-58-0007 — Wheatland Mine (Gladding McBean)
 - 91-58-0011 — Dantoni Road Pit (Triangle Engineering)
 - 91-58-0013 — Parks Bar Quarry (Nordic Industries, Inc.)
 - 91-58-0019 — Yuba-Hofman (Teichert Aggregates)
 - 91-58-0020 — Timbuctoo Mine (Dan Garcia Sand & Gravel)
 - 91-58-0022 — Stringer Pit (Silica Resources, Inc.)

DEPARTMENT OF FISH AND GAME

**CONSISTENCY DETERMINATION
Fish and Game Code Section 2080.1
Tracking Number 2080-2004-004-01**

- Project:** Trinity River Bridges Replacement Project
- Location:** Salt Flat, Bucktail, Poker Bar, and Biggers Road Bridges in Lewiston Area of Trinity County
- Notifier:** Trinity County Planning Department

BACKGROUND

Working with the U.S. Bureau of Reclamation's Trinity River Restoration Program ("TRRP"), Trinity County is proposing to modify or replace, as necessary, the Salt Flat, Bucktail Bridge, Poker Bar, and Biggers Road Bridges across the Trinity River below Lewiston Dam ("project"). The project is necessary to accommodate future operational changes to the Trinity River Division of the Central Valley Project needed to restore the fishery and water quality of the Trinity River.

The project could result in direct and indirect incidental take of Southern Oregon/Northern California Coast coho salmon (*Oncorhynchus kisutch*) ("SONCC coho salmon"). The SONCC coho salmon Evolutionary Significant Unit ("ESU") consists of populations from Cape Blanco, Oregon, south to Punta Gorda, California. SONCC coho salmon is listed as threatened under the Endangered Species Act ("ESA") (16 U.S.C. § 1531 *et seq.*) and is a candidate species under the California Endangered Species Act ("CESA") (Fish & G. Code, § 2050 *et seq.*). Direct take could occur both by adult and juvenile mortality and loss of redds. Indirect take could occur by short-term detrimental changes to aquatic habitat parameters, including substrate quality, turbidity, and suspended sediment levels. Such habitat modification or degradation could adversely affect the essential behavioral patterns of SONCC coho salmon, including breeding, spawning, rearing, migrating, feeding, and sheltering.

Because of the project's potential for take of listed coho salmon, TRRP consulted with the National Oceanic and Atmospheric Administration Fisheries Service ("NOAA Fisheries"), as required by the ESA. On July 11, 2003, NOAA Fisheries issued to TRRP a "no jeopardy" biological opinion (151422SWR02AR6360:MK). The biological opinion described the project and set forth measures to mitigate impacts to coho salmon and coho salmon habitat in the vicinity of the bridges that will be modified or replaced. On August 25, 2003, the Director of the Department of Fish and Game

(“Department”) received a notice from the Trinity County Planning Department requesting a determination that the incidental take statement in the biological opinion was consistent with CESA pursuant to Fish and Game Code section 2080.1. On September 24, 2003, the Department issued a determination that the incidental take statement in the biological opinion was consistent with CESA (Tracking Number 2080-2003-021-01).

After NOAA Fisheries issued its July 11, 2003, biological opinion and the Department of Fish and Game issued its September 24, 2003, consistency determination, changes were made to the project design and implementation schedule. As a result, TRRP re-initiated consultation under the ESA with NOAA Fisheries. On February 11, 2004, NOAA Fisheries issued a new “no jeopardy” biological opinion which incorporates the incidental take statement in the July 11, 2003, biological opinion, and supercedes that opinion. NOAA Fisheries then amended its February 11, 2004, biological opinion on March 16, 2004 (“new biological opinion”). On March 19, 2004, the Department’s Director received a request from the Trinity County Planning Department for a determination that the incidental take statement in the new biological opinion is consistent with CESA.

DETERMINATION

The Department has determined that the incidental take statement in the new biological opinion for the project is consistent with CESA. The mitigation measures in the incidental take statement meet the conditions set forth in Fish and Game Code section 2081, subparagraphs (b) and (c), which, when met, authorize the incidental take of CESA-listed species. Specifically, the Department finds that the take of coho salmon will be incidental to an otherwise lawful activity (i.e., the modification or replacement of the Salt Flat, Bucktail Bridge, Poker Bar, and Biggers Road Bridges) and the mitigation measures identified in the incidental take statement will minimize and fully mitigate the impacts of the authorized take on coho salmon. The mitigation measures in the incidental take statement include, but are not limited to, the following:

1. “Anti-spawning mats” have been installed over all potential spawning habitat within site construction limits as described in the July 11, 2003, biological opinion. This action will preclude the building of redds, thereby preventing eggs and pre-emergent fry from being directly affected by in-water construction activities. An experienced fishery biologist will conduct weekly monitoring at each construction site throughout the coho spawning season to document any occurrence of salmonid spawning within the project boundary. In the event

that salmon spawn within locations where temporary access ramps, work platforms, and fords might be placed, sufficient time will be allowed so fry can emerge from the redds prior to in-water work at these locations. An approximate emergence date will be computed using published temperature-dependent salmonid development rates.

