

Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: San Mateo

From: (Public Agency): Port of Redwood City
675 Seaport Blvd.

Redwood City, CA 94063

(Address)

Project Title: Sims Metal & Port of Redwood City Sediment Remediation Plan Implementation Project

Project Applicant: Port of Redwood City

Project Location - Specific:

37°30'40.0"N 122°12'39.4"W

Project Location - City: Redwood City Project Location - County: San Mateo

Description of Nature, Purpose and Beneficiaries of Project:

See Attachment

Name of Public Agency Approving Project: Port of Redwood City

Name of Person or Agency Carrying Out Project: Kristine Zortman, Executive Director, Port of Redwood City

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: Section 15330, See Attachment
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

See Attachment

Lead Agency

Contact Person: Trish Wagner Area Code/Telephone/Extension: 650-306-4150

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  Date: 1/14/2025 Title: Executive Director

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Sims Port of Redwood City Wharf 3 Sediment Remediation Project

Project Description: The Project consists of two phases of work: diver-assisted hydraulic sediment micro-dredging of the subtidal portion of the Port of Redwood City Wharf 3 Project Area and capping of the intertidal portion of the Project Area.

Subtidal Area. The applicant (Sims Metal) plans to remove approximately 224 cubic yards (cy) of impacted sediment from an approximate 0.07-acre area using diver-assisted micro-dredging at Wharf 3 in one multi-day dredging episode. Existing sediment elevation ranges from 1.51 to 22.94 feet mean lower low water (MLLW). The proposed dredging depth is 2 feet below the existing surface in the micro-dredging area. Dredged sediments (following dewatering) would be transported to an appropriate landfill facility (depending on waste profiling results). Sediment dewatering decant water will be treated and discharged back to Redwood Creek Slough in accordance with applicable water quality criteria approved by the San Francisco Regional Water Quality Control Board.

Intertidal Area. Clean sand and gravel placement is proposed to fill the void spaces within the rip rap in an adjacent, approximately 0.05-acre area; the volume of the proposed clean fill is calculated to be approximately 44 cy.

Project Purpose: The project purpose comprises the remediation of sediments impacted by metals and low-level PCBs in the immediate vicinity of the Port of Redwood City Wharf 3 ship-loading conveyor, which will be performed in accordance with the EPA-approved Sediment Remediation Plan¹ (SRP) prepared in accordance with the EPA Consent Decree². The remedial alternatives reviewed in the SRP take into consideration the potential environmental impacts associated with disturbance of the sediment that may result from one or more of such remedial alternatives. The SRP evaluated several remedial alternatives for the subtidal and adjacent intertidal areas. The preferred remedial alternatives for the subtidal and the intertidal areas are micro-dredging (diver-assisted dredging) and the placement of a sand cap, respectively. The remedial assessment, evaluation of alternatives, and selection of the final cleanup plan described in the SRP were completed under the direction of EPA and are approved by EPA.

Project Impacts: Approximately 224 cubic yards of impacted sediment will be removed through implementation of a diver-assisted hydraulic micro-dredging project in the portions of the subtidal area identified as hot spots, as documented in the SRP. Secondly, the proposed cap placement in the Wharf 3 riprap area will result in the placement of approximately 44 cubic yards of clean sand and gravel. The proposed cap placement and micro-dredging project would temporarily disturb 0.12 acres of existing substrate and associated benthic organisms (i.e., benthos) within the proposed capping and dredging areas. The work is anticipated to occur over a period of 3-4 weeks in the Fall of 2025. It is expected that the substrate and benthos will return to pre-dredging conditions relatively quickly after the capping and dredging activities are completed. Fish species utilizing the Project Area for feeding and protection from predators may be temporarily displaced by dredging activities, but would be able to find similar foraging opportunities and protection from predators in the adjacent aquatic habitat in Redwood Creek.

