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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (Commission), pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict-of-interest codes, will review the proposed/amended conflict-of-interest code of the following:

CONFLICT-OF-INTEREST CODE
AMENDMENT

MULTI-COUNTY

AGENCY: Westlands Water District

A written comment period has been established commencing on February 13, 2015, and closing on **March 30, 2015**. Written comments should be directed to the Fair Political Practices Commission, Attention Ivy Branaman, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict-of-interest code(s) will be submitted to the Commission's Executive Director for her review, unless any interested person or his/her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than **March 30, 2015**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code-reviewing body for the above conflict-of-interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict-of-interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to Ivy Branaman, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Ivy Branaman, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

REGULATORY ACTION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the “Commission”), under the authority vested in it under the Political Reform Act (the “Act”)¹ by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulations at a public hearing on or after **March 19, 2015**, at the offices of the Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, California, commencing at approximately **10 a.m.** Written comments must be received at the Commission offices no later than **5:00 p.m. on March 18, 2015.**

Amend 2 Cal. Code Regs. Section 18703 to incorporate new standards for the “public generally” exception currently in Regulations 18707 et seq.;

Repeal 2 Cal. Code Regs. Sections 18707, 18707.1, 18707.2, 18707.4, 18707.6, 18707.7, 18707.9, and 18707.10. Proposed Regulation 18707 will incorporate some of the concepts currently separately contained in current 2 Cal. Code Regs. Sections 18707.2, 18707.4, 18707.6, and 18707.9.

Repeal 2 Cal. Code Regs. Sections 18703.2, 18703.3, 18703.4, and 18703.5.

BACKGROUND/OVERVIEW

Government Code Section 87100 provides that “no public official at any level of state or local government shall make, participate in making or in any way attempt to use his [or her] official position to influence a governmental decision in which he [or she] knows or has reason to know he [or she] has a financial interest.” Section 87103 provides that an official has a financial interest in a decision “if it is reasonably foreseeable that the decision will have a material financial effect, *distinguishable from its effect on the public generally*, on the official, a member of his or her immediate family, or on any of [certain enumerated financial interests].”

The Commission currently has a set of regulations that identify the standards for determining when a financial effect on an official is *distinguishable from its effect on the public generally*. This effort is part of the Commission’s continuing project to improve, update, clarify, and simplify the Act’s conflict-of-interest regulations, which began in 2012 with amendments to the application of the “reasonably foreseeable” test and continued over the last year by redefining what is a “material” financial effect. Staff proposes to present language amending the “public generally” test set forth in Regulations 18707 through 18707.10.

SCOPE

The Commission may adopt the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or related issues.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. These regulations will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. These regulations will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. These regulations will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

Government Code Section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE

The purpose of this regulation is to implement, interpret, and make specific Government Code Sections 87100 and 87103.

CONTACT

Any inquiries should be made to Bill Lenkeit, Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

be accessed at <http://www.fppc.ca.gov/index.php?id=247#2>.

NOTICE THAT A PUBLIC HEARING
IS SCHEDULED

**TITLE 20. CALIFORNIA ENERGY
COMMISSION**

**Amendment of Section 1682 of Title 20 of the
California Code of Regulations
Amend the Compliance Schedule for the
Nonresidential Building
Energy Use Disclosure Program of the
California Energy Commission**

**California Energy Commission
Docket No. 15-0IR-03**

The California Energy Commission (Energy Commission) proposes to amend subdivision (c) of section 1682 of title 20 of the California Code of Regulations. The proposed amendment changes the date after which the disclosure requirement of Public Resources Code section 25402.10 applies to covered nonresidential buildings with total gross square footage measuring 5,000 square feet and up to 10,000 square feet from July 1, 2014 to July 1, 2016.

The Energy Commission previously adopted this change through an emergency regulation approved by the Office of Administrative Law on September 2, 2014, and effective on that date. The purpose of this rulemaking is to adopt the emergency regulation on a permanent basis.

The proposed action is taken under the authority of Public Resources Code section 25213,¹ which generally authorizes the Energy Commission to adopt rules and regulations as necessary to carry out the provisions of Division 15 of the PRC, and section 25402.10, which requires the disclosure of energy consumption and benchmarking data in nonresidential real estate transactions, and requires the Energy Commission to adopt a schedule for compliance with the disclosure mandate. The Energy Commission's regulations implementing section 25402.10 are set forth in sections 1680 through 1684 of Title 20 of the California Code of Regulations, and the schedule for compliance in section 1682.

PRC section 25402.10 together with the implementing regulations are commonly referred to as the Nonresidential Building Energy Use Disclosure Program.

