

**NOTICE OF PROPOSED ACTION  
TO BUILDING STANDARDS OF THE  
CALIFORNIA BUILDING STANDARDS COMMISSION  
REGARDING THE 2022 INTERVENING CODE ADOPTION CYCLE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11  
(BSC 04/22)**

Notice is hereby given that the California Building Standards Commission (BSC) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 11. The BSC is proposing building standards related to 2022 California Green Building Standards Code.

**PUBLIC COMMENT PERIOD**

Reference: Government Code Section 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from March 31, 2023, until midnight on May 15, 2023.

Comments may be submitted to CBSC via:

[e-Comment form](https://dgs.ca.gov/BSC/e-comments): [dgs.ca.gov/BSC/e-comments](https://dgs.ca.gov/BSC/e-comments)

US Mail postmarked no later than May 15, 2023:

California Building Standards Commission  
Attention: Public Comments  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC's website. Use the e-Comment form to ensure accessibility.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by BSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS**

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

**AUTHORITY AND REFERENCE**

Reference: Government Code Section 11346.5(a)(2).

The purpose of these building standards is to implement, interpret, or make specific the provisions of 18928.1, 18930.5, 18931.7(b), and 18941.10.

The BSC is proposing this regulatory action based on 18928.1, 18929.1, 18930, 18930.5, 18941.5 and 18941.10.

## INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

### Summary of Existing Laws

**Health and Safety Code Section 18928.1** specifies that building standards adopted or approved by CBSC shall incorporate text of the model codes, applicable national specifications or published standards, in whole or in part, only by reference, with appropriate additions or deletions therefrom.

**Health and Safety Code Section 18929.1** states that CBSC shall receive proposed building standards from state agencies for consideration in an 18-month code adoption cycle. The commission shall develop regulations setting forth the procedures for the 18-month adoption cycle.

**Health and Safety Code Section 18930** requires building standards adopted or proposed by state agencies be submitted to the CBSC for approval or adoption prior to codification and establishes the analysis, criteria, review considerations, and factual determinations for the approval or adoption of building standards (9-Point Criteria).

**Health and Safety Code Section 18930.5** grants BSC the authority, if no state agency has the authority or expertise to propose green building standards applicable to a particular occupancy, to adopt, approve, codify, update, and publish green building standards for those occupancies.

**Health and Safety Code Section 18931.7(b)** Building Standards Administration Special Revolving Fund; availability of monies **(b)** Moneys deposited in the fund shall be available, upon appropriation, to the commission, the department, and the Office of the State Fire Marshal for expenditure in carrying out the provisions of this part, and the provisions of Part 1.5 (commencing with Section 17910) that relate to building standards, as defined in Section 18909, with emphasis placed on the development, adoption, publication, and updating of green building standards, the updating of verification guidelines for Tier 1 or Tier 2 green building standards and educational efforts, including, but not limited to, training for local building officials associated with green building standards.

**Health and Safety Code Section 18941.5, with reference to Health and Safety Code Section 17958.7**, authorize local governments and fire protection districts to adopt local ordinances that make amendments to the California Building Standards Code, Title 24 of the California Code Regulations (CCR Title 24) which allows for more restrictive local amendments that are reasonably necessary because of local climate, geological, or topographical conditions. the California Green Building Standards Code, Part 11 of Title 24 (CALGreen), Section 101.7.1, provides that local climatic, geological, or topographical conditions include environmental conditions established by the city, county, or city and county.

**Health and Safety Code Section 18941.10** authorizes CBSC to adopt, approve,

codify, and publish mandatory building standards for the installation of future electric vehicle charging infrastructure for parking spaces in nonresidential developments.

### **Summary of Existing Regulations**

The California Green Building Standards Code, Part 11 of Title 24 of the California Code of Regulations (CCR), also known as the CALGreen Code, is amended for inclusion into the 2022 CALGreen Code effective July 1, 2024.

The CALGreen Code contains the green building standards for various mandatory and voluntary regulations that will be amended as necessary based on the proposed code changes for Electric Vehicle (EV), Bird-Friendly and CALGreen Carbon Reduction Collaborative (CCRC).