2. To avoid or minimize potential injury to and mortality of fish during excavation and placement of fill or riprap materials within the active flow channel, equipment will be operated slowly and deliberately to alert and scare salmonids away from the work areas. The contractor shall be instructed that, before submerging an excavator bucket or laying gravel or riprap below the water surface, the excavator bucket will be operated to “tap” the surface of the water, or a person will wade ahead of the fill placement to scare fish away from the work areas.
3. Project activities in the waters of the Trinity River shall not occur before April 15 or after September 15 during the first year of construction at the Salt Flat Bridge and Biggers Road Bridge sites, and shall not occur before June 15 in subsequent years. Project activities in the waters of the Trinity River shall not occur before June 7 or after November 15 during the first year of construction at the Poker Bar Bridge site and shall not occur before June 15 in subsequent years. Project activities in the waters of the Trinity River shall not occur before June 15 or after September 15 in any given calendar year at the Bucktail Bridge site. NOAA Fisheries may allow in-water work to continue beyond September 15 under the terms of the new biological opinion if it determines that activities will not cause any additional adverse impacts.
4. Material used to construct instream vehicle crossings, instream access roads, or instream work platforms shall be clean, washed “spawning-sized” gravel. If contractors propose to use clean material other than gravel, NOAA Fisheries shall approve that material and how it may be used. The area extent of any instream fill shall be minimized to the extent practicable. Contractors shall avoid crushing salmon to the extent practicable during the placement of instream fill material.
5. Use of instream crossings shall be limited to vehicles and equipment that cannot use existing bridges to cross the river, and the number of instream crossings made by vehicles shall be minimized to the extent practicable.
6. Biologists shall survey for salmonid presence in areas adjacent to crossings, construction platforms, and other in-channel fill and if salmonids are present in areas prone to particular hazards (e.g.,

falling material, driving vehicles), salmonids will be excluded from these areas with block nets or other low-impact methods, not including trapping and relocating. However, upstream and downstream passage shall not be restricted by block nets or other methods.

7. If lethal take of coho salmon occurs, Mr. Mike Kelly in NOAA Fisheries's Arcata Field Office shall be notified immediately at (707) 825-5178, or at the general office line at (707) 825-5163 if Mr. Kelly is not available. The purpose of the call shall be to review the circumstances surrounding the lethal take and to modify project activities as necessary to prevent further lethal take. The following information shall be supplied initially: the location of the carcass; apparent or known cause of death; and any information available regarding when death likely occurred.

Based on the Department's consistency determination, Trinity County does not need to obtain authorization from the Department under CESA for take of coho salmon that occurs in carrying out the project, provided Trinity County complies with the mitigation measures and other conditions described in the incidental take statement. However, if the project as described in the new biological opinion, including the mitigation measures therein, changes after the date of the new biological opinion, or if NOAA Fisheries amends or replaces that opinion, Trinity County will need to obtain from the Department a new consistency determination (in accordance with Fish and Game Code section 2080.1) or a separate incidental take permit (in accordance with Fish and Game Code section 2081).

This consistency determination supercedes the Department's previous consistency determination for the project (Tracking Number 2080-2003-021-01).

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 April 9, 2004, received a petition from the Center for Biological Diversity to list the Tricolored Blackbird (*Agelaius tricolor*) as an endangered species. The Tricolored Blackbird was historically distributed throughout most of the Central Valley, adjacent foothills, coastal ranges and southern California. Habitat types required by this species include riparian, marsh, and agricultural fields. Tricolored Blackbirds are medium-sized, nesting in dense colonies.

Based upon the petitioner's request made pursuant to Section 2076.5 of the Fish and Game Code, on April 16, 2004, the Commission transmitted the

petition to the Department of Fish and Game for its review. The Department's evaluation and recommendation relating to the petition will be received by the Commission at its May 4, 2004, meeting in San Diego. Interested parties may contact Sandra Morey, Chief, Habitat Conservation Planning Branch, Department of Fish and Game, at telephone (916) 653-4875 for information on the petition or to submit information to the Department relating to the petitioned species.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

NOTICE TO INTERESTED PARTIES

ANNOUNCEMENT OF DRAFT REPORT, PUBLIC WORKSHOP, AND PUBLIC COMMENT PERIOD

HEALTH ADVISORY: FISH CONSUMPTION GUIDELINES FOR LAKE NATOMA AND THE LOWER AMERICAN RIVER (SACRAMENTO COUNTY)

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) announces the availability of the draft report entitled "Health Advisory: Fish Consumption Guidelines For Lake Natoma And The Lower American River (Sacramento County)." The report contains an evaluation of findings on mercury in fish from Lake Natoma and the Lower American River, and provides health guidelines for consumption of fish from these water bodies. OEHHA is soliciting comments from interested parties on the draft report and advisory during a 30-day public comment period. OEHHA will also hold a public workshop during the comment period to present the draft report and advisory, and receive comments on them. The time, date, and place for the workshop will be posted on the OEHHA Web site at <http://www.oehha.ca.gov>. Comments may be submitted at any time until the close of the comment period.

Comments on the draft report may be submitted by phone, fax, or e-mail to Dr. Robert K. Brodberg. All comments must be received by 5:00 p.m. on June 2, 2004. OEHHA will consider comments received by this time and revise the draft report and advisory as appropriate to issue a final report and advisory.

OEHHA is making the draft document available at the OEHHA Web site at <http://www.oehha.ca.gov>. A copy of the report is also available by calling (916) 327-7319.

If you would like to submit comments, receive further information on this announcement, or have questions, please contact Dr. Robert K. Brodberg using the information provided below.