April 8, 2015
10:00 a.m.
California Energy Commission
1516 Ninth Street
First Floor, Hearing Room A
Sacramento, California
(Wheelchair accessible)

Please note that this hearing will take place as part of a regularly scheduled Energy Commission Business Meeting.

REMOTE ATTENDANCE

To Participate by Telephone:

To participate by telephone, please call toll free 1-888-823-5065 after 10:01 a.m. (PDT). The pass code for the meeting is "Business Meeting" and the call leader is Jerome Lee. If you plan to speak about an agenda item, please give the operator the item number.

To avoid occasional technical problems with the Commission's telephone link, the Commission recommends that a written comment also be submitted either by facsimile or Fax (916) 654-4493 or e-mail publicadviser@energy.ca.gov.

Broadcast via WebEx:

The Business Meeting is broadcast via WebEx, the Energy Commission's on-line meeting service. To listen to the meeting and view any presentations, please go to <https://energy.webex.com> and enter the unique meeting number: 926 368 651. When prompted, enter your name and the following meeting password: mtg@10am.

The "Join Conference" menu will offer you a choice of audio connections:

1. To call into the meeting: Select "I will call in" and follow the on-screen directions.
2. International Attendees: Click on the "Global call-in number" link.
3. To have WebEx call you: Enter your phone number and click "Call Me."
4. To listen over the computer: If you have a broadband connection, and a headset or a computer microphone and speakers, you may use VoIP (Internet audio) by going to the Audio menu, clicking on "Use Computer Headset," then "Call Using Computer."

If you have difficulty joining the meeting, please call the WebEx Technical Support number at 1-866-229-3239.

Please note that to make comments at the Business Meeting you must participate by telephone.

¹ All section references are to the Public Resources Code unless otherwise noted.

ORAL AND WRITTEN COMMENTS

Any interested person, or his or her authorized representative, may present oral and written comments on the proposed regulations at the hearing by attending or participating by telephone, or may submit written comments relevant to the proposed regulatory action to the Energy Commission. Please note that written and oral comments, attachments, and associated contact information included within the written comments and attachments (e.g., your address, phone, email, etc.) become part of the viewable public record.

The written comment period closes at **5:00 p.m. on March 31, 2014**. The Energy Commission will consider only comments received at the Energy Commission by that time.

If you wish to provide comments on the draft regulatory language, please submit comments to the Energy Commission using the Energy Commission's e-commenting feature by going to the Energy Commission's TITLE 20 2014 REVISIONS webpage at:

<http://www.energy.ca.gov/ab1103/>

Click on the "Submit eComment" link. A full name, e-mail address, comment title, and either a comment or an attached document (.doc, .docx, or .pdf format) is mandatory.

After a challenge-response test used by the system to ensure that responses are generated by a human and not a computer, click on the "Agree & Submit Your Comment" button to submit the comment to the Energy Commission Dockets Unit.

You are encouraged to use the electronic filing system, described above, to submit comments. If you are unable to submit electronically, a paper copy of your comments may be sent to:

California Energy Commission
Dockets Office, MS-4
Re: Docket No. 15-OIR-03
1516 Ninth Street
Sacramento, CA 95814-5512

Please include the rulemaking docket number 15-OIR-03, and indicate "Nonresidential Building Energy Use Disclosure Program Compliance Schedule" in the subject line or first paragraph of your comments.

PUBLIC ADVISER AND OTHER
COMMISSION CONTACTS

The Energy Commission's Public Adviser's Office provides the public assistance in participating in Energy Commission proceedings. If you want information on how to participate in this forum, please contact the Pub-

lic Adviser's Office at PublicAdviser@energy.ca.gov or (916) 654-4489 (toll free at (800) 822-6228).

If you have a disability and require assistance to participate, please contact Lou Quiroz at lquiroz@energy.ca.gov or (916) 654-5146 at least five days in advance.

Media inquiries should be sent to the Media and Public Communications Office at mediaoffice@energy.ca.gov or (916) 654-4989.

AUTHORITY AND REFERENCE

(Government Code section 11346.5(a)(2))

NOTE: Authority cited: Sections 25213, 25218(e), 25402.10, Public Resources Code. Reference: Section 25402.10, Public Resources Code.

INFORMATIVE DIGEST

(Government Code section 11346.5(a)(3))

Summary of Existing Laws and Regulations
(Government Code section 11346.5(a)(3)(A))

Existing law [Public Resource Code section 25402.10(d)(1)] requires that an owner or operator of a nonresidential building shall disclose, pursuant to a schedule established by the Energy Commission, the United States Environmental Protection Agency's ENERGY STAR Portfolio Manager benchmarking data and ratings for the most recent 12-month period to a prospective buyer, lessee of the entire building, or lender that would finance the entire building. Public Resources Code section 25402.10(d)(2) requires the Energy Commission to set a schedule for compliance.