According to existing eelgrass survey maps, the proposed dredging area does not contain stands of eelgrass,

¹ Draft Sediment Remediation Plan, Sims Metal Management, Redwood City, California; dated 10/16/2018; prepared by Terraphase Engineering Inc., on behalf of Sims Metal Management (n/k/a Sims Metal).

² Consent Decree between the United States Environmental Protection Agency and Sims Group USA Corporation, Case 3:14-cv-04209, effective December 1, 2014.

which is a submerged aquatic plant of ecological importance in San Francisco Bay and identified by the National Marine Fisheries Service (NMFS) as essential fish habitat (EFH). (See Section on the Magnuson-Stevens Fishery Conservation and Management Act below.) Therefore, direct impacts to existing eelgrass beds due to dredging will not occur. There are no known eelgrass beds within 750 feet of the proposed micro-dredging locations; therefore, indirect effects to eelgrass due to turbidity and siltation are not expected to occur from the proposed dredging activity.

The detrimental effects on erosion/sedimentation rates, substrate, water quality, fish habitat, air quality, and noise are all expected to be minor and short-term. There would be no significant long-term impacts associated with placement of clean sediment in the targeted riprap area. No significant permanent negative effects, such as undesired substrate alteration, decreased water quality, loss of fish habitat, decreased air quality, and noise pollution are anticipated. There are long-term beneficial effects associated with the proposed removal/encapsulation of contaminants.

STATE AND LOCAL APPROVALS

California Environmental Quality Act (CEQA): The CEQA Guidelines (Title 14, Division 6, Chapter 3 of the California Code of Regulations) are administrative regulations governing implementation of the California Environmental Quality Act. The CEQA Guidelines establish requirements set forth in the Public Resources Code, as well as court decisions interpreting the statute, practical planning considerations, and explain how to determine whether an activity is subject to environmental review, what steps are involved in the environmental review process, and the required content of environmental documents. The CEQA Guidelines apply to public agencies, including local governments, special districts, and State agencies. The Port of Redwood City will serve as the local CEQA lead agency for the subject project. It is expected that a CEQA Class 30 Categorical Exemption is applicable for the project. Class 30 consists of any minor environmental cleanup actions taken to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous waste or hazardous substances which are small or medium removal actions costing \$1 million or less.

Clean Water Act Section 401 Water Quality Certification: State water quality certification or a waiver is a prerequisite for the issuance of a Department of the Army, Corps of Engineers Permit to conduct any activity which may result in a fill or pollutant discharge into waters of the United States, pursuant to Section 401 of the Clean Water Act of 1972, as amended (33 U.S.C. § 1341 *et seq.*). The applicant will apply to the San Francisco Regional Water Quality Control Board (RWQCB) to obtain water quality certification for the project. No Department of the Army Permit will be issued until the applicant obtains the required certification or a waiver of certification. It is anticipated that all work will be completed under the Department of the Army, Corps of Engineers Section 404 Nationwide Permit # 38 and the associated RWQCB Section 401 water quality certification.

Coastal Zone Management: Section 307(c) of the Coastal Zone Management Act of 1972, as amended (16 U.S.C. § 1456(c) *et seq.*), requires a non-federal applicant seeking a federal license or permit to conduct any activity occurring in, or affecting, the coastal zone to obtain a Consistency Certification that indicates the activity conforms with the state's coastal zone management program. Generally, no federal license or permit will be granted until the appropriate state agency has issued a Consistency Certification or has waived its right to do so. The applicant will satisfy Coastal Zone Management Act compliance requirements through the application and approval of a project-specific permit for the proposed action from the San Francisco Bay Conservation and Development Commission, 455 Golden Gate Avenue, Suite 10600, San Francisco, California 94102.