Dr. Robert K. Brodberg
 California Environmental Protection Agency
 Office of Environmental Health Hazard Assessment
 Pesticide and Environmental Toxicology Section
 P.O. Box 4010
 Sacramento, California 95812-4010
 Phone: (916) 323-4763
 Fax: (916) 327-7320

Filed 04/15/04
 Effective 05/15/04
 Agency Contact:
 Mischa Matsunami (916) 263-0315

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.

AGRICULTURAL LABOR RELATIONS BOARD
 Agricultural Employee Relief Fund;
 Decertification Petitions

This rulemaking action applies Agricultural Employee Relief Fund Act provisions to monies collected before the act became effective if the monies were not subject to an enforceable promise to return them to the employer and had not escheated to the State before the act became effective. The action also requires that decertification and rival union petitions be served on an incumbent union, and provides for the filing of decertification and rival union petitions where there is no existing collective bargaining agreement between the incumbent union and the employer.

Title 8
 California Code of Regulations
 AMEND: 20299, 20390
 Filed 04/19/04
 Effective 05/19/04
 Agency Contact:
 Joseph A. Wender, Jr. (916) 653-4054

BOARD OF PODIATRIC MEDICINE
 Information Disclosure

The regulatory action deals with information disclosure.(Prior OAL file 03-1205-01S.)

Title 16
 California Code of Regulations
 ADOPT: 1399.700, 1399.701, 1399.702, 1399.703, 1399.704, 1399.705, 1399.706, 1399.707 AMEND: 1399.650, 1399.700, 1399.705

BOARD OF PRISON TERMS
 Administrative Appeals

This emergency regulatory action repeals the Board's existing internal administrative appeal system in order to comply with Board process restructuring mandated by the Valdivia Remedial Plan Stipulated Order for Permanent Injunctive Relief.

Title 15
 California Code of Regulations
 ADOPT: 2251.5 AMEND: 2041, 2057, 2072, 2073, 2074 REPEAL: 2050, 2051, 2052, 2054, 2055, 2056, 2701
 Filed 04/15/04
 Effective 05/01/04
 Agency Contact: Lori Manieri (916) 445-5277

CAL-PERS
 Minimum Standards for Health Benefits Plans

In this emergency regulatory action, the California Public Employees' Retirement System (CalPERS) amends a regulation pertaining to "Minimum Standards for Health Benefit Plans" to allow health benefits plans to charge contracting agency employees and annuitants rates that are based on regional variations in the costs of health care services, subject to the approval of the CalPERS Board.

Title 2
 California Code of Regulations
 AMEND: 599.508
 Filed 04/15/04
 Effective 04/15/04
 Agency Contact: Marilyn Clark (916) 326-3007

DEPARTMENT OF CORPORATIONS
 CDDTL—Long Form and Short Form Applications

This action adopts two regulations that specify the information and certifications that must be furnished to the Commissioner by applicants for licensure under the deferred deposit transactions law and the necessary application forms, and amends the regulation that specifies the Department's permit processing times.

Title 10
 California Code of Regulations
 ADOPT: 2020, 2021 AMEND: 250.51
 Filed 04/20/04
 Effective 04/20/04
 Agency Contact: Kathy Womack (916) 322-3553

DEPARTMENT OF FOOD AND AGRICULTURE
 Oak Mortality Disease Control

The emergency regulatory action adds the leaves of wood rose (rosa gymnocarpa) to the list of plants and plant parts that are declared to be hosts or potential

carriers of phytophthora ramorum, a fungus which causes oak mortality disease (sudden oak death). (Department of Food and Agriculture file PH0411.)

Title 3
California Code of Regulations
AMEND: 3700(c)
Filed 04/20/04
Effective 04/20/04
Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF FOOD AND AGRICULTURE
Commercial Feed Regulation

This regulatory action deals with the contents of, and the shipping and labeling requirements for, commercial feed. These proposed regulations address in particular commercial feed containing cottonseed products originating from outside California, and include the definitions for whole cottonseed and prime whole cottonseed.

Title 3
California Code of Regulations
AMEND: 2676, 2681, 2735, 2783
Filed 04/20/04
Effective 04/20/04
Agency Contact:
Maryam Khosravifard (916) 654-0574

DEPARTMENT OF INSURANCE
Low Cost Automobile Insurance Program
Income Eligibility Updates

The California Department of Insurance is amending section 2498.6, title 10, California Code of Regulations which incorporates by reference the California Low Cost Automobile Insurance Program Plan of Operations. The instant filing is amending the Appendix, Exhibit C, Income Eligibility Guidelines, in order to bring those guidelines into conformity with the current federal guidelines found in the Federal Register Vol 69, No. 30, pages 7336-7338.

Title 10
California Code of Regulations
AMEND: 2498.6
Filed 04/19/04
Effective 04/19/04
Agency Contact:
Mary Ann Shulman (415) 538-4133

DEPARTMENT OF SOCIAL SERVICES
Transitional Food Stamps and Face-to-Face
Interview Exemptions

In this emergency regulatory action, the Department of Social Services amends regulations relating to Food Stamps which pertain to transitional food stamp benefits and face-to-face interview exemptions/waivers.

Title MPP
California Code of Regulations
AMEND: 63-300, 63-504
Filed 04/19/04
Effective 04/19/04
Agency Contact:
Maureen Miyamura (916) 653-1925

DEPARTMENT OF SOCIAL SERVICES
CalWORKs 180-Day Family Reunification Extension

Assembly Bill No 429, Chapter 111, Statutes of 2001, made changes to Welfare and Institutions Code section 11203 as it pertains to the temporary absence of CalWORKs Assistance Unit members. The revisions permit the parents of children who have been removed from the home and receiving out-of-home care to continue for up to 180 days to receive CalWORKs funded services, such as abuse and mental health services, if the county determines such services are necessary for family reunification. This filing is a certificate of compliance for a readopted emergency regulatory action which implemented changes made by Assembly Bill No. 429 and initially was deemed an emergency, effective for 180 days, and was exempt from review by the Office of Administrative Law (Stats. 2001, ch. 111, section 60(b).)

