

acres on the southern shore of Suisun Bay along Walnut Creek and Pacheco Creek, within the historical range of the mouse. The work will be conducted in accordance with the requirements of a Streambed Alteration Agreement issued by the Department and a Biological Opinion for the project issued by the U.S. Fish and Wildlife Service (Service). The proposed project includes invasive plant species control, excavation and grading, revegetation, and monitoring. Specified measures to avoid or minimize the potential for take to protect the mouse during restoration activities are required. These include monitoring and control of restoration activities by qualified biologists, timing and management of vegetation removal, and passive or active dispersal of mouse encountered during vegetation removal activities. Adverse effects on individual mice or mouse populations are expected to be temporary and offset upon completion of the habitat restoration project.

The Department intends to issue, under specified conditions, a Memorandum of Understanding (MOU) that would authorize qualified professional wildlife researchers, with Mr. Detjens as the Principal Investigator, to carry out the proposed activities.

Pursuant to California Fish and Game Code (FGC) Section 4700(a)(1), the Department may authorize take of Fully Protected mammal species after a 30-day notice period has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 4700 for take of Fully Protected mammals, it would issue the authorization on or after October 19, 2020, for an initial and renewable term of up to, but not to exceed five years. Contact: Dr. Scott Osborn, [Scott.Osborn@wildlife.ca.gov](mailto:Scott.Osborn@wildlife.ca.gov), (707) 499-0566.

## OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

### SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 PROPOSITION 65

### PROPOSED AMENDMENTS TO ARTICLE 6 CLEAR AND REASONABLE WARNINGS SECTIONS 25602, 25607, 25607.1, AND 25607.3

As required by Government Code section 11346.8(c), and Title 1, section 44 of the California Code of Regulations, the Office of Environmental Health Hazard Assessment (OEHHA) is providing notice of changes to the proposed regulatory action to amend Title

27, California Code of Regulations, sections 25602, 25607, 25607.1, and 25607.3, which originally was intended to clarify certain provisions of the regulations addressing consumer product exposure warnings, specific product, chemical and area exposure warnings, food exposure warnings, and alcoholic beverage exposure warnings.<sup>1</sup>

The proposed regulation was the subject of a Notice of Proposed Rulemaking published on January 31, 2020, in the California Regulatory Notice Register (Notice File No. Z-2020-0117-01), which initiated a 45-day public comment period. The record was augmented on March 13, 2020 by adding a copy of the Consent Judgment in *People v. 1800Flowers.com et al.*, San Diego County Superior Court case No. 37-2020-00009417-CU-TT-CTL, regarding warnings for exposures to alcoholic beverages, and the comment period was extended. One written comment was received during the extended comment period that closed on March 31, 2020.

After carefully reviewing the comments received, OEHHA is withdrawing certain proposed changes to the regulation at this time. The proposed amendments to Sections 25602 subsections (a)(2), (b), and (c) are withdrawn. The renumbering of existing Section 25607 subsection (b), and the addition of new subsections (b), (c), and (d) are also withdrawn. OEHHA will consider proposing these or other amendments in a future rulemaking. The proposed non-substantive changes to Section 25602 subsection (a), Section 25607 subsections (a) and (b), and Section 25607.1 subsection (a) remain, and the proposed substantive and non-substantive changes in Section 25607.3 remain. OEHHA is also proposing a non-substantive, grammatical change to Section 25602 subsection (b).

The full regulatory text with the additional amendments provided in double underline and double strike-out format is available on request from Monet Vela in the OEHHA Legal Office at [monet.vela@oehha.ca.gov](mailto:monet.vela@oehha.ca.gov) or (916) 323-2517.

OEHHA is requesting comments on the modifications to the regulatory text. In order to be considered, **OEHHA must receive comments by October 5, 2020, which is the designated close of the comment period.** All comments will be posted on the OEHHA website at the close of the public comment period.

Because of limited in-office staffing during the COVID-19 emergency, OEHHA strongly recommends that comments be submitted electronically through our website at <https://oehha.ca.gov/comments>. Comments submitted in paper form may still be mailed but delays may occur if staff are unable to timely access them.

<sup>1</sup> All further references are to sections of Title 27, Cal. Code of Regs., unless indicated otherwise.

Monet Vela  
Office of Environmental Health Hazard  
Assessment  
1001 I Street, 23<sup>rd</sup> Floor  
P. O. Box 4010  
Sacramento, California 95812–4010  
Telephone: 916–323–2517

OEHHA is subject to the California Public Records Act and other laws that require the release of certain information upon request. If you provide comments, please be aware that your name, address and e-mail may be available to third parties.

## **OAL REGULATORY DETERMINATION**

### **DEPARTMENT OF STATE HOSPITALS**

#### **OFFICE OF ADMINISTRATIVE LAW**

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

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

The Office of Administrative Law (“OAL”) has accepted for consideration a petition challenging the Department of State Hospitals’ Administrative Directive No. 610, titled “Patient Property”, issued by the Department of State Hospitals — Atascadero. The challenged rule states the following:

Patients may not give, trade, barter, or sell any personal articles to another patient unless there is a prior recommendation by the treatment team, approved by a Program Director. After approvals are obtained, Patient Property slips (Form AT 2762) will be prepared for both patients, signed by the patients and Unit Supervisor, and forwarded to the Patient Property Department.

If you would like to comment on the issues raised by this petition, please send your comments to:

Steven J. Escobar, Senior Attorney  
Office of Administrative Law  
300 Capitol Mall, Ste. 1250  
Sacramento, CA 95814

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

Petitioner:

Vadim S. Miesegaes  
#0527333  
Unit 3  
P.O. Box 7001  
Atascadero, CA 93423–7001

Agency contact:

Tarik Allen, Regulations Coordinator  
Department of State Hospitals  
1600 9<sup>th</sup> Street  
Sacramento, CA 95814

Please note the following timelines:

Publication of Petition in Notice Register:

September 18, 2020

Deadline for Public Comments: October 19, 2020

Deadline for Agency Response: November 2, 2020

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

Deadline for OAL Decision: January 19, 2021

The petition is not being printed for practical reasons or space consideration. However, if you would like to receive a copy of the petition, please contact Margaret Molina at (916) 324–6044 or [Margaret.Molina@oal.ca.gov](mailto:Margaret.Molina@oal.ca.gov).

## **SUMMARY OF REGULATORY ACTIONS**

### **REGULATIONS FILED WITH THE SECRETARY OF STATE**

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

Air Resources Board  
File # 2020–0720–03  
Limiting Ozone Emissions from Indoor Air Cleaners

This rulemaking action by the California Air Resources Board amends regulations relating to limiting ozone emissions from indoor air cleaning devices.