COMPLIANCE WITH VARIOUS FEDERAL LAWS

National Environmental Policy Act (NEPA): Upon review of the Department of the Army Permit application and other supporting documentation, based on pre-application consultation, the Corps may make a *preliminary* determination that the project either qualifies for a Categorical Exclusion or requires the preparation of an Environmental Assessment under the National Environmental Policy Act of 1969 (42 U.S.C. §§ 4321-4347) (NEPA). The Corps will assess the environmental impacts of the project in accordance with NEPA requirements, the Council on Environmental Quality's Regulations at 40 C.F.R. Parts 1500-1508, and the Corps Regulations at 33 C.F.R. Part 325. The NEPA analysis will address the direct, indirect, and cumulative impacts that result from regulated activities within the jurisdiction of the Corps and other non-regulated activities the Corps determines to be within its purview. The final NEPA analysis will be incorporated in the decision documentation that provides the rationale for issuing a Department of the Army Permit for the project. The final NEPA analysis and supporting documentation will be on file with the San Francisco District, Regulatory Division.

Endangered Species Act (ESA): Section 7(a)(2) of the ESA of 1973, as amended (16 U.S.C. § 1531 *et seq.*), requires federal agencies to consult with either the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS) to ensure actions authorized, funded, or undertaken by federal agencies are not likely to jeopardize the continued existence of any federally listed species or result in the adverse modification of designated critical habitat.

Programmatic biological opinions (BOs) were issued by USFWS (March 12, 1999) and NMFS (September 18, 1998) for the San Francisco Bay Long Term Management Strategy (LTMS). As a result of the BOs, there are allowable dredging time frames established to protect the habitat for threatened (and endangered) species and the species themselves, per Section 7 of the Endangered Species Act of 1973, as amended.

Sacramento River winter-run Chinook salmon (*Oncorhynchus tshawytscha*) was federally listed as endangered on January 4, 1994 (59 Fed. Reg. 442). Adult winter-run Chinook salmon migrate through San Francisco Bay, Suisun Bay, and Honker Bay, to spawning areas in the upper Sacramento River during the late fall and early winter. Juveniles travel downstream through San Francisco Bay to the Pacific Ocean in the late fall, as well. The movement of adult and juvenile salmon through the Bay system is thought to be rapid during these migrations. Since impacts to the water column during dredging events would be short-term, localized and minor in magnitude, no potentially adverse effects to winter-run Chinook salmon that may be near the dredging site are anticipated, if the dredging work is conducted from June 1 through November 30.

Central Valley Spring-Run ESU Chinook salmon (*Oncorhynchus tshawytscha*) was listed as threatened on September 16, 1999 (64 FR 50394). Spring-run Chinook salmon typically migrate upstream through San Francisco Bay to spawning areas between March and July. Spawning usually occurs between late August and early October, with a peak in September. Juveniles travel downstream through San Francisco Bay in late fall to spring and then to the Pacific Ocean once they have undergone smoltification. Since impacts to the water column during dredging events would be short-term, localized and minor in magnitude, no potentially adverse effects to spring-run Chinook salmon that may be near the dredging site are anticipated, if the dredge work is conducted from June 1 through November 30.

Central California populations of steelhead trout (*Oncorhynchus mykiss*) were federally classified as threatened in August 1997. The steelhead trout that occur in San Francisco Bay are included in this distinct population segment and therefore receive protection under the Endangered Species Act. It is unlikely, but there is a slight concern that steelhead trout migrating through the Bay to streams in the South Bay might enter the dredge area. However, because impacts to the water column during dredging events would be

short-term, localized and minor in magnitude, no potentially adverse effects to steelhead trout that may be near the dredging site are anticipated if the dredge work is conducted from June 1 through November 30.

If a permit is issued for this proposed project, it will contain a condition that dredging is allowed only from June 1 through November 30. Dredging outside this environmental work window would require consultation with the National Marine Fisheries Service (NMFS) (pursuant to Section 7 of the Endangered Species Act) and approval from the NMFS and the U.S. Army Corps of Engineers.

