INITIAL STATEMENT OF REASONS FOR PROPOSED BUILDING STANDARDS OF THE CALIFORNIA BUILDING STANDARDS COMMISSION REGARDING THE 2025 CALIFORNIA GREEN BUILDING STANDARDS CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11 (BSC 03/25)

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS

Government Code Section 11346.2(b)(1) requires a statement of specific purpose of each adoption, amendment, or repeal and the problem the agency intends to address and the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.

BSC is proposing to amend the 2025 California Green Building Standards Code (CALGreen) during the 2025 Intervening Code Adoption Cycle for nonresidential occupancies within BSC-CG authority listed in Section 103 of the 2025 CALGreen. BSC conducted two EV workshops and three CCRC workshops in March, July and September of 2025 where BSC received positive comments in support of the proposed changes shown in ITEMS below. The amendments proposed below contain clarifying, conforming, or coordinating changes that do not materially alter the substance or intent of the existing code provisions.

The rationale for each specific proposed change is listed below.

ITEM 1
CHAPTER 2 DEFINITIONS
SECTION 202—DEFINITIONS

SUB-ITEM 1-1

BSC is proposing to amend the definition of Energy Commission to use the commonly known title instead of the formal title of the state agency.

SUB-ITEM 1-2

BSC is proposing to add the definition of Salvaged Material or Product to support clarifying language in Section 5.409.3, Exceptions. This definition has been coordinated with DSA and is being co-adopted. This proposal is necessary for clarity of existing regulations and does not materially alter the substance or intent of the existing regulations.

CAC Recommendation for ITEM 1:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 2
CHAPTER 5 NONRESIDENTIAL MANDATORY MEASURES
SECTION 5.105—DECONSTRUCTION AND REUSE OF EXISTING STRUCTURES

BSC is proposing to relocate embodied carbon reduction provisions related to building reuse option to Section 5.409 where the other two options for compliance with CALGreen embodied carbon reduction requirements are located. This amendment is proposed in response to stakeholder questions and will clarify that there are three options for embodied carbon reduction compliance including Reuse of Existing Building Option as the first one. ITEM 2 proposals are related to BSC proposals in ITEMS 9, 11, 12 and 16. This proposal is necessary for clarity of existing regulations and does not materially alter the substance or intent of the existing regulations. This proposal has been coordinated with DSA and is being co-adopted. The rationale for each proposed change is listed below.

SUB-ITEM 2-1

Section 5.105.1 is proposed to be reserved for future use as this language is duplicative with Section 5.409.1. Exception to Section 5.105.1 is proposed to be moved to Section 5.409.1 Exception.

SUB-ITEM 2-2

Sections 5.105.2 and 5.105.2.1 are proposed to be moved to Section 5.409, so a pointer is added to provide new location of the existing building reuse regulations.

CAC Recommendation for ITEM 2:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 3
CHAPTER 5, SECTION 5.106.4.1 BICYCLE PARKING with subsections

SUB-ITEM 3-1

BSC is proposing to relocate a sentence about rounding calculations for bicycle parking calculations from Section 5.106.4.1.2 to Section 5.106.4.1. This editorial amendment clarifies that the instructions for rounding up to the nearest whole number apply to the entire bicycle parking section including subsections. This proposal is necessary for clarity of existing regulations and does not materially alter the substance or intent of the existing regulations.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 4
CHAPTER 5, SECTION 5.106.5 ELECTRIC VEHICLE (EV) CHARGING

SUB-ITEM 4-1

BSC is proposing editorial clean up in Section 5.106.5.3 to correct the grammar structure of the sentence. This proposal is necessary for clarity of existing regulations and does not materially alter the substance or intent of the existing regulations.

SUB-ITEM 4-2

BSC is proposing to amend Section 5.106.5.3.3 Use of automatic load management systems (ALMS) to change the unit of measurement from amperes to kW to standardize the use of terminology. The use of one measurement unit is achieved by converting 30 amperes used in the current language (calculated at 208V) to the equivalent 6.2kW. This change will provide clarity by using a single unit of measurement.

