

**FINAL STATEMENT OF REASONS
FOR PROPOSED BUILDING STANDARDS
OF THE DEPARTMENT OF HEALTH CARE ACCESS AND INFORMATION/
OFFICE OF STATEWIDE HOSPITAL PLANNING AND DEVELOPMENT
REGARDING THE 2025 CALIFORNIA MECHANICAL CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4
(OSHDP 05/25)**

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a Final Statement of Reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

UPDATES TO THE INITIAL STATEMENT OF REASONS:

Government Code Section 11346.9(a)(1) requires an update of the information contained in the Initial Statement of Reasons. If the update identifies any data or any technical, theoretical or empirical study, report, or similar document on which the state agency is relying that was not identified in the Initial Statement of Reasons, the state agency shall comply with Government Code Section 11347.1.

The Department of Health Care Access and Information (HCAI)/Office of Statewide Hospital Planning and Development (OSHDP) has not added any data (including technical, theoretical, or empirical studies, reports, or similar documents relied upon) that would necessitate an update of the information contained in the Initial Statement of Reasons.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Pursuant to Government Code Section 11346.9(a)(2), if the determination as to whether the proposed action would impose a mandate, the agency shall state whether the mandate is reimbursable pursuant to Part 7 of Division 4. If the agency finds that the mandate is not reimbursable, it shall state the reasons for the finding(s).

The Department of Health Care Access and Information (HCAI)/Office of Statewide Hospital Planning and Development (OSHDP) has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

HCAI does not have authority to propose regulations that would impact local agencies or school districts.

OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S).

Government Code Section 11346.9(a)(3) requires a summary of EACH objection or recommendation regarding the specific adoption, amendment, or repeal proposed, and an explanation of how the proposed action was changed to accommodate each objection or recommendation, or the reasons for making no change. This requirement applies only to objections or recommendations specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action, or reasons for

making no change. Irrelevant or repetitive comments may be aggregated and summarized as a group.

The text with proposed changes was made available to the public for a 45-Day Public Comment Period from March 27, 2026 until May 11, 2026. HCAI received one comment during the 45-Day Public Comment Period. HCAI proposed revisions to Item 3 that adds clarifying language and a reference to another California Mechanical Code (CMC) section to provide closer alignment with both sections. A 15-Day Public Comment Period was conducted May 27, 2026 until June 11, 2026 for this change. No comments were received during the 15-Day Public Comment Period.

ITEM 3-8

Chapter 4 VENTILATION AIR

Section 401.0 General, 402 Ventilation Air, 403 Ventilation Rates, 407 Ventilation System Details, 407.3 Air Balance, 407.3.1

407.3.1 This section will provide similar language as CMC Section 417.0 for the air balancer to be certified. This will ensure that a certified third party conducts the air balance as is already required in ASHRAE 170 and other sections of the CMC. The Associated Air Balance Council (AABC), the National Environmental Balancing Bureau (NEBB), or the Testing, Adjusting and Balancing Bureau (TABB) require the balance to be completed by a certified balancer. This amendment is necessary for consistency and clarification and does not materially alter the intent of existing code provisions or impact the cost of compliance.

Commenter(s) and Recommendation:

Jeremy Zeedyk, SMART Western States Council
Christopher Ruch, Sheet Metal Workers Local 104

The commenters support the proposed code change, however, they recommend coordination with Section 403.10. The 2024 UMC includes a new requirement for the technician to be individually certified. The commenters recommend a minor revision to the OSHPD amendment to note that systems shall be tested, adjusted and balanced in accordance with Section 403.10.

Agency Response:

HCAI accepts the recommendation to Item 3-8, Section 407.3.1 only, and has modified the 15-Day Express Terms accordingly.

DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS

Government Code Section 11346.9(a)(4) requires a determination with supporting information that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, or would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

HCAI has determined that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the adopted regulation. The proposed regulations will not have a cost impact to private persons.

REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:

Government Code Section 11346.9(a)(5) requires an explanation setting forth the reasons for rejecting any proposed alternatives that would lessen the adverse economic impact on small businesses, including the benefits of the proposed regulation per 11346.5(a)(3).

HCAI has determined that the proposed regulations will not have an adverse economic impact on small businesses. The proposed regulations are technical modifications that will provide clarification and consistency within the code.