### **Summary of Effect**

This proposed action will implement the proposed modifications to the California Green Building Standards Code for buildings within BSC authority. The proposed amendments have some editorial and non-substantive changes with no intended change in regulatory effect. However, there are several amendments that are substantive and listed below.

**EV:** The substantive changes include increasing the Electric Vehicle infrastructure percentages for both the mandatory and the voluntary provisions and new requirements for the mandatory installed Level 2 EVSE for light-duty vehicles. Also proposed are increased percentages for Level 2 EVSE for both Tier 1 and Tier 2.

Another proposed amendment is the requirement for EV infrastructure for medium- and heavy-duty zero emissions vehicles (ZEV).

**Bird Friendly:** Additionally, newly proposed amendments for voluntary bird-friendly building design standards for nonresidential application.

#### **CCRC:**

This proposed action will implement the modifications to the California Green Building Standards Code for buildings within CBSC authority. The proposed changes include adding new mandatory and voluntary green building standards to further support the reduction of greenhouse gas emissions when buildings 100,000 square feet and greater are reused or newly constructed. The purpose, need, and benefit of these regulations is a first step to address the impact of building materials on carbon emissions. Three pathways are provided: building reuse, whole building life cycle assessment, and a product global warming potential (GWP) compliance-prescriptive path.

Once filed with Secretary of State, the standards will be codified and published by January 1, 2024, and will become effective July 1, 2024. The Initial Statement of Reasons (ISOR) provides a complete description of the proposed building standards and their effect.

### **Comparable Federal Statute or Regulations**

There are no federal statutes or regulations that are comparable to the proposed updates to EV, bird-friendly and CCRC regulations added to the CALGreen Code.

## Policy Statement Overview

**EV:** The broad objectives of the regulation are to propose changes to the building standards for electric vehicle infrastructure for statewide application for both light-duty and medium-and heavy duty zero emissions vehicles (ZEV). The specific benefits anticipated by the proposed amendment is to realize substantial environmental benefits through reduction in energy use, greenhouse gas emissions, criteria pollutants, and fossil fuel dependency leading to improved public health.

**Bird-Friendly:** A new proposal to the green building standards, are for nonresidential bird-friendly building design strategies for statewide application. These voluntary regulations set out to address the large number of bird deaths caused by collisions with buildings. Many varieties of birds are at risk. In general, it is the smaller species that fly at lower altitudes that are in most danger of collisions in California. Material alternatives to vision glass for the treatment of building areas posing the greatest risk for collision is part of the consideration in bird-friendly building design.

**CCRC:** The broad objectives of the regulations are to propose changes to the building standards that further support the reduction of greenhouse gas emissions by means of incorporating changes to construction waste management, building reuse, life cycle assessment, global warming potential product declarations, cool and sustainable pavements to mitigate heat island effect, and material sources for cement and concrete.

One of the compliance options is deconstruction and reuse of existing structures. This compliance path does not require that an existing building be reused; it requires if a building is being reused, a minimum 45 percent of the existing building primary structural elements shall be maintained. Studies have shown building reuse almost always offers environmental savings over demolition and new construction, when comparing buildings of equivalent size and function.

According to the AIACA, “[r]eusing a building – including interior renovations and energy upgrades – has a much lower embodied carbon footprint than new construction – typically 50 to 75% lower, depending on the extent of the renovation. But reuse without improving efficiency is not enough, we also need to reduce current operating emissions by implementing efficiency upgrades, electrification, and cleaner sources of electricity.

Reusing and improving existing buildings also has a societal benefit – it can help rebuild existing neighborhood and financial equity, create local jobs, strengthen community control, and increase neighborhood resilience. Investment in communities that have been subjected to historic discrimination and economic redlining has the potential to bring sustainable and equitable climate solutions that also have meaningful economic outcomes to the most impacted communities.”

The whole-building life-cycle assessment (WBLCA) compliance option requires a cradle-to-grave WBLCA be performed in accordance with ISO 14044 reference standard, excluding the operating energy, and demonstrates a 10 percent reduction in global warming potential (GWP). Projects must exclude operating energy analysis in the WBLCA because energy efficiency savings over a building’s life cycle are captured by the California Energy Code (Title 24, Part 6). ISO 14044 is the foremost standard that address the assessment of the environmental aspects of a building for all life cycle stages. WBLCA modeling programs use ISO 14040 as the trusted

source to compare products and projects across all four phases of LCA. Excluding operational energy from the calculation eliminates teams' ability to trade operational energy savings for embodied carbon. Further, other sections of Title 24 address requirements for operational energy.