Title MPP
California Code of Regulations
AMEND: 42-710.66, 42-711.512, .61
Filed 04/15/04
Effective 04/15/04
Agency Contact:
Maureen Miyamura (916) 653-1925

OCCUPATIONAL SAFETY AND HEALTH
STANDARDS BOARD
Tunnels

This is an editorial correction fixing a typographical error in language concerning pipelines connected to and/or are an integral part of a tunnel where persons are working inside and the conditions are similar to a lined tunnel construction or repair project.

Title 8
California Code of Regulations
AMEND: 8403
Filed 04/20/04
Effective 04/20/04
Agency Contact: Marley Hart (916) 274-5721

**CCR CHANGES FILED WITH THE
SECRETARY OF STATE
WITHIN DECEMBER 17, 2003
TO APRIL 21, 2004**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation's 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

03/29/04 ADOPT: 1395, 1398 AMEND: 1314, 1321, 1322, 1323, 1324, 1332, 1334, 1354, 1390, 1392

Title 2

04/15/04 AMEND: 599.508
 04/13/04 ADOPT: 599.511 AMEND: 599.500
 03/23/04 AMEND: 1859.2, 1859.20, 1859.21, 1859.74.2, 1859.74.3, 1859.74.4, 1859.75, 1859.75.1, 1859.78.3, 1859.79, 1859.81.1, 1859.83, 1859.107, 1859.145
 03/23/04 ADOPT: 1859.160, 1859.161, 1859.162, 1859.162.1, 1859.163, 1859.164, 1859.164.1, 1859.165, 1859.166, 1859.166.1, 1859.167, 1859.168, 1859.169, 1859.170, 1859.171 AMEND: 1859.2, 1859.51, 1859.103, 1859.106, 1859.145.1
 03/23/04 ADOPT: 649.23, 649.24, 649.25, 649.26, 649.27, 649.28
 03/22/04 ADOPT: 599.517
 03/22/04 AMEND: 1859.77.2
 03/11/04 AMEND: Div. 8, Ch. 53, Section 54200
 03/11/04 AMEND: 18703.1, 18703.2, 18703.3, 18703.4, 18703.5
 03/09/04 ADOPT: 22500, 22501, 22502, 22503, 22504, 22505, 22506, 22507, 22508, 22509, 22510, 22511, 22512, 22513, 22514, 22515, 22516, 22517, 22518, 22519
 03/02/04 ADOPT: 1859.77.3 AMEND: 1859.2, 1859.77.2
 03/01/04 AMEND: 1555
 02/26/04
 02/23/04 AMEND: 59150
 02/23/04 AMEND: 1181.1
 02/20/04 ADOPT: 58600
 02/20/04 AMEND: Div. 8, Ch. 4, Sec. 25001
 02/09/04 ADOPT: 599.893, 599.898, 599.906, 599.907, 599.909 AMEND: 599.894, 599.895, 599.896, 599.898 (renumbered to 599.897), 599.903, 599.904, 599.905, 599.906 (renumbered to 599.908), 599.910
 02/05/04 AMEND: 20107
 01/23/04 ADOPT: 18531.6 AMEND: 18531.61
 01/22/04 AMEND: 18707.5
 01/15/04 AMEND: 2270, 2271
 01/15/04 ADOPT: 599.516

01/14/04 AMEND: 18427.1
 12/29/03 REPEAL: Division 8, Chapter 20, Sections 41001, 41002, 41003, 41004, 41005, 41006, 41007, 41008, 41009, 41010, 41011, 41012, 41013
 12/22/03 AMEND: 1859.61, 1859.105, 1859.106, 1859.141, 1859.142, 1859.145, 1859.147, 1859.148, 1859.150.1, 1859.151, 1859.152, 1859.153
 12/19/03 ADOPT: 1859.70.1, 1859.71.3, 1859.78.5, 1859.78.6, 1859.78.7, 1859.93.1, 1859.120, 1859.121, 1859.122, 1859.122.1, 1859.122.2, 1859.123, 1859.124, 1859.124.1, 1859.125, 1859.125.1, 1859.126, 1859.127, 1859.128, 1859.129, 1859.130, 1859.140, 1859.141, 185

Title 3

04/20/04 AMEND: 2676, 2681, 2735, 2783
 04/20/04 AMEND: 3700(c)
 04/01/04 AMEND: 3700(d)
 03/23/04 AMEND: 3423(b)
 03/23/04 AMEND: 6462
 02/17/04 AMEND: 3430(b)
 02/05/04 AMEND: 3417(b)
 01/27/04 ADOPT: 2850, 2851, 2852, 2853, 2854, 2855, 2856, 2857
 01/14/04 ADOPT: 6450, 6450.1, 6450.2, 6450.3, 6784 AMEND: 6000 REPEAL: 6450, 6450.1, 6450.2, 6450.3, 6784
 01/05/04 AMEND: 3700(c)
 12/26/03 AMEND: 3417(b)