Furthermore, kW defines the customer experience for charging. There are three potential voltages for charging standards such as NACS: 208V, 240V, and 277V. 240V is widely used at residential sites and 208V is widely used at commercial sites, potentially including hotels/motels. Applying a static amperage requirement results in inconsistent levels of delivered energy at each voltage.

This proposal is necessary for clarity of existing regulations and does not materially alter the substance or intent of the existing regulations.

SUB-ITEM 4-3

BSC is proposing to amend Section 5.106.5.4 trigger 2 to clarify the scoping for new photovoltaic system projects that cover existing parking spaces. The proposed amendment clarifies that existing parking spaces which are not part of the scope and are not physically covered by the new photovoltaic system panels do not require EV infrastructure and do not count toward the number of actual parking spaces when calculating the requirement for EV charging.

Currently, there is confusion in the regulated community regarding the intent of trigger 2. BSC received various inquiries from both AHJs and photovoltaic installers questioning how many parking spaces would be used to calculate the EV infrastructure requirements. The proposed amendment helps avoid unintended consequences and provides clear intent for the regulated community and the code enforcers.

Additionally, there is an editorial change proposed in the main body of the code section.

This proposal is necessary for clarity of existing regulations and does not materially alter the substance or intent of the existing regulations.

CAC Recommendation for ITEM 4:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 5
CHAPTER 5, SECTION 5.304—OUTDOOR WATER USE

SUB-ITEM 5-1

BSC is proposing to use currently reserved Section 5.304.2 to add a note regarding nonfunctional turf provisions applicable to nonresidential occupancies. The note provides a pointer to Water Code Section 10608.14 relating to existing compliance measures restricting the use of potable water for the irrigation of nonfunctional turf. This proposal is necessary to conform with current statutes and does not materially alter the substance or intent of the existing regulations.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 6
CHAPTER 5, SECTION 5.402—DEFINITIONS

SUB-ITEM 6-1

BSC is proposing to add a new term to the list of definitions defined in Chapter 2.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 7
CHAPTER 5, SECTION 5.407— WATER RESISTANCE AND MOISTURE MANAGEMENT

SUB-ITEM 7-1

BSC is proposing to repeal the language of Section 5.407.1 regarding weather protection, as it’s redundant to sections within California Building Code (Part 2 of Title 24). This proposal is part of a CALGreen clean-up effort requested by stakeholders. The amendment reserves the section for future use. This proposal avoids unnecessary duplication within the code and does not materially alter the substance or intent of the existing regulations.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 8
CHAPTER 5, SECTION 5.408—CONSTRUCTION WASTE REDUCTION, DISPOSAL AND RECYCLING

SUB-ITEM 8-1

In response to petition P-01-24 that was submitted by California Carpet Stewardship Program received January 17, 2024, BSC is proposing to amend Section 5.408.1.1 Construction waste management plan, to provide a web link to information regarding carpet recycling facility locations. The proposed amendment only provides useful information and does not materially alter the substance or intent of the existing regulations.

The state of California has a Carpet Stewardship Program overseen by the Department of Resources Recycling and Recovery (CalRecycle) that is funded by the public to help collect, reuse, or recycle post-consumer carpets. However, approximately 60% of the carpet still ends up in landfills. The proposed amendment is anticipated to encourage the recycling of carpet material and reduce the amount of post-consumer carpet sent to landfills, thus increasing the amount diverted to recycling facilities.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 9
CHAPTER 5, SECTION 5.409—LIFE CYCLE ASSESSMENT (renamed to EMBODIED CARBON REDUCTION)

BSC is proposing to consolidate all embodied carbon reduction provisions in Section 5.409 and rename it to Embodied Carbon Reduction, with Sections 5.409.2, 5.409.3 and 5.409.4 reorganized and renamed to identify them as “options”. This will clarify that there are three options for embodied carbon reduction compliance including Reuse of Existing Building Option, Product GWP – Prescriptive Option, and Whole Building Life Cycle Assessment – Performance Option as applicable based on project scope. ITEM 9 proposals are related to BSC proposals in ITEMS 2, 11, 12 and 16. The proposed amendments have been coordinated with DSA and are being co-adopted. The rationale for each proposed change is listed below. This proposal is necessary for clarity of existing regulations and does not materially alter the substance or intent of the existing regulations.