The product GWP compliance-prescriptive path is an additional compliance path, utilizing specific product categories and maximum acceptable GWP values listed in Table 5.409.3. This approach provides project teams a prescriptive option to purchase lower carbon materials based on product purchasing and procurement during construction. The target materials are based on the Buy Clean California Act (BCCA) and represents 175 percent BCCA GWP values, except for concrete products which are not included in BCCA. The concrete values are based on Industry-Wide Environmental Product Declaration (IW-EPD) regional concrete values. High-early strength concrete is not included in the EPD so an allowance of 130 percent of the ready-mix concrete GWP values is provided.

Concrete, being a unique regional product, is allowed a weighted average calculation for all concrete mixes used on the project. Project teams can choose for each mix to comply the GWP value in the table, or they can use the calculation provided to illustrate that, collectively, the concrete mixes do not exceed the allowed GWP value. This approach was considered after the cement and concrete industry provided the recommendation to use an average approach.

BSC is responsible for the development of green building standards for nonresidential occupancies for which no other state agency has authority or expertise.

### **Evaluation of Consistency**

BSC has determined that the proposed regulations for EV, bird-friendly and CCRC are not inconsistent or incompatible with existing state regulations.

### **OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS**

Reference: Government Code Section 11346.5(a)(4).

**EV, Bird-Friendly and CCRC:** BSC has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation or class of regulations.

### **MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

Reference: Government Code Section 11346.5(a)(5).

**EV, Bird-Friendly, CCRC:** BSC has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts. BSC does not have authority to impose building standards or regulations on school districts. Further, the proposed regulatory actions are administrative in nature and would not enact a mandate on local agencies or school districts.

### **ESTIMATE OF COST OR SAVINGS**

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

A. Cost or Savings to any state agency:

**EV:** All new state buildings are subject to these requirements. BSC has not specifically identified the number new state buildings being planned for new construction during the effective date of the new proposals. However, a typical business of 5,000 to 100,000 square feet may install 6 to 130 low power level 2 charging receptacles for a cost range of \$4,686.30 to \$191,958. Staff assumed that these new buildings would fall in the same size range as a typical business.

All existing buildings will be subject to the proposed amendments. BSC has not specifically identified the number existing state buildings or parking lot facilities being planned and permitted for renovation during the effective date of the new proposals. BSC assumes a typical business is in a 5,000 to 100,000 square foot building. The cost for a typical existing business is \$2,700.28 to \$163,629.29. Staff assumes that these state buildings will fall in the same category.

**Bird-Friendly:** Unknown costs to state agencies that utilize voluntary bird-friendly building design in state buildings.

**CCRC:** All new non-residential state buildings 100,000 square feet or greater are subject to this regulation. However, there are three compliance options for this regulation: building reuse, the WBLCA method, and the product GWP method. The building reuse compliance option does not apply to new buildings.

According to the Department of General Services, Real Estate Services Division, it is safe to assume that there may be 10 to 15 buildings statewide to which this regulation applies annually. Assuming the state opts to use the WBLCA compliance method for all buildings subject to this regulation this year and through FY 24/25, there may be up to 40 building projects that incur an additional cost of \$15,000, which totals \$600,000. If this cost is split among 2023, FY 23/24, and FY 24/25 the cost may be approximately \$200,000 per year. If the state opted for the product GWP method for one-half of the 40 buildings, the additional cost to the state to comply with this regulation may be reduced by approximately one-half.

- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **No cost or savings**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **No cost or savings**
- D. Other nondiscretionary cost or savings imposed on local agencies: **No costs or savings**
- E. Cost or savings in federal funding to the state: **No cost or savings**

Estimate:

**EV:** For new state buildings, staff estimates a cost ranging from \$4,686.30 to \$191,958. For existing state buildings and parking lot facilities, staff estimates a cost of \$2,700.28 to \$163,629.29.

**Bird-Friendly:** BSC has determined that this proposed action may have an unknown fiscal impact to state agencies that utilize bird-friendly building design for state buildings (see Attachment B).