The California Energy Commission has passed regulations implementing Public Resources Code section 25402.10, codified as the Nonresidential Building Energy Use Program, California Code of Regulations, Title 20, Division 2, Chapter 4, Article 9, sections 1680-1684. The schedule for implementation is set forth in section 1682 of Title 20, and requires the disclosures required by section 25402.10(d)(1) be made as follows:

- (a) On or after July 1, 2013 for a building with total gross floor area measuring more than 50,000 square feet,
- (b) On or after July 1, 2014 for building with a gross floor area measuring more than 10,000 and up to 50,000 square feet.
- (c) On or after July 1, 2016, for a building with total gross floor area measuring at least 5,000 square feet and up to 10,000 square feet.

Section 1682(c) of Title 20 reflects an amendment through emergency regulation effective September 2, 2014, to change the effective date for nonresidential buildings with total gross floor area measuring at least

5,000 square feet and up to 10,000 square feet from July 1, 2014 to July 1, 2016.

This rulemaking would certify and make permanent the emergency regulation changing the effective date for buildings with a total gross floor area measuring at least 5,000 square feet and up to 10,000 square feet from July 1, 2014 to July 1, 2016.

Policy Statement Overview (Government Code section 11346.5(a)(3)(C))

The broad objective of the proposed regulation is to certify the emergency regulation delaying implementation of the Nonresidential Building Energy Use Disclosure Program for buildings with a total gross floor area measuring at least 5,000 square feet and up to 10,000 square feet from July 1, 2014, until July 1, 2016.

The Nonresidential Energy Use Disclosure Program aims to increase building owner awareness of energy consumption and provide an opportunity for improvement of building energy efficiency, by requiring disclosure of certain nonresidential building energy use and benchmarking data in nonresidential real estate transactions. Making energy use and benchmarking data available to prospective buyers, lessees and lenders of nonresidential buildings makes it possible for the costs of energy consumption to be factored into the valuations of nonresidential spaces, with a goal of increasing market demand for improved building energy efficiency. Energy efficient buildings benefit building owners, small and large businesses, the Californian economy as a whole, and the environment by reducing energy costs and avoiding the environmental impacts associated with energy production and consumption.

In the first six months of implementing the Nonresidential Building Energy Use Disclosure Program, the Energy Commission discovered substantial barriers to implementation and compliance with the program as currently designed. One barrier is the fact that utilities have adopted inconsistent policies in implementing the program and providing the data necessary for disclosures. To preserve the confidentiality of their customers, many utilities are declining to provide energy use data to building owners or operators without written consent of each of the building tenants, unless there are sufficient tenants in the building to mask the data through aggregation. Utilities currently apply different thresholds in the level of aggregation among tenants necessary to avoid tenant consent, with some requiring tenant consent for all transactions. Obtaining tenant consent can be burdensome, and in some cases infeasible. Larger building owners have access to more sophisticated networks of professionals such as attorneys, brokers and consultants. This allows them access to timely information and services that smaller building owners may not have.

Other barriers include the fact that the timing of the disclosure of the Nonresidential Building Energy Use Disclosure Program is not consistent with the timing for other disclosures made in nonresidential real estate transactions, and the fact that the benchmarking data has a short shelf life and must be consistently updated. While these barriers increase the cost of compliance for buildings of all sizes, the impact on smaller buildings is disproportionate, because the costs associated with disclosure tend to represent a greater cost in comparison to the value of the transaction.

On June 18, 2014, the Energy Commission initiated an informational proceeding to study, address, and overcome these barriers, and on July 2, 2014, the Energy Commission held a workshop on the informational proceeding to gather information. Work on the informational proceeding is ongoing, and the Energy Commission is working to develop proposed modifications to the program to reduce or eliminate program barriers, and lower the cost of compliance.

In the meantime, based on available information and input from a wide array of stakeholders, including building owners and utilities, the Energy Commission believes that it would be harmful and burdensome to the public interest to allow this program to significantly expand under the original implementation schedule. Failing to certify the emergency regulation could disproportionately impact small building owners that may lack technical capacity to overcome existing barriers to implementation.