On July 6, 2006, NMFS listed the North American green sturgeon (*Acipenser medirostris*) south of the Eel River in California as threatened under the Endangered Species Act (71 Fed. Reg. 17757). The Corps may initiate consultation per Section 7 of the ESA regarding this species. If a permit is issued for this proposed project, it will contain any special conditions resulting from that consultation.

Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA): Section 305(b)(2) of the MSFCMA of 1966, as amended (16 U.S.C. § 1801 *et seq.*), requires federal agencies to consult with the National Marine Fisheries Service (NMFS) on all proposed actions authorized, funded, or undertaken by the agency that may adversely affect essential fish habitat (EFH). EFH is defined as those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. As the federal lead agency for this project, the Corps will conduct a review of digital maps prepared by NMFS depicting EFH to determine the presence or absence of EFH in the project area. Based on this review, the Corps will make a preliminary determination that EFH is or is not present at the project location or in its vicinity, and if the critical elements of EFH may be adversely affected by project implementation. The proposed project is located within an area managed under the Pacific Groundfish, the Coastal Pelagic and/or the Pacific Coast Salmon FMPs.

The Corps and NMFS completed a programmatic EFH consultation on June 9, 2011, for maintenance dredging. One of NMFS's key concerns with dredging is potential impacts to eelgrass beds. The "Baywide Eelgrass Inventory of San Francisco Bay," prepared by Merkel and Associates, dated October 2004, does not show the area in and around the Port's Wharf 3 as having any eelgrass beds. Therefore, eelgrass is not expected to be established in this area and the Corps does not anticipate that the proposed dredging would affect eelgrass. Therefore, eelgrass avoidance, protection or mitigation measures would not be required.

The sediments to be dredged during the proposed dredging activities are composed mainly of silts and clays (mud). It is presumed that fish species utilizing the area would be using it for feeding during a period of growth. When dredging occurs, the fish should be able to find ample and suitable foraging areas in adjacent aquatic habitat in Redwood Creek. As the infaunal community recovers in the dredged area, fish species will return to feed. Therefore, the proposed dredging is expected to have only short-term, minor effects.

National Historic Preservation Act (NHPA): Section 106 of the NHPA of 1966, as amended (16 U.S.C. § 470 *et seq.*), requires federal agencies to consult with the appropriate State Historic Preservation Officer to consider the effects of their undertakings on historic properties listed in or eligible for listing in the *National Register of Historic Places*. Section 106 of the NHPA further requires federal agencies to consult with the appropriate Tribal Historic Preservation Officer or any Indian tribe to consider the effects of their undertakings on historic properties, including traditional cultural properties, trust resources, and sacred sites, to which Indian tribes attach historic, religious, and cultural significance.

Because the Port's Wharf 3 area has been previously dredged, historic, or archeological resources are not expected to occur in the project vicinity. If unrecorded archaeological resources are discovered during project implementation, those operations affecting such resources will be suspended until the Corps concludes Section 106 consultation with the State Historic Preservation Officer or the Tribal Historic Preservation Officer to consider potential project-related impacts to those resources.

Proposed Sims Metal Port of Redwood City Sediment Remediation Plan (SRP) Implementation Project CEQA Categorical Exemption

CEQA Lead Agency: Port of Redwood City

Based on the anticipated scope and estimated cost of the project, the proposed project appears to qualify for a Class 30 CEQA Categorical Exemption (CEQA Guidelines Section 15330). A Class 30 Categorical Exemption (Cat-Ex) applies to minor actions to mitigate the release or threat of a release of hazardous substances, which are small or medium removal actions costing equal to or less than \$1 million.

15330. MINOR ACTIONS TO PREVENT, MINIMIZE, STABILIZE, MITIGATE OR ELIMINATE THE RELEASE OR THREAT OF RELEASE OF HAZARDOUS WASTE OR HAZARDOUS SUBSTANCES

Class 30 consists of any minor cleanup actions taken to prevent, minimize, stabilize, mitigate, or eliminate the release or threat of release of a hazardous waste or substance which are small or medium removal actions costing \$1 million or less. Based on the anticipated scope of the project and initial budgeting, the Proposed Project appears to qualify for a Class 30 CEQA Categorical Exemption (Section 15330).

