

SB 745 NONRESIDENTIAL WORKSHOP CHARTER

CALIFORNIA BUILDING STANDARDS COMMISSION

September 3, 2026

Changes or additions to the Workshop Charter since the previous workshop have been indicated with underlined text.

Purpose and Goals

This charter provides information on the objectives and expectations for workshops held to discuss and consider the development of building standards pursuant to SB 745, The Drought-Resistant Buildings Act (Cortese, Statutes of 2023). SB 745 added Health and Safety Code (HSC) Section 18940.7 mandating the California Building Standards Commission (BSC) research, develop, and propose building standards to reduce potable water use in new nonresidential buildings.

AB 130 note: The recently passed AB 130 (Statutes of 2025) amended HSC Section 18930 to prohibit the adoption of building standards affecting residential units from October 1, 2025, to June 1, 2031, inclusive, with certain exceptions. Building standards proposed pursuant to HSC Sections 18940.7 are given an exception to this rule, and may be considered for adoption during this period in the triennial code adoption cycles. AB 130 disallows all but a few limited types of building standards from being adopted in the intervening code adoption cycles.

BSC has statutory responsibility and authority for proposing amendments to the California Green Building Standards Code (CALGreen), Part 11, Title 24, California Code of Regulations (CCR), for nonresidential construction as well as related standards in the California Plumbing Code (CPC), Part 5, Title 24. The goal of the SB 745 workshops is to garner participation from all interested parties and affected stakeholders in the rulemaking process, to inform participants of the roles and responsibilities of the agencies, stakeholders and the public, and to provide informed, balanced input on building standards proposals.

Role and Authority

It is important for workshop participants to understand the authority BSC has related to CALGreen regulations based on California statutes. This information sets appropriate expectations about what BSC can accomplish through this initiative.

BSC Role and Authority

- BSC has statutory responsibility and authority for proposing green building standards (in CALGreen) where no other state agency has authority for occupancies within its authority.
- BSC is a regulatory code adopting agency and is not an advocacy group. As such, BSC is required to follow statutorily mandated procedures and propose regulations within their scope of authority and consistent with state law.
- BSC develops regulations based on executive action, legislative mandate, or a demonstrated need identified by BSC or proposed by others.

- BSC is required by Building Standards Law and the Administrative Procedure Act to evaluate the impact/cost of proposed building standards on a variety of different factors, including business, jobs, private persons, benefits to health, safety and welfare, cost of compliance, estimated benefits, and mandates on housing, local agencies, or school districts.
- BSC is not an enforcement entity and delegates the enforcement of adopted nonresidential CALGreen codes to local entities (usually local building departments) and to the internal enforcing bodies of the California State University and University of California.
- BSC provides many stakeholders and local authorities with technical assistance and training.

State Agency Subject Matter Experts (SME)

The following agencies are not mandated by SB 745 to develop building standards but have authority to adopt related regulations and have expertise in green building subject matter areas related to water systems, recycled water, and public health. These agencies with expertise in green building subject matter areas are allowed to provide input and recommendations per California Administrative Code Section 1-404.

State Water Resources Control Board (SWRCB) Role and Authority

- SWRCB has the authority to adopt standards in Title 22 and develop the Cross-Connection Control Policy Handbook (CCCPH) for drinking water systems, water quality, and recycled water.
- SWRCB is working to adopt regulations for onsite treated nonpotable water reuse in CCR Title 22, Division 4, Chapter 3.5. commencing with Section 60600, Onsite Treatment and Reuse of Nonpotable Water.
- SWRCB develops and adopts the Cross-Connection Control Policy Handbook (CCCPH) which provides standards intended to protect public health by ensuring backflow prevention of contaminants into public water systems.

Department of Water Resources (DWR) Role and Authority

- DWR adopts recycled water definitions in the Plumbing Code, Title 24, Part 5, Chapter 2 and adopts standards for recycled water supply systems in buildings, primarily in Part 5, Chapter 15.
- DWR provides educational resources and programs about water resources and conservation.

Division of the State Architect (DSA) Role and Authority

- DSA has the statutory responsibility and authority to write CALGreen regulations for the built environment for non-residential construction including California public schools and community colleges.
- DSA is a rulemaking entity and enforcement entity for public schools and community colleges.