Anticipated Benefit of Proposed Rulemaking (Government Code section 11346.5(a)(3)(C))

Delaying the extension of the Nonresidential Building Disclosure Program for buildings between 5,000 and 10,000 square feet for two years will allow the Energy Commission to investigate barriers to compliance, and promulgate regulations to address them. It may also allow stakeholders, including utilities, time to develop, adopt, and implement best practices for compliance with the Nonresidential Building Energy Use Disclosure Program.

EVALUATION OF
INCONSISTENCY/INCOMPATIBILITY WITH
EXISTING STATE REGULATIONS
(Government Code section 11346.5(a)(3)(D))

Staff has conducted an extensive evaluation of laws relating to disclosure information related to energy consumption and benchmarking, and has determined that no other statewide regulation in California requires disclosure of energy use data in real estate transactions. Consequently the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

This rulemaking solely proposes to modify existing regulation by changing the date of compliance for non-residential buildings that are at least 5,000 square feet and up to 10,000 square feet from July 1, 2014 to July 1, 2016. This rulemaking seeks to certify and make permanent emergency rulemaking approved by the Office of Administrative Law on September 2, 2014.

FEDERAL LAW

(Government Code sections 11346.2 and 11346.9)

The Nonresidential Building Energy Use Disclosure Program is not mandated by, or similar to, any federal statute or regulation.

FISCAL IMPACT DETERMINATION
REGARDING THE PROPOSED ACTION

(Government Code sections 11346.5(a)(5)(6)&(7))

Mandate on local agencies or school districts: None. This rulemaking would only delay expanding reporting requirements to include nonresidential buildings of at least 5,000 square feet and up to 10,000 square feet by two years. It imposes no mandate on local agencies or school districts.

Costs or Savings for State Agencies: None. This proposed rulemaking would only impact the Energy Commission, which does not anticipate any budgetary impact from delaying implementation of this subsection by two years.

Costs to Any Local Agency or School District Requiring Reimbursement Pursuant to Section 17500 et seq.: None. This rulemaking would only delay expanding reporting requirements to include nonresidential buildings of at least 5,000 square feet and up to 10,000 square feet by two years. There will be no costs to any local agency as a result in this delay.

Other Non-Discretionary Costs or Savings on Local Agencies: None. This rulemaking would only delay expanding reporting requirements to include nonresidential buildings of at least 5,000 square feet and up to 10,000 square feet by two years. There will be no costs to any local agency as a result in this delay.

The existing regulations require local agencies that own government buildings to benchmark and disclose energy consumption data for their buildings if the entire building were to be sold, leased, or financed. The Energy Commission's analysis from the rulemaking in which the existing regulations were adopted indicate that the financial events triggering AB 1103 benchmarking would be relatively rare for government buildings, and that the cost of compliance with the proposed

regulations is low, so that the costs to local agencies from the existing program would be minimal. Additionally, costs of disclosure and benchmarking could be offset by energy cost savings if voluntary improvements in building energy efficiency are undertaken due to increased market value for energy efficiency in nonresidential buildings. These costs and benefits were fully analyzed in the original rulemaking. The delay in implementation would not result in any additional costs.

Cost or Savings in Federal Funding to the State: None. Federal funding to the State is not affected by this Program.

RESULTS OF THE ECONOMIC IMPACT
ANALYSIS/ASSESSMENT

(Government Code sections 11346.3(b),
11346.5(a)(6)&(7), and 11346.5(a)(10))

The Energy Commission has made the Initial Determination relating to the economic and fiscal impacts of the proposed regulation by checking box A-1(h) on the Form 399 *Economic and Fiscal Impact Statement*.

The Energy Commission concludes that (1) the proposed regulations will not create or eliminate jobs in California, (2) the proposed regulations will not create any new businesses or eliminate any existing businesses, and (3) the regulations will not cause the expansion of businesses currently doing business in California. These conclusions are based on the fact that the regulations merely delay implementation of an existing regulatory requirement, without adding any new obligation.

The benefit of the proposed regulation to the welfare of California residents is that it will delay for two years expansion of the Nonresidential Building Energy Use Disclosure Program, for which there are currently barriers to implementation and compliance, to owners and operators of smaller buildings for whom the costs associated with compliance are highest and the potential benefits are lowest. This delay will allow the Energy Commission to investigate barriers to compliance, and promulgate regulations to address them, before the program expands. It may also allow stakeholders, including utilities, time to develop, adopt, and implement best practices for compliance with the Program, which may further reduce the costs of compliance for entities subject to the Program.

HOUSING COSTS

(Government Code section 11346.5(a)(12))

The proposed changes to the regulations will not have a significant effect on housing costs.