SUB-ITEM 9-1

BSC is proposing to rename Section 5.409 to Embodied Carbon Reduction and relocate

Section 5.105.1 Exception to Section 5.409.1 to reflect the reorganization. References to other reorganized sections are revised accordingly.

In addition, existing language referencing a sunset date of January 1, 2026, is proposed to be repealed, as the sunset date will have already passed by the time these code changes become effective on July 1, 2027. Minimum building area requirements for compliance are adjusted accordingly as well.

SUB-ITEM 9-2

Sections within SUB-ITEM 9-2 are proposed to be renumbered to align with the reorganization. The word “option” is being added to the title of Section 5.409.2 for clarity.

SUB-ITEM 9-3

Name of Section 5.409.3 is proposed to be revised for consistency with other embodied carbon reduction sections. Sections 5.409.3 and 5.409.3.1 are combined into one section to clarify that only products listed in Table 5.409.3 require a type III EPD and shall not exceed GWP values listed in Table 5.409.3. Section 5.409.3.1 is proposed to be repealed.

SUB-ITEM 9-4

Exception 1 for salvaged materials and products is proposed to be added to Section 5.409.3 to clarify that salvaged materials and products comply with the GWP limits of Table 5.409.3 and are not required to have a type III EPD.

SUB-ITEM 9-5

Existing Exception EQUATION 5.409.3.1 is proposed to be renumbered. The language of this exception is amended to clarify that concrete mixes may be considered individually or as a weighted average for compliance with Section 5.409.3.

SUB-ITEM 9-6

Table 5.409.3 as printed contains a typo in the unit of value for flat glass. BSC is proposing to correct the unit of value from kg CO2e/MT to MT CO2e/MT. The revised unit of value for flat glass will align with the reported GWP values and industry data published in the Carbon Leadership Forum (CLF) Material Baselines for North America (2023). Additionally, to coordinate with proposal in SUB-ITEM 9-7, table headings are proposed to be amended by deleting or revising superscripts that refer to table footnotes.

SUB-ITEM 9-7

Footnotes 1 & 2 of Table 5.409.3 are proposed to be repealed to eliminate confusion regarding maximum acceptable/allowed GWP values in the table. BSC recently became aware that some code users interpret the footnotes as directions to multiply the acceptable/allowed value in the table by 175% to determine the GWP limit for each material. Since footnotes 1 and 2 are purely informational and do not provide instructions or clarification, BSC is proposing to repeal them from the code. BSC will add these informational notes to 2025 CALGreen Guide.

SUB-ITEM 9-8

Section 5.409.3.2 is renumbered as Section 5.409.3.1 is proposed to be repealed.

SUB-ITEM 9-9

Sections within SUB-ITEM 9-9 are proposed to be renumbered to align with the reorganization. Name of Section 5.409.4 is revised for consistency with other embodied carbon reduction sections. In addition, BSC is proposing to amend the language of Section 5.409.4 to clarify that “location” is intended to mean “geographic location”.

CAC Recommendation for ITEM 9:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 10
CHAPTER 8 COMPLIANCE FORMS, WORKSHEETS AND REFERENCE MATERIAL

BSC is proposing to revise worksheets associated with the embodied carbon reduction provisions to be consistent with reorganization of Sections 5.105 and 5.409 and related voluntary sections. ITEM 11 proposals are related to BSC proposals in ITEMS 2, 9, 12 and 16. The proposed amendments have been coordinated with DSA and proposed amendments in Worksheets WS-3, WS-4, WS-5 and WS-9 are being co-adopted. This proposal is necessary for consistency of regulations and does not materially alter the substance or intent of the existing regulations. The rationale for each proposed change is listed below.