- DSA is required to follow statutorily mandated procedures and propose regulations within their scope of authority and consistent with state law. DSA develops regulations based on executive action, legislative mandate, or a demonstrated need identified by DSA or proposed by others consistent with statute regulating rulemaking.
- DSA is required by Building Standards Law and the Administrative Procedure Act to evaluate the impact/cost of proposed building standards on, including but not limited to, business, jobs, private persons, benefits to health, safety and welfare, cost of compliance, estimated benefits, mandate on housing, local agencies or school districts.
- DSA provides many stakeholders and local authorities with technical assistance and training.

Workshop Objectives

- Research and consider building standards for new nonresidential buildings, including requiring installation of water reuse systems and requiring pre-plumbing of buildings to allow future use of recycled water, onsite treated graywater, or other alternative water sources.
- Seek input and recommendations from state agencies, municipal authorities, industry professionals, members of the public, and others with pertinent subject matter expertise in design, development, and enforcement of recycled of water systems.
- Develop draft nonresidential regulations for use in California Environmental Quality Act (CEQA) review and submission for adoption during the 2027 Triennial Code Cycle, to be adopted into the 2028 edition of the California Building Standards Code.
- Evaluate the technical feasibility and enforceability of the proposed nonresidential regulations.
- Determine the economic and fiscal impact of the draft nonresidential regulations on the private sector, local government, and state government. Include all applicable costs and benefits, including (but not limited to) cost to construct water systems, savings from water usage reduction, and benefits to the environment.
- Obtain information for supporting rulemaking documents, including (but not limited to) the notice of proposed action, economic and fiscal impact statement, initial statement of reasons (statement of specific purpose, problem, rationale, and benefits; technical, theoretical, and empirical study, report, similar documents; consideration of reasonable alternatives, etc.).

Rulemaking Schedule

- Final precycle workshop **September 3, 2026**
- CEQA study **Summer 2026 through Spring 2027**
- Initial rulemaking submittals for Parts 5 and 11 due by **February 1, 2027** (triennial cycle begins)
- 45-Day public comment period on rulemaking and CEQA Analysis between **May 2027 and October 2027**

- 2028 California Building Standards Code published **July 1, 2028**, effective **January 1, 2029**

Workshop Participants

The following organizations or their representatives have responded to BSC's request for interested parties in the development of regulations pursuant to SB 745. It is the intent of BSC that workshop participants represent the interests of their broader stakeholder group and not solely their own interests or those of any specific organization.

State Agencies

California Building Standards Commission (BSC)

California Department of Housing and Community Development (HCD)

California State Water Resources Control Board (SWRCB)

California Department of Water Resources (DWR)

California Division of the State Architect (DSA)

Non-state Agency Organizations, including but not limited to:

Acterra

American Institute of Architects California (AIA California)

Association of California Water Agencies

Building Owners and Managers Association of California

California Association of Realtors

California Building Industry Association (CBIA)

California Business Properties Association

California Landscape Contractors Association (CLCA)

California Municipal Utilities Association (CMUA)

California State Association of Counties (CSAC)

California State Pipe Trades Council

City of Brentwood

City of Sacramento

CM Services

CSG Consulting

El Dorado Irrigation District (EID)

Falcon Water Technologies

Greywater Action

HydroScience Engineers

International Association of Plumbing and Mechanical Professionals (IAPMO)

International Code Council (ICC)
Irvine Ranch Water District (IRWD)
JAS Pacific
Laborers International Union of North America (LIUNA)
Metropolitan Water District of Southern California
National Science Foundation (NSF)
Natural Systems Utilities
Plumbing Manufacturers International (PMI)
Plumb-Tech Design and Consulting Services, LLC
ReWater Systems, Inc.
Sacramento Valley Association of Building Officials (SVABO)
San Francisco Public Utilities Commission (SFPUC)
University of California, Irvine (UCI)
University of California, San Francisco (UCSF)
U.S. Green Building Council (USGBC)
WaterReuse California

Workshop Etiquette

Workshops will be facilitated by designated BSC staff. The following principles of etiquette ensure an opportunity for all workshop participants to engage effectively and collaboratively in discussions and reinforce the collaborative nature of the workshop process.

- Be respectful of each other and the right of everyone to openly express their perspective, even if different from or in opposition to your own.
- Listen intently and seek to understand the views of others.
- Provide an opportunity for each person to contribute to discussions.
- If you need to speak to another workshop participant during discussions, ask for a brief break rather than engage in “sidebar” conversations.
- Silence or turn off your cell phones, and refrain from texting or other communications during meetings.
- Make comments with consideration for, and respect of, the different levels of code knowledge of workshop participants.
- Participants are encouraged to attend all meetings; consistent involvement will assist the productivity of the discussions and avoid revisiting past discussions.