**INITIAL DETERMINATION RE SIGNIFICANT
STATEWIDE ADVERSE ECONOMIC IMPACT
DIRECTLY AFFECTING BUSINESSES,
INCLUDING ABILITY TO COMPETE**
(Government Code section 11346.3(a), 11346.5(a)
(7), and 11346.5(a) (8))

The Energy Commission finds that the proposed regulations will not have a significant statewide adverse economic, fiscal, or environmental impact directly affecting businesses, including small businesses, and including the ability of California businesses to compete with businesses in other states. This determination is based upon the fact that the proposed regulations impose no new requirements, and merely delay implementation of an existing mandate.

**COST IMPACTS ON REPRESENTATIVE PERSON
OR BUSINESS**
(Government Code section 11346.5(a)(9))

The Energy Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The proposed regulations do not create a requirement that must be complied with by any person or business.

BUSINESS REPORTS
(Government Code sections 11356.5(a)(11)
and 11346.3(d))

The proposed regulations do not require any business to file a report.

SMALL BUSINESS IMPACTS
(1 Cal Code of Regulations section 4)

The proposed regulation will eliminate for two years the costs associated with complying with the Nonresidential Building Energy Use Disclosure Program for small businesses that own or operate buildings between 5,000 and 10,000 square feet, if those buildings are sold, leased or financed between July 1, 2014 and July 1, 2016 in a manner that triggers the disclosure obligation.

The proposed regulations may negatively impact a handful of small businesses working as consultants to facilitate compliance with the Nonresidential Building Disclosure Program, because the proposed regulations reduce the total buildings subject to the program until July 1, 2016. The Energy Commission is aware of at least four small businesses that are currently working in this capacity in the state, and estimates there are no

more than ten such consultants statewide. Any economic benefit these consultant businesses might receive if the Program were expanded to nonresidential buildings with at least 5,000 square feet up to 10,000 square feet would come at the expense of other businesses, including small businesses, that own or operate buildings of this size and would therefore be required to comply with the program if the emergency regulation is not certified.

ALTERNATIVES STATEMENT
(Government Code section 11346.5(a)(13))

The Energy Commission must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Energy Commission considered delaying the implementation date for buildings between 5,000 and 10,000 square feet for only one year, to July 1, 2015, but concluded this would likely not allow sufficient time to address barriers to compliance with the program.

The Energy Commission also considered eliminating the disclosure mandate entirely for buildings with at least 5,000 square feet and up to 10,000 square feet. At this time, it is unclear what the costs of compliance will ultimately be for buildings of this size. For this reason, the Commission does not believe this change is warranted at this time, and consequently determined this alternative would not be equally effective in accomplishing the goals of the underlying statute. However, the Commission's informational proceeding to investigate barriers to compliance with the Program is ongoing, and the Commission continues to collect information about the Program. Depending on how the record of this proceeding and informational proceeding develop, the Commission may determine that the benefits of requiring disclosures for nonresidential buildings of at least 5,000 and up to 10,000 square feet is not worth the cost, and may propose to eliminate the disclosure mandate for buildings of this size entirely, either through this rulemaking pursuant to modified language pursuant to Government Code section 11346.8(c), or in a subsequent rulemaking to address barriers to compliance arising from the pending informational proceeding.

Consequently, at this time the Energy Commission is aware of no reasonable alternative that would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed ac-

tion, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

CONTACT PERSONS

(Government Code section 11346.5(a)(13))

Inquiries concerning the proposed regulations may be directed to:

Daniel Johnson
Energy Efficiency Division, Appliance &
Existing Buildings Office
California Energy Commission
1516 Ninth Street, MS 25
Sacramento, California 95814
Telephone: (916) 651-3746
Daniel.Johnson@energy.ca.gov

The backup contact person for these inquiries is:

Galen Lemei, Senior Attorney
Office of the Chief Counsel
California Energy Commission
1516 Ninth Street, MS 14
Sacramento, California 95814
Telephone: (916) 654-4873
Galen.Lemei@energy.ca.gov

**AVAILABILITY OF INITIAL STATEMENT
OF REASONS AND TEXT OF
PROPOSED REGULATIONS**

(Government Code section 11346.5(a)(16))

The Energy Commission has prepared an Initial Statement of Reasons for the proposed regulations. To obtain a copy of the initial statement of reasons or the express terms of the proposed regulations, please visit the Energy Commission's website at: <http://www.energy.ca.gov/appliances/enforcement/documents/index.html> or contact Galen Lemei as indicated above.

Additionally, the Energy Commission has available all the information upon which the proposed regulations are based; copies can be obtained by accessing the above website or contacting the Docket Office at DOCKET@energy.ca.gov or by calling (916) 654-5076.