- (a) No cleanup action shall be subject to this Class 30 exemption if the action requires the onsite use of a hazardous waste incinerator or thermal treatment unit or the relocation of residences or businesses, or the action involves the potential release into the air of volatile organic compounds as defined in Health and Safety Code Section 25123.6, except for small scale in situ soil vapor extraction and treatment systems which have been permitted by the local Air Pollution Control District or Air Quality Management District. All actions must be consistent with applicable state and local environmental permitting requirements including, but not limited to, off-site disposal, air quality rules such as those governing volatile organic compounds and water quality standards and approved by the regulatory body with jurisdiction over the site.
- (b) Examples of such minor cleanup actions include but are not limited to:
 - (1) Removal of sealed, non-leaking drums or barrels of hazardous waste or substances that have been stabilized, containerized and are designated for a lawfully permitted destination;
 - (2) Maintenance or stabilization of berms, dikes, or surface impoundments;
 - (3) Construction or maintenance or interim of temporary surface caps;
 - (4) Onsite treatment of contaminated soils or sludges provided treatment system meets Title 22 requirements and local air district requirements;
 - (5) Excavation and/or offsite disposal of contaminated soils or sludges in regulated units;
 - (6) Application of dust suppressants or dust binders to surface soils;
 - (7) Controls for surface water run-on and run-off that meets seismic safety standards;
 - (8) Pumping of leaking ponds into an enclosed container;
 - (9) Construction of interim or emergency ground water treatment systems;
 - (10) Posting of warning signs and fencing for a hazardous waste or substance site that meets legal requirements for protection of wildlife.

Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21084, Public Resources Code.

15300.2. CATEGORICAL EXEMPTION EXCEPTIONS

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

Note: Authority cited: Section 21083, Public Resources Code; References: Sections 21084 and 21084.1, Public Resources Code; *Wildlife Alive v. Chickering* (1977) 18 Cal.3d 190; *League for Protection of Oakland's Architectural and Historic Resources v. City of Oakland* (1997) 52 Cal.App.4th 896; *Citizens for Responsible Development in West Hollywood v. City of West Hollywood* (1995) 39 Cal.App.4th 925; *City of Pasadena v. State of California* (1993) 14 Cal.App.4th 810; *Association for the Protection etc. Values v. City of Ukiah* (1991) 2 Cal.App.4th 720; and *Baird v. County of Contra Costa* (1995) 32 Cal.App.4th 1464

Overview of the General Notice of Exemption Process

Cal. Code Regs. tit. 14 § 15062 Section 15062 - Notice of Exemption

(a) When a public lead agency decides that a project is exempt from CEQA pursuant to Section 15061, and the public agency approves or determines to carry out the project, the agency may, file a notice of exemption. The notice shall be filed, if at all, after approval of the project. Such a notice shall include:

- (1) A brief description of the project,
- (2) The location of the project (either by street address and cross street for a project in an urbanized area or by attaching a specific map, preferably a copy of a U.S.G.S. 15' or 7- 1/2' topographical map identified by quadrangle name),
- (3) A finding that the project is exempt from CEQA, including a citation to the State Guidelines section or statute under which it is found to be exempt,
- (4) A brief statement of reasons to support the finding, and

(5) The applicant's name.

(6) If different from the applicant, the identity of the person undertaking the project which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies or the identity of the person receiving a lease, permit, license, certificate, or other entitlement for use from one or more public agencies.

(b) A notice of exemption may be filled out and may accompany the project application through the approval process. The notice shall not be filed, with the county clerk or OPR until the project has been approved.

(c) When a public agency approves an applicant's project, either the agency or the applicant may file a notice of exemption.