**CCRC:** Staff estimates a cost to state agencies that may be approximately between \$100,000 and \$200,000.

## **INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES**

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation 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, it shall make a declaration to that effect.

BSC has made an initial determination that the adoption/amendment/repeal of these regulations for EV, bird-friendly, and CCRC will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

### **Declaration of Evidence**

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

**EV:** Regarding the proposal to require appropriate light-duty EV capable infrastructure and Level 2 EV chargers, BSC conducted four workgroup meetings on the following dates.

- April 4, 2022
- June 16, 2022
- August 18, 2022
- September 22, 2022

These workshops were attended by state agencies, interested parties and stakeholder representatives such as the California Air Resources Board (CARB), CalStart, CalETC, California Energy Commission (CEC), California Building Industry Association, Electric Vehicle Charging Association, Tesla, Southern California Edison, various local enforcing agencies, and private consultants. Based on testimony presented at the workshop and comments received from various stakeholders, BSC proposes to adopt the changes as suggested at the workshop.

BSC has made an initial determination that this regulatory action would marginally increase costs to California business enterprises representing up to 0.98% of the total new construction costs of nonresidential buildings over the 1.5-year life of the amendments and with significant benefits to Californians due to improved air quality and GHG emissions reduction. The proposal will also help to alleviate expensive future retrofit costs for applicable building owners, saving them more than six to nine times the cost of adding panel capacity and conduit in standalone retrofits of existing buildings.

This determination is based on comments received at the workgroup meetings and the cost benefit analysis provided by the California Air Resources Board. This analysis is based on the following:

1. [Current California GHG Emission Inventory Data | California Air Resources Board](https://ww2.arb.ca.gov/ghg-inventory-data)  
(<https://ww2.arb.ca.gov/ghg-inventory-data>)
2. [California Energy Commission's \(CEC\) recent AB 2127 staff report](https://efiling.energy.ca.gov/getdocument.aspx?tn=236237)  
(<https://efiling.energy.ca.gov/getdocument.aspx?tn=236237>)
3. [California's Employment Development Department \(Size of Business Data\)](https://labormarketinfo.edd.ca.gov/LMID/Size_of_Business_Data_for_CA.html)  
([https://labormarketinfo.edd.ca.gov/LMID/Size\\_of\\_Business\\_Data\\_for\\_CA.html](https://labormarketinfo.edd.ca.gov/LMID/Size_of_Business_Data_for_CA.html))
4. 2021 National Construction Estimator, 67th Edition, Edited by Richard Pray, Craftsman Book Company, October 202021 National Construction Estimator 67th Edition
5. [National Electric Vehicle Infrastructure Program \(NEVI\) | California Energy Commission](https://www.energy.ca.gov/programs-and-topics/programs/national-electric-vehicle-infrastructure-program-nevi)  
(<https://www.energy.ca.gov/programs-and-topics/programs/national-electric-vehicle-infrastructure-program-nevi>)
6. [2019 CARB report \(Electric Vehicle \(EV\) Charging Infrastructure-Nonresidential\)](https://ww2.arb.ca.gov/sites/default/files/2020-08/CARB_Technical_Analysis_EV_Charging_Nonresidential_CALGreen_2019_2020_Intervening_Code.pdf)  
([https://ww2.arb.ca.gov/sites/default/files/2020-08/CARB\\_Technical\\_Analysis\\_EV\\_Charging\\_Nonresidential\\_CALGreen\\_2019\\_2020\\_Intervening\\_Code.pdf](https://ww2.arb.ca.gov/sites/default/files/2020-08/CARB_Technical_Analysis_EV_Charging_Nonresidential_CALGreen_2019_2020_Intervening_Code.pdf))

BSC has shown in the Economic and Fiscal Impact Statement (399) and the Initial Statement of Reasons (ISOR) that the zero emissions vehicle infrastructure adjustments pose a marginal cost increase but do not pose a significant, statewide adverse economic impact directly affecting business in California and their ability to compete with businesses in other states.

**Bird-Friendly:** Regarding the proposal to add bird-friendly building design strategies in the voluntary code provisions, BSC conducted two stakeholder workshops; one on June 7, 2022 and the second one on September 9, 2022. These workshops were attended by state agencies, interested parties and stakeholder representatives such as Keish Environmental, San Joaquin Audubon Society, USGBC, CBIA, State Fire Marshal, American Bird Conservancy, CollidEscape, and National Fenestration Rating Council.