SUB-ITEM 10-1
Worksheet (WS-3)

BSC is proposing to rename Worksheet (WS-3) to align with the reorganization of the referenced section. In addition, a typo in the last column of the table is proposed for correction. It was always intended to use percentage instead of square footage for values as stated in the column header of the table.

SUB-ITEM 10-2
Worksheet (WS-4)

BSC is proposing to rename Worksheet (WS-4) to align with the reorganization of the referenced section. Additionally, the word “geographic” has been added before “location” to align with proposed changes is Section 5.409.4 (formerly Section 5.409.2).

SUB-ITEM 10-3
Worksheet (WS-5)

BSC is proposing to rename Worksheet (WS-5) to align with proposed changes in the referenced section. BSC is also proposing to amend the language of the statement to align with the requirements in Section 5.409.3. Worksheet (WS-5) as printed contains inappropriate references to “10 percent reduction in GWP” while the intent of the worksheet is to certify compliance with the maximum GWP values listed in Table 5.409.3.

SUB-ITEM 10-4
Worksheet (WS-6)

BSC is proposing to rename and renumber Worksheet (WS-6) to align with the reorganization of the referenced section. In addition, language is added that was missed before to provide consistency with existing scoping regulations and exceptions.

SUB-ITEM 10-5
Worksheet (WS-7)

BSC is proposing to rename and renumber Worksheet (WS-7) to align with the reorganization of the referenced section. Additionally, the word “geographic” has been added before “location” to align with proposed changes is Section A5.409.4 (formerly Section A5.409.2).

SUB-ITEM 10-6
Worksheet (WS-8)

BSC is proposing to rename Worksheet (WS-8) to align with proposed changes in the referenced section. BSC is also proposing to amend the language of the statement to align with the requirements in Section A5.409.3. Worksheet (WS-8) as printed contains inappropriate references to “15 percent reduction in GWP” while the intent of the worksheet is to certify compliance with the maximum GWP values listed in Table A5.409.3.

SUB-ITEM 10-7
Worksheet (WS-9)

BSC is proposing to rename and renumber Worksheet (WS-9) to align with the reorganization of the referenced sections.

CAC Recommendation for ITEM 10:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 11
APPENDIX A5 NONRESIDENTIAL VOLUNTARY MEASURES
SECTION A5.105—DECONSTRUCTION AND REUSE OF EXISTING STRUCTURES

Similar to BSC proposal for mandatory regulations, BSC is proposing to relocate voluntary embodied carbon reduction provisions related to building reuse option to Section A5.409 where the other two options for compliance with voluntary CALGreen embodied carbon reduction requirements are located. ITEM 12 proposals are related to BSC proposals in ITEMS 2, 9, 11, 12 and 16. This proposal is necessary for clarity of existing regulations and does not materially alter the substance or intent of the existing regulations. The rationale for each proposed change is listed below.

SUB-ITEM 11-1

Section A5.105.1 is proposed to be reserved for future use as this language is duplicative

with Section A5.409.1.

SUB-ITEM 11-2

Sections A5.105.2 through A5.105.2.3 are proposed to be moved to Section 5.409, so a pointer is added to provide new location of the voluntary existing building reuse regulations.

CAC Recommendation for ITEM 11:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 12
APPENDIX A5, SECTION A5.106—SITE DEVELOPMENT

SUB-ITEM 12-1

BSC is proposing an editorial correction in the main paragraph of Section A5.106.5.1.4 to clarify that stall striping paint shall be used for striping parking stalls. This proposal is necessary for clarity of existing regulations and does not materially alter the substance or intent of the existing regulations.

SUB-ITEM 12-2

BSC is proposing an editorial amendment in Section A5.106.7.2 to properly reference the location of the Wildland-Urban Interface (WUI) requirements which were relocated from California Building Code, Chapter 7A, to the newly created Part 7, California Wildland-Urban Interface Code (CWUIC) during 2024 Triennial Code Adoption Cycle. This proposal is necessary for consistency of existing regulations and does not materially alter the substance or intent of the existing regulations.