The Energy Commission will have the entire rule-making file available for inspection and copying throughout the rulemaking process at its office at the address above.

**AVAILABILITY OF SUBSTANTIAL CHANGES
TO ORIGINAL PROPOSAL FOR AT LEAST 15
DAYS PRIOR TO AGENCY
ADOPTION/REPEAL/AMENDMENT OF
RESULTING REGULATIONS**

(Government Code Section 11346.5(a)(18))

Participants should be aware that any of the proposed regulations could be substantively changed as a result of public comment, staff recommendation, or recommendations from Commissioners. Moreover, changes to the proposed regulations not indicated in the express terms could be considered if they improve the clarity or effectiveness of the regulations. If the Energy Commission considers changes to the proposed regulations pursuant to Government Code section 11346.8, a full copy of the text will be available for review at least 15 days prior to the date on which the Energy Commission adopts or amends the resulting regulations. Per section 44, title 1, of the California Code of Regulations, notice of any modified text will be submitted to (1) anyone who submits oral or written comments at the public hearing, (2) anyone who submits written comments to the Energy Commission's docket, or (3) anyone who specifically requests notification of such modifications.

**AVAILABILITY OF THE FINAL
STATEMENT OF REASONS**

(Government Code section 11346.5(a)(19))

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Galen Lemei at the address above, or at the Energy Commission's website at: <http://www.energy.ca.gov/ab1103/>.

**AVAILABILITY OF DOCUMENTS ON
THE INTERNET**

(Government Code section 11346.4(a)(6) &
11346.5(a)(20))

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at: <http://www.energy.ca.gov/ab1103/>.

**PUBLIC DISCUSSION OF
PROPOSED REGULATIONS**

(Government Code section 11346.45)

The proposed regulation is not complex, and only changes a single date in the schedule for implementing the Nonresidential Building Energy Use Disclosure Program. Nevertheless, the Energy Commission has facilitated extensive public discussion on the proposed Emergency Regulation the Energy Commission pro-

poses to certify, and the Nonresidential Building Energy Use Disclosure Program generally.

Prior to adopting the Emergency Regulation, the Energy Commission initiated an informational proceeding to investigate the Nonresidential Energy Use Disclosure Program on June 18, 2014. The Energy Commission held a workshop to investigate barriers to compliance with the Program on July 2, 2014, and received public comments on the program in connection with that workshop, including on the proposed Emergency Regulation. In addition, the Energy Commission and OAL received comment on the proposed Emergency Regulation, which the Energy Commission responded to in the Emergency Rulemaking proceeding.

Served on the following list server: AB 1103, Building Standards, Efficiency

TITLE 20. CALIFORNIA ENERGY COMMISSION

PROPOSED AMENDMENTS TO APPLIANCE EFFICIENCY REGULATIONS California Code of Regulations, Title 20, Sections 1601 through 1608

CALIFORNIA ENERGY COMMISSION Docket Number 15-AAER-1

The Energy Commission's Lead Commissioner for Energy Efficiency will hold a public hearing on the following date and time to receive public comment on the Express Terms:

Wednesday, March 17, 2015
10 a.m. (Pacific Time)
California Energy Commission
1516 Ninth Street
First Floor, Hearing Room A
Sacramento, California
(Wheelchair Accessible)

Audio for the **March 17, 2015**, hearing will be broadcast over the Internet. Details regarding the Energy Commission's webcast can be found at: www.energy.ca.gov/webcast.

At this hearing any person may present statements or arguments relevant to the proposed action. Interested persons may also submit written comments (see below). If possible, please provide written comments to be considered at the hearing by **March 16, 2015**. The Energy Commission appreciates receiving written comments at the earliest possible date

Remote Attendance

You may participate in this meeting through WebEx, the Energy Commission's online meeting service. Presentations will appear on your computer screen, and you may listen to audio via your computer or telephone. Please be aware that the meeting may be recorded.

To join a meeting:

VIA COMPUTER: Go to <https://energy.webex.com> and enter the unique meeting number: 929 612 430. When prompted, enter your name and the following meeting password: meeting@10.

The "Join Conference" menu will offer you a choice of audio connections:

1. To call into the meeting: Select "I will call in" and follow the on-screen directions.
2. International Attendees: Click on the "Global call-in number" link.
3. To have WebEx call you: Enter your phone number and click "Call Me."
4. To listen over the computer: If you have a broadband connection, and a headset or a computer microphone and speakers, you may use VoIP (Internet audio) by going to the Audio menu, clicking on "Use Computer Headset," then "Call Using Computer."