BSC has assembled and researched data and costs from a variety of sources that indicated the cost would be .1% to 7.5% of the cost to require bird-friendly measures which was considered not significant.

**CCRC:** Due to the various types of businesses that may be affected by this regulation, and due to the compliance options provided, it was not possible to determine an exact dollar amount for initial and ongoing costs of a typical business. Based on the data provided, compliance with the building reuse option cannot be forecasted. Compliance with the whole building life cycle assessment option would increase the professional service fee by \$10,000 to \$15,000 per project. Regional variations and project scale differences are the cause of this range. Free software used to complete the WBLCA is available. When complying with the product GWP compliance-prescriptive path, an analysis by the Assembly Appropriations Committee indicates that businesses with concrete mixing plants may incur anywhere from \$12,500 in initial costs of obtaining an EPD and ongoing membership fees of \$2,400, to \$28,700 in initial costs for obtaining an EPD plus an annual fee of \$6,180, depending on the number of concrete mixing plants



a business is seeking to have analyzed. The annual fee is assessed to maintain access to data and create new EPDs. An analysis provided by California Construction and Industrial Materials Association (CalCIMA) (available upon request) indicated that it would cost approximately \$1.5 million for concrete mixing plants in California that do not currently have EPDs to obtain EPDs. However, it is unlikely that all concrete mixing plants, nor all other affected product manufacturers in California, will seek to obtain EPDs at once in the following year. Data was not provided by the glazing, steel, or mineral wood board industries but these industries have been required to provide EPDs's for State projects through the Buy Clean California program beginning in 2018.

## **FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE**

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

BSC has assessed the proposed code changes to EV, bird-friendly and CCRC regulations has determined that these changes do not require a report.

## **COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

**EV:** BSC is aware of initial cost impacts that a representative private person or business could incur in reasonable compliance with the proposed action. The cost impact has been determined to be less than 0.5 percent of all new applicable construction totals for medium-and-heavy-duty vehicle infrastructure provisions, and up to 0.98 percent of all new applicable construction totals for the light-duty vehicle infrastructure provisions.

However, it is also anticipated that such costs would be recouped in long-range savings expressed in utility and transportation costs, worker productivity, health costs, and goodwill. The Initial Statement of Reasons and the Economic and Fiscal Impact Statement support this statement.

**Bird-Friendly:** BSC has made the initial determination that the action will not have a significant adverse economic impact on business as the cost of compliance is negligible at less than 1% of the total building cost. For existing buildings replacement windows may be up to 7.5% of the cost to replace windows with bird-friendly building design.

Material alternatives to vision glass for the treatment of building areas posing the greatest risk for collision do not need to be prohibitively expensive and can be cost-neutral. Portland cites cost studies of a local library and a health center, comparing traditional glass to fritted or UV-patterned glass and found increases of .05% and .03%, respectively, in the overall building costs, of which under 10% were expended on building skin. Many designers of bird-friendly buildings note that costs are not significant if the features are incorporated early in design; retrofitting elements to shield glass will add cost, but economical options can be found.

**CCRC:** As noted above, an analysis provided by California Construction and Industrial Materials Association (CalCIMA) (available upon request) indicated that it would cost approximately \$1.5 million for concrete mixing plants in California that do not currently have EPDs to obtain EPDs. However, it is unlikely that all concrete mixing plants, nor all other affected product manufacturers in California, will seek to obtain EPDs at once in the following year. Data was not provided by the glazing, steel, or mineral wood board industries but these industries have been required to provide EPDs's for State projects through the Buy Clean California program beginning in 2018.

## **ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION**

Reference: Government Code Section 11346.5(a)(10).

The BSC has assessed whether and to what extent this proposal will affect the following:

### **A. The creation or elimination of jobs within the State of California.**

**EV:** These regulations may cause some jobs to be created for the installation, maintenance, and manufacturing of Electrical Vehicle Supply Equipment (EVSE). These regulations will not affect the elimination of jobs within the State of California.