CAC Recommendation for ITEM 12:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 13
APPENDIX A5, SECTION A5.402—DEFINITIONS

SUB-ITEM 13-1

BSC is proposing to add a new term Salvaged Material or Product to the list of definitions in this section, to align with the term’s listing in Chapter 2, Section 202 Definitions. This proposal is necessary for consistency and does not materially alter the substance or intent of the existing regulations.

CAC Recommendation for ITEM 13:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 14
APPENDIX A5, SECTION A5.405—MATERIAL SOURCES

SUB-ITEM 14-1

BSC is proposing to repeal the webpage pointer to https://www.hcd.ca.gov/CALGreen.html in the Notes portion of Section A5.405.4 since the housing information does not align with the nonresidential forms, and therefore not needed. This proposal is necessary for consistency of existing regulations and does not materially alter the substance or intent of the existing regulations.

CAC Recommendation for ITEM 14:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 15
APPENDIX A5, SECTION A5.409—LIFE CYCLE ASSESSMENT

Similar to BSC proposal for mandatory regulations, BSC is proposing to consolidate all embodied carbon reduction provisions in Section A5.409 and rename it to Embodied Carbon Reduction, with Sections A5.409.2, A5.409.3 and A5.409.4 reorganized and renamed to identify them as “options”. ITEM 16 proposals are related to BSC proposals in ITEMS 2, 9, 11, 12 and 16. This proposal is necessary for clarity of existing regulations and does not materially alter the substance or intent of the existing regulations. The rationale for each proposed change is listed below.

SUB-ITEM 15-1

BSC is proposing to rename Section A5.409 to Embodied Carbon Reduction and to update references to sections that are proposed to be renumbered during the reorganization.

SUB-ITEM 15-2

Sections within SUB-ITEM 16-2 are proposed to be renumbered to align with the reorganization. The word “option” is being added to the title of Section A5.409.2 for clarity and to align with mandatory sections.

SUB-ITEM 15-3

Name of Section A5.409.3 is proposed to be revised for consistency with other embodied carbon reduction sections. Sections A5.409.3 and A5.409.3.1 are combined into one section to clarify that only products listed in Table A5.409.3 require a type III EPD and shall

not exceed GWP values listed in Table A5.409.3. Section A5.409.3.1 is proposed to be repealed.

SUB-ITEM 15-4

Exception 1 for salvaged materials and products is proposed to be added to Section A5.409.3 to clarify that salvaged materials and products comply with the GWP limits of Table A5.409.3 and are not required to have a type III EPD.

SUB-ITEM 15-5

Existing Exception EQUATION A5.409.3.1 is proposed to be renumbered. The language of this exception is amended to clarify that concrete mixes may be considered individually or as a weighted average for compliance with Section A5.409.3. In addition, there is a typo in the GWP allowed value that is proposed to be fixed. GWP potential allowed for concrete mix is intended to be determined per Table A5.409.3 and not Table 5.409.3 in the voluntary regulations.

SUB-ITEM 15-6

Table A5.409.3 as printed contains a typo in the unit of value for flat glass. BSC is proposing to correct the unit of value from kg CO2e/MT to MT CO2e/MT. The revised unit of value for flat glass will align with the reported GWP values and industry data published in the Carbon Leadership Forum (CLF) Material Baselines for North America (2023). Additionally, to coordinate with proposal in SUB-ITEM 15-7, table headings are proposed to be amended by deleting or revising superscripts that refer to table footnotes.

SUB-ITEM 15-7

BSC is proposing to repeal Footnotes 1 & 2 of Table A5.409.3 to eliminate confusion and align with the proposed changes in mandatory regulations. Since footnotes 1 and 2 are purely informational and do not provide instructions or clarification, BSC is proposing to repeal them from the code. BSC will add these informational notes to 2025 CALGreen Guide.

SUB-ITEM 15-8

Section A5.409.3.2 is renumbered as Section A5.409.3.1 is proposed to be repealed.