VIA TELEPHONE ONLY (no visual presentation): Call 1-866-469-3239 (toll-free in the U.S. and Canada). When prompted, enter the unique meeting number: 929 612 430. International callers may select their number from <https://energy.webex.com/energy/globalcallin.php>.

VIA MOBILE ACCESS: Access to WebEx meetings is now available from your mobile device. To download an app, go to www.webex.com/overview/mobile-meetings.html.

If you have difficulty joining the meeting, please call the WebEx Technical Support number at 1-866-229-3239.

PROPOSED ADOPTION DATE

The Energy Commission will hold a public hearing for consideration and possible adoption of the 45-Day Language on the following date and time unless the Energy Commission decides to modify the Express Terms through issuance of 15-Day Language.

Date: April 8, 2015
10 a.m. (Pacific Time)
California Energy Commission
1516 Ninth Street
First Floor, Hearing Room A
Sacramento, California
(Wheelchair accessible)

Audio for the April 8, 2015, adoption hearing will be broadcast over the Internet.

If you have a disability and require assistance to participate in these hearings, please contact Lou Quiroz at (916) 654-5146 at least 5 days in advance.

At this hearing, any person may present oral or written statements or arguments relevant to the proposed action. Interested persons may also submit written comments.

Please provide written comments to be considered at the Proposed Adoption hearing by **March 30, 2015**. The Energy Commission appreciates receiving written comments at the earliest possible date.

PUBLIC COMMENT PERIOD/
WRITTEN COMMENTS
(Gov. Code, § 11346.5, subd. (a)(15))

The public comment period for this Notice of Proposed Action will be from February 13, 2015, through and including March 30, 2015. Any interested person may submit written comments on the proposed amendments. Written comments will be accepted and considered for the Energy Commission adoption hearing if they are received by 5 p.m. on March 30, 2015. The Energy Commission appreciates receiving written comments at the earliest possible date. Written comments shall be e-mailed to Docket@energy.state.ca.gov or mailed or delivered to the following address:

California Energy Commission
Docket No. 15-AAER-1
Docket Unit
1516 Ninth Street, Mail Station 4
Sacramento, California 95814-5504

All written comments must indicate Docket No. 15-AAER-1. When comments are e-mailed on behalf of an organization, the comments should be a scanned copy of the original on the organization's letterhead and include a signature of an authorized representative. Please copy Harinder.Singh@energy.ca.gov.

Remote Attendance

You may participate in this meeting through WebEx, the Energy Commission's online meeting service. Presentations will appear on your computer screen, and you may listen to audio via your computer or telephone. Please be aware that the meeting may be recorded.

To join a meeting:

VIA COMPUTER: Go to <https://energy.webex.com> and enter the unique meeting number: 926 368 651. When prompted, enter your name and the following meeting password: mtg@10a.m.

The "Join Conference" menu will offer you a choice of audio connections:

1. To call into the meeting: Select "I will call in" and follow the on-screen directions.
2. International Attendees: Click on the "Global call-in number" link.
3. To have WebEx call you: Enter your phone number and click "Call Me."
4. To listen over the computer: If you have a broadband connection, and a headset or a computer microphone and speakers, you may use VoIP (Internet audio) by going to the Audio menu, clicking on "Use Computer Headset," then "Call Using Computer."

VIA TELEPHONE ONLY (no visual presentation): Call 1-866-469-3239 (toll-free in the U.S. and Canada). When prompted, enter the unique meeting number: 926 368 651. International callers may select their number from <https://energy.webex.com/energy/globalcallin.php>.

VIA MOBILE ACCESS: Access to WebEx meetings is now available from your mobile device. To download an app, go to www.webex.com/overview/mobile-meetings.html.

If you have difficulty joining the meeting, please call the WebEx Technical Support number at 1-866-229-3239.

BACKGROUND

The Appliance Efficiency Regulations (Title 20, Sections 1601-1608 of the California Code of Regulations (C.C.R.)) contain definitions, test procedures, labeling requirements, and efficiency standards for state-regulated appliances. Appliance manufacturers are required to certify to the California Energy Commission that their products meet all applicable state regulations pertaining to efficiency before their products can be included in the Energy Commission's database of approved appliances and sold or offered for sale in California.

The Energy Commission is proposing to amend standards in three distinct areas: water efficiency standards for toilets, urinals, and faucets (sections 1601(h), 1602(h) and (i), 1604 (h) and (i), 1605.1(h) and (i), 1605 (h) and (i), 1606 (h) and (i)); energy efficiency standards for dimming ballasts (sections 1601(j), 1602(j), 1604(j), 1605.3(j) and (n), 1606(j)); and labeling standards for replacement air filters in heating and ventilation systems, (sections 1601(c), 1602(c), 1604(c), 1605.1(c), 1605.3(c), 1606(c), 1607(d)(12)), and heat-pump water-chilling packages (sections 1601(c), 1602(c), 1604(c), 1605.3(c), 1606(c)).