(1) When a state agency files this notice, the notice of exemption shall be filed with the Office of Planning and Research. A form for this notice is provided in Appendix E. A list of all such notices shall be posted on a weekly basis at the Office of Planning and Research, 1400 Tenth Street, Sacramento, California. The list shall remain posted for at least 30 days. The Office of Planning and Research shall retain each notice for not less than 12 months.

(2) When a local agency files this notice, the notice of exemption shall be filed with the county clerk of each county in which the project will be located. Copies of all such notices will be available for public inspection and such notices shall be posted within 24 hours of receipt in the office of the county clerk. Each notice shall remain posted for a period of 30 days. Thereafter, the clerk shall return the notice to the local agency with a notation of the period it was posted. The local agency shall retain the notice for not less than 12 months. 1

(3) All public agencies are encouraged to make postings pursuant to this section available in electronic format on the Internet. Such electronic postings are in addition to the procedures required by these guidelines and the Public Resources Code.

(4) When an applicant files this notice, special rules apply.

(A) The notice filed by an applicant is filed in the same place as if it were filed by the agency granting the permit. If the permit was granted by a state agency, the notice is filed with the Office of Planning and Research. If the permit was granted by a local agency, the notice is filed with the county clerk of the county or counties in which the project will be located.

(B) The notice of exemption filed by an applicant shall contain the information required in subdivision (a) together with a certified document issued by the public agency stating that the agency has found the project to be exempt. The certified document may be a certified copy of an existing document or record of the public agency.

(C) A notice filed by an applicant is subject to the same posting and time requirements as a notice filed by a public agency.

(D) The filing of a Notice of Exemption and the posting on the list of notices start a 35-day statute of limitations period on legal challenges to the agency's decision that the project is

exempt from CEQA. If a Notice of Exemption is not filed, a 180-day statute of limitations will apply.

(E) When a local agency determines that a project is not subject to CEQA under sections 15193, 15194, or 15195, and it approves or determines to carry out that project, the local agency or person seeking project approval shall file a notice with OPR identifying the section under which the exemption is claimed.

Cal. Code Regs. Tit. 14, § 15062 Note: Authority cited: Section 21083 and 21108, Public Resources Code. Reference: Sections 21108, 21152 and 21152.1, Public Resources Code.

1. Amendment of subsections (b) and (c) filed 1-30-86; effective thirtieth day thereafter (Register 86, No. 5).
2. Amendment of subsections (a)(2), (c)(1), (c)(2), (c)(3)(A) and (c)(3)(C) filed 5-27-97; operative 5-27-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 22).
3. New subsection (c)(3) and subsection renumbering filed 10-26-98; operative 10-26-98 pursuant to Public Resources Code section 21087 (Register 98, No. 44).
4. New subsection (a)(2), subsection renumbering and amendment of subsections (c)(1)-(2) filed 9-7-2004; operative 9-7-2004 pursuant to Public Resources Code section 21083(e) (Register 2004, No. 37).
5. Change without regulatory effect amending subsections (c)(1), (c)(2) and (c)(4)(A) and amending Note filed 10-6-2005 pursuant to section 100, title 1, California Code of Regulations (Register 2005, No. 40).
6. Amendment of subsection (a), new subsection (e) and amendment of Note filed 7-27-2007; operative 7-27-2007 pursuant to Public Resources Code section 21083(f) (Register 2007, No. 30). 2 Section 15062 - Notice of Exemption Cal. Code Regs. tit. 14 § 15062
7. Change without regulatory effect amending subsections (a)(2)-(4), adding subsection (a) (5), amending subsection (c)(1) and amending Note filed 12-9-2011 pursuant to section 100, title 1, California Code of Regulations; operative 1-1-2012 pursuant to AB 320, Hill (signed 10-10-2011, effective 1-1-2012) (Register 2011, No. 49).
8. New subsection (a)(6) and amendment of subsection (c)(1) filed 12-28-2018; operative 12-28-2018 pursuant to Government Code section 11343.4(b)(3) (Register 2018, No. 52).