SUB-ITEM 15-9

Sections within SUB-ITEM 16-9 are proposed to be renumbered to align with the reorganization. Name of Section A5.409.4 is revised and the word “geographic” is added in Sections A5.409.4.1 and A5.409.4.2 to align with changes proposed in mandatory sections. In addition, BSC is proposing to change references from all parts of the California Building Standards Code to California Energy Code in the body of Sections A5.409.4.1 and A5.409.4.2 to align with references in mandatory sections and worksheets.

SUB-ITEM 15-10

BSC is proposing to amend Exception to Section A5.409.4.2 for Tier 2 compliance to align with Exception to Section A5.409.4.1 for Tier 1 compliance. The original intent when these two exceptions were developed during 2022 Intervening Code Adoption Cycle was to

make them the same, but inadvertently the language became different. This proposal will make regulations for Tier 1 and Tier 2 consistent.

SUB-ITEM 15-11

Section A5.409.2.3 is proposed to be renumbered to align with the reorganization.

SUB-ITEM 15-12

Sections A5.409.4 and A5.409.4.1 as well as referenced sections within are proposed to be renumbered to align with the reorganization. In addition, the word “geographic” is added to the language to align with changes proposed in other voluntary and mandatory sections.

CAC Recommendation for ITEM 15:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS

Government Code Section 11346.2(b)(1) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.

The proposed amendments do not contain any mandates for specific technologies or equipment or prescriptive standards. The amendments have clarifying, conforming, or coordinating changes that do not materially alter the substance or intent of the existing code provisions.

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

Government Code Sections 11346.3(b)(1) and 11346.5(a)(10)

The California Building Standards Commission has assessed whether or not and to what extent this proposal will affect the following:

A. **The creation or elimination of jobs within the State of California.**
   These regulations will not affect the creation or 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.**
   These regulations will not affect the creation of new businesses or elimination of existing businesses within the State of California.

C. **The expansion of businesses currently doing business within the State of California.**
   These regulations will not affect the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.
This proposal will clarify and coordinate existing regulations providing regulatory consistency for the code user, thereby benefitting the health and welfare of California residents, worker safety, and the state's environment.

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS

Government Code Section 11346.2(b)(3) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).

There are no formal studies, reports, or documents to be identified as the basis for the proposed amendments.

CONSIDERATION OF REASONABLE ALTERNATIVES

Government Code Section 11346.2(b)(4)(A) requires a description of reasonable alternatives to the regulation and the agency's reasons for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.

BSC has not identified any reasonable alternatives, including less burdensome and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with statute.

The proposed changes are editorial in nature and consistent with interested parties' input. BSC conducted three CALGreen Carbon Reduction Collaborative public workshops and two Electric Vehicle public workshops to discuss the proposals. The proposed amendments are a result of the findings from the workshops.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

Government Code Section 11346.2(b)(4)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.

No reasonable alternatives have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business. Small businesses will not experience an adverse impact due to the proposed BSC amendments. The amendments have clarifying, conforming, or coordinating changes that do not materially alter the substance or intent of the existing code provisions.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS

Government Code Section 11346.2(b)(5)(A) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.

BSC has made an initial determination that this regulatory action would have no significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states. The proposed CALGreen amendments have clarifying, conforming, or coordinating changes that do not materially alter the substance or intent of the existing code provisions.

Therefore, there are no other facts, evidence, documents, testimony, or other evidence on which the BSC relies to support its initial determination of no effect pursuant to Government Code Section 11346.2(b)(5)(A). The public is welcome to submit any information, facts, or documents either supporting BSC's initial determination or finding to the contrary.

ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS

Government Code Section 11346.2(b)(5)(B)(i) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates.

Because this proposal makes only non-substantive, clarifying changes to existing code language resulting in no intended change in regulatory effect, BSC estimates there will be no additional cost for the regulated community to comply with these building standards. The potential benefits of the proposed building standards include increased clarity for the code user. The updates are limited to clarifying, conforming, or coordinating changes that do not materially alter the substance or intent of the existing code provisions.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

Government Code Section 11346.2(b)(6) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.

These regulations do not duplicate nor conflict with federal regulations.