Title 4

04/13/04 ADOPT: 144
 03/29/04 ADOPT: 10163, 10164 AMEND: 10152, 10153, 10154, 10155, 10156, 10157, 10158, 10159, 10160, 10161, 10162
 03/23/04 AMEND: 4001
 03/05/04 ADOPT: 12204, 12205, 12210, 12211, 12212, 12213, 12214, 12224, 12225, 12227, 12228, 12229, 12230, 12231, 12232 AMEND: 12200, 12201, 12202, 12203, 12206, 12207, 12208, 12209, 12220, 12221, 12222, 12223, 12226
 02/27/04 ADOPT: 12270, 12271, 12272
 02/20/04 ADOPT: 12300, 12301, 12301.1, 12302, 12303, 12304, 12305, 12306, 12307, 12308, 12309, 12310 AMEND: 12300, 12301, 12302, 12303, 12304, 12305, 12309 REPEAL: 12303, 12307
 02/05/04 ADOPT: 12370, 12371
 02/05/04 AMEND: 12202, 12212, 12213, 12220, 12221, 1222, 12223, 12224, 1225, 12226, 12227, 12228, 12229, 12230, 12231, 12232
 01/22/04 AMEND: 1371 REPEAL: 1373.1

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Title 5

03/15/04 ADOPT: 19810, 19811, 19812, 12913, 19814, 19815, 19816, 19817, 19818, 19819, 19820, 19821, 19822, 19823, 19824, 19825, 19826, 19827, 19828, 19829, 19830, 19831
03/11/04 ADOPT: 19802
03/08/04 AMEND: 30060
02/27/04 ADOPT: 6100, 6101, 6102, 6103, 6014, 6110, 6111, 6112, 6115
02/10/04 AMEND: 11960
02/03/04 ADOPT: 853.5 AMEND: 850, 852, 853, 589
02/02/04 REPEAL: 41801
02/02/04 AMEND: 41301
02/02/04 ADOPT: 42353.1 AMEND: 42354
01/16/04 ADOPT: 58509 REPEAL: 58509
12/29/03 ADOPT: 18074, 18074.1, 18074.2, 18074.3, 18075, 18075.1, 18075.2, 18076, 18076.1, 18076.2 AMEND: 18413, 18428 REPEAL: 18021

Title 8

04/20/04 AMEND: 8403
04/19/04 AMEND: 20299, 20390
04/13/04 AMEND: 5044, 5046, 5049. and Table S-1, Table S-1a, Table S-11, Table S-12, Table S-13, and Table S-14.
04/01/04 AMEND: 3427
03/22/04 AMEND: 1529(g)
03/18/04 ADOPT: 5148
02/03/04 AMEND: 1712
02/02/04 ADOPT: 32017, 32018, 51096, 71010, 71026, 71027, 71030, 71035, 71040, 71050, 71055, 71060, 71070, 71080, 71090, 71095, 71100, 71110, 71115, 71120, 71130, 71140, 71200, 71210, 71225, 71230, 71235, 71300, 71310, 71320, 71330, 71340, 71680, 71685, 71700, 71
01/02/04 ADOPT: 9789.10, 9789.11, 9789.20, 9789.21, 9789.22, 9789.23, 9789.24, 9789.30, 9789.31, 9789.32, 9789.33, 9789.34, 9789.35, 9789.36, 9789.37, 9789.38, 9789.40, 9789.50, 9789.60, 9789.70, 9789.80, 9789.90, 9789.100, 9789.110
12/31/03 ADOPT: 10250
12/22/03 AMEND: 341.17
12/18/03 ADOPT: 15611 AMEND: 15600, 15601, 15601.7, 15602, 15603, 15604, 15605, 15606, 15607, 15608 REPEAL: 15610

Title 9

03/04/04 ADOPT: 7000.2, 7001.2, 7001.5, 7002.5, 7006, 7006.3, 7009.1, 7013.2, 7013.6, 7014, 7014.1, 7017.2, 7017.5, 7017.7, 7018.4, 7019.5, 7021.5, 7024.7, 7028.1,

7028.6, 7028.8, 7029.1, 7029.6, 7029.7, 7029.9, 7035, 7037, 7038, 7098, 7128, 7129, 7130, 7130.5, 7

Title 10

04/20/04 ADOPT: 2020, 2021 AMEND: 250.51
04/19/04 AMEND: 2498.6
04/13/04 AMEND: 260.102.14
03/25/04 ADOPT: 2695.40, 2695.41, 2695.42, 2695.43, 2695.44, 2695.45
03/15/04 ADOPT: 2361
03/08/04 ADOPT: 2194, 2194.1, 2194.2, 2194.3, 2194.4, 2194.5, 2194.6, 2194.7, 2194.8
03/01/04 ADOPT: 2698.102, 2698.600, 2698.602, 2698.604 AMEND: 2698.100, 2698.200, 2698.201, 2698.202, 2698.203, 2698.204, 2698.205, 2698.206, 2698.207, 2698.208, 2698.300, 2698.301, 2698.302, 2698.303, 2698.401, 2698.403, 2698.405, 2698.407, 2698.500, 2698.501,
01/16/04 AMEND: 260.102.14
01/02/04 AMEND: 2698.30, 2698.31, 2698.32, 2698.33, 2698.34, 2698.35, 2698.36, 2698.37, 2698.38, 2698.39, 2698.40, 2698.41, 2698.42 REPEAL: 2698.40, 2698.41, 2698.42, 2698.43, 2698.44, 2698.45
12/31/03 AMEND: 2318.6, 2353.1, 2354
12/31/03 AMEND: 2318.6, 2353.1
12/30/03 ADOPT: 2699.6612, 2699.6827 AMEND: 2699.6500, 2699.6600, 2699.6607, 2699.6611, 2699.6705, 2699.6715, 2699.6717, 2699.6725, 2699.6813, 2699.6815, 2699.6819
12/26/03 REPEAL: 6200, 6201, 6202, 6203, 6204, 6205, 6206, 6207
12/26/03 REPEAL: 4081, 4081.1, 4081.2, 4081.3, 4081.4, 4081.5, 4081.6, 4081.7, 4081.8
12/26/03 REPEAL: 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032
12/26/03 REPEAL: 4300, 4301, 4302, 4303, 4305
12/26/03 REPEAL: 5300, 5310, 5311, 5312, 5313, 5314, 5315, 5316, 5317, 5318, 5319, 5320, 5321, 5322, 5323, 5324, 5326, 5327, 5328, 5329, 5330, 5340, 5341, 5342, 5343
12/26/03 REPEAL: 4081, 4081.1, 4081.2, 4081.3, 4081.4, 4081.5, 4081.6, 4081.7, 4081.8

