

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
OFFICE OF THE DIRECTOR**

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15-DAY NOTICE OF FURTHER MODIFICATIONS OF TEXT
RELATING TO THE PROHOUSING DESIGNATION PROGRAM
TITLE 25. CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT

NOTICE IS HEREBY GIVEN [Government Code section 11346.8, subdivision (c); California Code of Regulations, title 1, section 44]:

The California Department of Housing and Community Development (“Department”) proposes further substantive modifications to the text of proposed regulations that establish the Prohousing Designation Program, in addition to the proposed modifications that the Department published on November 30, 2022. Specifically, the Department is proposing to further modify the following sections to title 25, division 1, chapter 6, subchapter 6.6 of the California Code of Regulations:

- Sections 6600, 6600.1, 6601, 6601.1, 6602, 6602.1, 6603, 6603.1, 6604, 6604.1, 6605, 6605.1, 6606, 6606.1, 6607, 6607.1, and 6608.

These proposed further substantive modifications are available on the Prohousing Designation Program’s webpage: [Prohousing Designation Program | California Department of Housing and Community Development](#) and were made after the Department considered the further modifications that the California Office of Administrative Law’s (OAL) required in its March 21, 2023 Decision. The Department has made these changes to improve clarity for issues including the public participation process, the Department’s revocation procedures, and to establish clear provisions for the effective date of the permanent regulations and subsequent sunset of the emergency regulations.

Notably, the Department is renumbering the emergency regulations (e.g., 6600.1, 6601.1, 6602.1) in order to promote applicants’ smooth transition from the emergency regulations to the permanent regulations. Upon the specified sunset date for the renumbered “.1” series of emergency regulations, the new permanent regulations (e.g., 6600, 6601, 6602) will become effective.

The Department is adding the following documents to be incorporated by reference: (1) U.S. Interagency Council on Homelessness’ “7 Principles for Addressing Encampments” (Rev. 06/2022); (2) California Water Board’s State Policy for Water Quality Control: State Wetland Definition and Procedures for Discharges of Dredged or

Fill Material to Waters of the State (adopted April 2, 2019, revised April 6, 2021); and (3) Formal Resolution for the Prohousing Designation Program.

Text proposed to be added for the original 15-day comment period that ran from November 30 until December 15 is displayed in underline type. Text proposed to be deleted for original 15-day comment period is displayed in ~~strikethrough~~ type.

Text proposed to be added for the current 15-day comment period is displayed in double underline type. Text proposed to be deleted for the current 15-day comment period is displayed in ~~double-strikethrough~~ type.

WEBSITE ACCESS:

This Notice, the further modifications of the regulation text, the documents that will be incorporated by reference, and other documents regarding this rulemaking action are available to review at: <https://www.hcd.ca.gov/planning-and-community-development/prohousing-designation-program>. To access documents, open the “Regulations” tab.

Upon request, the Department will provide electronic or hard copies of the documents in the rulemaking file, including those documents that the regulation text incorporates by reference.

PLEASE ALSO TAKE NOTICE that as specified in S.B. 197 (2022), the emergency Prohousing Designation Program Regulations shall remain in effect until the date that permanent regulations become effective. (Gov. Code, § 65589.9, subd. (d)(2), as amended eff. June 30, 2022.)

WRITTEN COMMENT PERIOD [Government Code Section 11346.5, Subdivision (a)(15)]

Where to Submit Comments

Any interested person, or his or her authorized representative, may submit written comments on the revisions shown in the further modifications of the regulation text to the Department, addressed as follows, by either of these means:

Postal Mail

California Department of Housing and Community Development
Attn: Senior Housing Policy Manager, Chelsea Lee
2020 W. El Camino Avenue, Suite 500
Sacramento, California 95833

Electronic Mail

Comments may be submitted electronically to ProhousingPolicies@hcd.ca.gov. Please identify the comments as “Comments on Further Modifications of Prohousing Regulations” in the subject line.

Time for Comments

Comments may be submitted until October 25, 2023. If the final day for the acceptance of comments is a Saturday, Sunday, or state holiday, the comment period will close on the next business day.

Scope of Comments

The Department will consider comments received by October 25, 2023 that address the further proposed modifications and respond to them as part of the compilation of the rulemaking file. Please limit comments to these further modifications in the text shown in double underline and double strikethrough type, which the Department made for this current 15-day comment period.

CONTACT PERSON [Government Code Section 11346.5, Subdivision (a)(14)]

Inquiries regarding the substance of the proposed regulations may be directed to:

California Department of Housing and Community Development
Attn: Senior Housing Policy Manager, Chelsea Lee
2020 W. El Camino Avenue, Suite 500
Sacramento, California 95833
Telephone: (916) 820-1254
Email: Chelsea.Lee@hcd.ca.gov

Non-substantive inquiries concerning this action, such as requests for copies of documents in the rulemaking file (e.g., documents that the regulation text incorporates by reference), or questions regarding the timelines or rulemaking status, may be directed to:

California Department of Housing and Community Development
Attn: Senior Housing Policy Manager, Chelsea Lee
2020 W. El Camino Avenue, Suite 500
Sacramento, California 95833
Telephone: (916) 776-7568
Email: ProhousingPolicies@hcd.ca.gov

Dated: **October 10, 2023**
Sacramento, California