**Bird-Friendly:** Types of jobs or occupations impacted: construction jobs, window manufacturers, window designers, the different strategies: parachute cord makers, tempura paint dealers, screens and netting maker/installers, tape, decals and film manufacturers. These regulations will not affect the elimination of jobs within the State of California.

**CCRC:** This regulation may cause jobs to be created for the analysis of whole building life cycle assessments and environmental product declarations. This regulation will not affect the elimination of jobs within the State of California.

### **B. The creation of new businesses or the elimination of existing businesses within the State of California.**

**EV:** These regulations may cause the creation of businesses that expand the EV market. These regulations will not affect the elimination of jobs within the state of California.

**Bird-Friendly:** New Businesses in the window manufacturing, window designs may be created by these regulations. These regulations will not affect the elimination of jobs within the State of California.

**CCRC:** This regulation may cause the creation of businesses that that provide whole building lifecycle assessments or creation and analysis of environmental product declarations. This regulation will not affect the elimination of jobs within the State of California.

### **C. The expansion of businesses currently doing business within the State of California.**

**EV:** These regulations will likely promote the expansion of businesses currently involved with EV manufacturing, installation, maintenance, and technology development within the State of California.

**Bird-Friendly:** These regulations may impact the expansion of businesses currently doing business within the State of California, but that figure is unknown.

**CCRC:** This regulation may cause the expansion of businesses doing business within the State of California that provide whole building lifecycle assessments or creation and analysis of environmental product declarations, or employ such analysts in-house.

**D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.**

**EV:** These regulations will increase the sustainability of California's natural resources by reducing fuel use, GHG emissions, criteria pollutant emissions, and fossil fuel dependence, and provide increased protection of public health and safety, worker safety, and the environment.

Adopting proposed code changes for medium-and heavy duty vehicles would also support the reduction of 19 million metric tons of carbon dioxide equivalent (MMTCO<sub>2e</sub>) total by 2050 from the Innovative Clean Transit Regulation, 0.5 MMTCO<sub>2e</sub> total by 2040 from the Zero-Emission Airport Shuttle Regulation, and 1.7 MMTCO<sub>2e</sub> per year by 2040 from the Advanced Clean Trucks Regulation.

**Bird-Friendly:** These regulations will increase the protection of bird species across California. Governor Newsom's Executive Order [N-82-20](#) pledged to preserve 30% of habitat by 2030 (the 30 x 30 pledge) (which the Biden Administration has since also declared) with the intent of stemming declines in biodiversity. Agencies were tasked with coordinating efforts to ensure that biodiversity is considered in fulfilling their mandates. Biodiversity, of course, includes birds. The Executive Order can be found at (<https://gov.ca.gov/wp-content/uploads/2020/10/10.07.2020-EO-N-82-20-.pdf>)

**CCRC:** These regulations will further support the reduction of greenhouse gas emissions, and provide increased protection of public health and safety, worker safety and the environment.

## **ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING**

Reference: Government Code Section 11346.5(a)(12).

**EV, Bird-Friendly and CCRC:** BSC has determined that there would be no cost to comply with these proposed building standards. BSC does not have the authority to impose building standards or regulations applicable to housing.

## **CONSIDERATION OF ALTERNATIVES**

Reference: Government Code Section 11346.5(a)(13).

**EV, Bird-Friendly and CCRC:** BSC has determined that no reasonable alternative considered by BSC or that has otherwise been identified and brought to the attention of BSC 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. In addition, no reasonable alternative considered by BSC or that has otherwise been identified and brought to the attention of BSC would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

## AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the [CBSC website](https://www.dgs.ca.gov/BSC): (<https://www.dgs.ca.gov/BSC>).

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the [CBSC website](https://www.dgs.ca.gov/BSC): (<https://www.dgs.ca.gov/BSC>).

Reference: Government Code Section 11346.5(a)(21).

BSC shall provide, upon request, a description of any of the proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

## CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Irina Brauzman, Associate Architect  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone: (916) 263-0916

## PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Enrique M. Rodriguez, Associate Construction Analyst  
California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
[enrique.rodriquez@dgs.ca.gov](mailto:enrique.rodriquez@dgs.ca.gov)

Back up Contact:

Irina Brauzman, Associate Architect  
California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0916  
[irina.brauzman@dgs.ca.gov](mailto:irina.brauzman@dgs.ca.gov)