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12/26/03 REPEAL: 4035, 4036, 4037, 4038
 12/26/03 REPEAL: 4620
 12/26/03 REPEAL: 4610, 4611, 4612, 4613, 4614,
 4615, 4616, 4617, 4618, 4619
 12/26/03 AMEND: 4070, 4071, 4072, 4073, 4074
 REPEAL: 4070, 4071, 4072, 4073, 4074
 12/26/03 REPEAL: 4550, 4551, 4552, 4553
 12/23/03 ADOPT: 2192.1, 2192.2, 2192.3, 2192.4,
 2192.5, 2192.6, 2192.7, 2192.8, 2192.9,
 2192.10, 2192.11, 2192.12
 12/22/03 AMEND: 2190.05, 2190.7

Title 11

01/06/04 ADOPT: 2000, 2001, 2020, 2050, 2051,
 2052, 2053, 2070, 2071, 2072, 2140,
 2141, 2142
 12/30/03 AMEND: 1005

Title 13

04/09/04 REPEAL: 55.01, 55.02, 55.03, 55.04,
 55.05, 55.06
 03/01/04 ADOPT: 159.00
 02/25/04 AMEND: 1900, 1960.1(k), 1961(a)(d),
 1962
 01/26/04 AMEND: 553.70
 01/05/04 ADOPT: 25.06, 25.07, 25.08, 25.09,
 25.10, 25.11, 25.12, 25.13, 25.14, 25.16,
 25.17, 25.18, 25.19, 25.20, 25.21, 25.22
 12/31/03 AMEND: 550, 551.1, 551.2, 551.11,
 551.12, 551.13, 551.14, 551.15, 551.16,
 551.17, 552, 553.40, 555, 555.1, 556,
 557, 558, 560, 561, 562, 565, 566, 570,
 571, 572, 573, 574, 575, 577, 584, 585,
 586, 587, 588, 589, 590, 592, 593, 593.1,
 595, 598
 12/23/03 ADOPT: 220.20 AMEND: 220.00,
 220.02, 220.04, 220.06, 220.08, 220.12,
 220.14, 220.16, 220.18, 221.00, 221.02,
 221.04, 221.06, 221.08, 221.10, 221.12,
 12/23/03 ADOPT: 225.48

Title 14

03/30/04 AMEND: 27.60, 27.65, 27.82, 28.27
 03/29/04 AMEND: 2000, 2200, 2305, 2310, 2320,
 2401, 2500, 2501, 2518
 03/29/04 AMEND: 150, 150.02, 150.03, 150.05
 03/08/04 AMEND: 3698, 3699
 03/02/04 AMEND: 18464, 18465
 02/24/04 AMEND: 1.17, 1.59, 2.10, 5.00, 5.50,
 5.75, 7.00, 7.50, 8.00, 27.60, 29.15, 43,
 195
 02/09/04 AMEND: 630
 02/02/04 AMEND: 112
 01/23/04 AMEND: 27.60, 27.82, 27.83, 28.26,
 28.27, 28.28, 28.29, 28.54, 28.55, 28.58
 01/15/04 AMEND: 150.06(c)
 01/12/04 ADOPT: 17946, 17949

12/31/03 ADOPT: 4970.09 AMEND: 4970.00,
 4970.01, 4970.02, 4970.03, 4970.04,
 4970.05, 4970.06, 4970.07, 4970.08,
 4970.10, 4970.11, 4970.12, 4970.13,
 4970.14, 4970.15, 4970.16, 4970.17,
 4970.18, 4970.19, 4970.20, 4970.21,
 4970.21, 4970.21, 4970.22, 4970.23,
 4970.2
 12/30/03 ADOPT: 1.18
 12/26/03 AMEND: 7.50(b)(147)

Title 14, 27

12/26/03 ADOPT: 17387, 17387.1, 17387.5,
 17388, 17388.1, 17388.2, 17388.3,
 17388.4, 17388.5, 17389, 17390, 18223.6
 AMEND: 24565, 21570

Title 15

04/15/04 ADOPT: 2251.5 AMEND: 2041, 2057,
 2072, 2073, 2074 REPEAL: 2050, 2051,
 2052, 2054, 2055, 2056, 2701
 03/03/04 AMEND: 2005
 01/27/04 AMEND: 3426
 01/09/04 ADOPT: 3000 AMEND: 3005, 3044,
 3062, 3313, 3314, 3315, 3323, 3376
 12/30/03 AMEND: 3044, 3092, 3138, 3190

Title 16

04/15/04 ADOPT: 1399.700, 1399.701, 1399.702,
 1399.703, 1399.704, 1399.705, 1399.706,
 1399.707 AMEND: 1399.650, 1399.700,
 1399.705
 04/12/04 AMEND: 2756
 03/09/04 ADOPT: 4150, 4151, 4152, 4153, 4154,
 4155
 03/03/04 ADOPT: 1829 AMEND: 1816.2, 1816.3,
 1877 REPEAL: 1815
 01/23/04 ADOPT: 6.1, 7.1, 7.2, 8.1, 8.2, 51.1, 56.4,
 59, 60, 61, 68.2, 68.3, 68.4, 68.5
 AMEND: 5.1, 7, 8, 52, 70, 71, 88, 88.2,
 98 REPEAL: 52.1
 12/29/03 AMEND: 3830
 12/18/03 AMEND: 1920

Title 17

04/12/04 AMEND: 54001, 54010
 02/05/04 ADOPT: 90800.75, 90800.9, 90804
 AMEND: 90800.8, 90801, 90802, 90803
 02/03/04 AMEND: 50604, 50608, 54326, 54370,
 56003, 56082, 57540, 58510, 58671
 01/23/04 AMEND: 54001, 54010

Title 18

01/26/04 AMEND: 1591
 01/21/04 ADOPT: 1621
 12/22/03 ADOPT: 1598.1

Title 20

01/14/04 ADOPT: 14.7
 12/31/03 ADOPT: 1395, 1395.1, 1395.2, 1395.3,
 1395.4, 1395.6

Title 22

04/12/04 AMEND: 12000
 04/12/04 AMEND: 12705
 04/02/04 ADOPT: 119003, 119015, 119019,
 119045, 119069, 119076, 119191
 03/26/04 AMEND: 66250.1, 66250.2, 66260.1,
 66260.2, 66260.3, 66260.4, 66260.5,
 66260.1, 66260.2, 66260.3, 66260.4,
 66260.5
 03/23/04 AMEND: 5200
 03/22/04 AMEND: 66260.10
 03/08/04 AMEND: 97232
 02/26/04 AMEND: 66260.10, 66268.7, 66268.8,
 66268.42
 02/24/04 ADOPT: 51008.1 AMEND: 51104,
 51520, 51521
 02/03/04 ADOPT: 51200.01 AMEND: 51000.4,
 51000.30, 51000.45, 51000.50, 51000.55,
 51200, 51454
 01/14/04 ADOPT: 51315 REPEAL: 51515
 12/24/03 ADOPT: 1326-3 AMEND: 1251-1,
 1253(a)-1, 1326-2, 1326-4, 1326-5,
 1326-6

Title 22, MPP

03/11/04 ADOPT: 102416.1 AMEND: 80001,
 80019, 80019.1, 80019.2, 80054, 80061,
 80065, 80066, 87101, 87219, 87219.1,
 87454, 87565, 87566, 87801, 87819,
 81819.1, 87854, 87861, 87865, 87866,
 101152, 101170, 101170.1, 101170.2,
 101195, 101212, 101216, 101217,
 102352,
 12/30/03 AMEND: 101170, 102370
 12/29/03 ADOPT: 87701.2 AMEND: 87101,
 87218, 87561, 87575.1, 87577, 87578,
 87691, 87701, 87701.1, 87701.2, 87702,
 87702.1, 87703, 87704, 87705, 87707,
 87708, 87709, 87710, 8711, 87713
 12/17/03 ADOPT: 85001(a)(2)-(4), 85001(d)(1),
 85001(f)(1) 85001 (h)(1)-(4),
 85001(t)(1); 85075.1, 85075.2, 85075.3
 AMEND: 85075.4

Title 23

04/08/04 ADOPT: 2631.1, 2638, 2715 AMEND:
 2611, 2630, 2635, 2636, 2636.1, 2637,
 2641, 2712
 04/02/04 REPEAL: 595
 03/24/04 ADOPT: 3956
 02/27/04 ADOPT: 3939.6
 02/27/04 ADOPT: 3939.7

01/30/04 ADOPT: 3939.5
 01/30/04 ADOPT: 3939.4
 01/26/04 ADOPT: 3717
 01/05/04 AMEND: 3977
 12/23/03 ADOPT: 1061, 1062, 1063, 1064, 1065,
 1066, 1067, 1068, 1069, 1070, 1071,
 1072, 1073, 1074, 1075, 1076, 1077,
 1078, 3833.1 AMEND: 655, 656, 676,
 736, 791, 793, 812, 842, 871, 1010, 3833,
 3867 REPEAL: 677
 12/22/03 AMEND: 3926
 12/18/03 ADOPT: 3927

Title 25

03/30/04 AMEND: 19200, 19205
 03/22/04 AMEND: 7552

Title 27

04/01/04 ADOPT: 10050, 10051, 10052, 10053,
 10054, 10055, 10056

Title 28

02/24/04 AMEND: 1000

Title MPP

04/19/04 AMEND: 63-300, 63-504
 04/15/04 AMEND: 42-710.66, 42-711.512, .61
 02/26/04 ADOPT: 63-502.371 AMEND: 63-
 502.371, 63-502.372, 63-502.373, 63-
 502.374, 63-502.375, 63-502.376
 REPEAL: 63-502.371(c)
 02/25/04 AMEND: 63-503, 63-504, 63-505
 02/02/04 ADOPT: 47-120, 47-430 AMEND: 40-
 107, 40-131, 40-181, 42-711, 47-301
 01/16/04 AMEND: 63-300, 63407, 63-408, 63-
 410, 63-411, 63-503, 63-505
 12/31/03 AMEND: 42-207, 42-215, 63-501, 63-
 1101
 12/29/03 AMEND: 42-712, 42-719, 44-111

REPRINT OF WEEKLY SUMMARY OF REGULATIONS FILED FOR MARCH 24, 2004 TO MARCH 31, 2004

In the April 9, 2004 Notice Register, 2004, 15Z p. 454, there were inadvertent omissions of regulations filed with the Secretary of State for that week. We are reprinting the report to include all regulations filed for that period.

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.

CALIFORNIA HOUSING FINANCE AGENCY

Mortgage Insurance

This regulatory action increases the number of loans eligible for CalHFA mortgage insurance and increases the maximum loan-to-value ratio on CalHFA insured single family loans.

Title 25

California Code of Regulations

AMEND: 19200, 19205

Filed 03/30/04

Effective 03/30/04

Agency Contact: Misty Miller (916) 445-0178

CALIFORNIA SCHOOL FINANCE AUTHORITY

Charter School Facilities Program

In this emergency regulatory action, the California School Finance Authority amends and adopts regulations pertaining to the Charter Schools Facilities Program.

Title 4

California Code of Regulations

ADOPT: 10163, 10164 AMEND: 10152, 10153, 10154, 10155, 10156, 10157, 10158, 10159, 10160, 10161, 10162

Filed 03/29/04

Effective 03/29/04

Agency Contact: Mark Paxson (916) 651-6846

DEPARTMENT OF CONSERVATION

Redemption & Refund Values, Labeling Requirements, and Handling Fees

The filing made nonsubstantive changes to labeling requirements, redemption and refund values and handling fees.

Title 14

California Code of Regulations

AMEND: 2000, 2200, 2305, 2310, 2320, 2401, 2500, 2501, 2518

Filed 03/29/04

Effective 03/29/04

Agency Contact:

Eloisa Hernandez (916) 327-2757

DEPARTMENT OF INSURANCE

Insurance Adjuster Training for Evaluating Earthquake Damage

In this regulatory action, the Department of Insurance adopts regulations providing for insurance adjuster training for evaluating earthquake damage as required under Insurance Code section 10089.3.

Title 10

California Code of Regulations

ADOPT: 2695.40, 2695.41, 2695.42, 2695.43, 2695.44, 2695.45

Filed 03/25/04

Effective 03/25/04

Agency Contact: Debra Chaum (415) 538-4115

DEPARTMENT OF TOXIC SUBSTANCES

CONTROL

Conflict of Interest Code

This is a Conflict of Interest Code filing that has been approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State and printing in the California Code of Regulations only.

Title 22

California Code of Regulations

AMEND: 66250.1, 66250.2, 66260.1, 66260.2, 66260.3, 66260.4, 66260.5, 66260.1, 66260.2, 66260.3, 66260.4, 66260.5

Filed 03/26/04

Effective 04/25/04

Agency Contact:

Bonnie Amoruso (916) 322-2833

FISH AND GAME COMMISSION

Nearshore Fishery Restricted Access Program

This action makes seasonal revisions to the current Nearshore Fishery Restricted Access Program.

Title 14

California Code of Regulations

AMEND: 150, 150.02, 150.03, 150.05

Filed 03/29/04

Effective 03/29/04

Agency Contact: Sherrie Koell (916) 653-4899

FISH AND GAME COMMISSION

Lingcod Season, Size and Bag Limits

This emergency regulatory action reduces the bag limit on lingcod to one fish, increases the minimum size limit for lingcod to 30 inches, and closes the period from November 1 to December 31 to lingcod fishing.

Title 14

California Code of Regulations

AMEND: 27.60, 27.65, 27.82, 28.27

Filed 03/30/04

Effective 04/01/04

Agency Contact: Sherrie Koell (916) 653-4899

OFFICE OF ADMINISTRATIVE HEARINGS

Public Works Contract Arbitrations

In this rulemaking filing the departments of General Services, Transportation, and Water Resources ("the departments") jointly revise existing regulations on Public Works Contract Arbitrations, and the Public Works Contract Arbitration Committee ("the commit-

tee”) adopts regulations to establish standards and qualifications for the certification of arbitrators. Pursuant to Public Contract Code, section 10245.4, the Office of Administrative Hearings has provided administrative services to the departments and the committee for the coordinated adoption of these regulations.

Title 1

California Code of Regulations

ADOPT: 1395, 1398 AMEND: 1314, 1321, 1322, 1323, 1324, 1332, 1334, 1354, 1390, 1392

Filed 03/29/04

Effective 04/28/04

Agency Contact:

Heather Cline Hoganson (916) 322-2536

STATE WATER RESOURCES CONTROL BOARD
Amend Waste Discharge Prohibition Exemption
Criteria

This action amends a general prohibition of the discharge of waste water into a portion of the Mojave River basin to allow for the approval of such discharges on a case by case basis because it is expected that these surface waters can help recharge groundwater supplies in a region that needs more water, without degrading water quality.

Title 23

California Code of Regulations

ADOPT: 3956

Filed 03/24/04

Effective 03/24/04

Agency Contact: Greg Frantz (916) 341-5553