The Energy Commission has prepared this Notice of Proposed Action (NOPA) and an Initial Statement of Reasons (ISOR) as part of the supporting documents to adopt the proposed amendments. The Energy Commis-

sion has also published the Express Terms (45–Day Language) of the proposed amendment language. These documents can be obtained from the contact persons designated below or from the Energy Commission website at: [<http://www.energy.ca.gov/appliances>].

AUTHORITY AND REFERENCE

(Gov. Code, § 11346.5, subd. (a)(2) and Cal. Code Regs., tit. 1, § 14)

The Energy Commission proposes to adopt the amendments under the authority of Public Resources Code sections 25213(a), 25218(e), 25402(c)(1), and 25402.5. The proposed amendments implement, interpret, and make specific Public Resources Code section 25402.

INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

(Gov. Code, § 11346.5, subd. (a)(3))

Since 1975, California’s building and appliance energy efficiency standards have saved Californians an estimated \$75 billion in reduced electricity bills. The state’s appliance efficiency regulations saved an estimated 22,923 gigawatt hours (GWh) of electricity and 1,626 million therms (mm therms) of natural gas in 2012 alone, resulting in about \$5.24 billion in savings to California consumers in 2012 from these regulations. The proposed standards represent the next step in California’s long history of resource efficiency and economic savings.

The proposed standards will provide water savings of about 460 billion gallons and monetary savings of \$1.56 billion to consumers over a ten–year period from the effective date of regulations. The proposed standards will reduce electricity consumption by about 6,371 GWh and provide consumer savings of \$863 million. Natural gas savings are estimated to be about 1,410 mm therms and would save consumers \$1.28 billion. Combined dollar savings from the proposed regulations will be more than \$3.73 billion between 2016 and 2025.

I. Water Efficiency Standards: Toilets, Urinals, and Faucets

In 2007, the California Legislature enacted Assembly Bill 715 (Laird, Chapter 499, Statutes of 2007), which set a schedule for manufacturers to meet water conservation standards for toilets and urinals sold or installed in the state such that after January 1, 2014, toilets being offered for sale or installed in the state cannot use more than 1.60 gpf and urinals cannot use more than 1.0 gpf. AB 715 required the California Building Standards Commission to incorporate these standards into the California Building Code, which it did in adopting

the 2013 California Plumbing Code (§ 401.2). Energy commission staff has determined that the data supports proposing urinal flush volume levels that conserve more water than required by AB 715.

Section 25402(c)(1) of the Public Resources Code, the statutory authority for amendments to faucet standards, mandates the Energy Commission reduce the inefficient consumption of energy and water by prescribing efficiency standards and other cost–effective measures for appliances whose use requires a significant amount of energy and water on a statewide basis. Such standards must be technically feasible and attainable and must not result in any added total cost to the consumer over the designed life of the appliance.

II. Energy Efficiency Standards: Dimming Fluorescent Ballasts

No current state or federal efficiency standards, test procedures, or labeling requirements exist for deep–dimming fluorescent ballasts, those that dim at or greater than 50 percent of the full rated power. Due to the requirements of Title 24, section 130.1 of the California Code of Regulations, it can be anticipated that the purchase and installation of dimming fluorescent ballasts will be greatly accelerated. Effective July 1, 2014, new nonresidential, high–rise residential, and hotel/motel buildings that install dimming fluorescent ballasts, must use ballasts that are able to dim below 50 percent of full rated power.

The market expansion will put pressure on supply and price, encouraging the potential introduction of less efficient and cheaper dimming ballast solutions than are available. Therefore, it is essential to develop minimum energy–efficiency standards regarding dimming fluorescent ballasts to prevent the unnecessary waste of electricity resulting from the Title 24 requirements.

III. HVAC Air Filter Testing and Labeling

Currently, there is a lack of labeling standards on replacement air filters resulting in improper filters being installed, wasted energy and premature equipment damage. Residential HVAC air filters sold in the market do not disclose pressure drop, and if they disclose particle efficiency, they do so inconsistently as air filter manufacturers and retailers have their own rating systems for air filter particle capture. Therefore, labeling of replacement filters is essential to ensure the air filter is the correct one for the installed HVAC system.

Under Title 24 of the building efficiency standards, the location of the air filter in the HVAC system must have a label to disclose the designed airflow rate of the system and the pressure drop of the air filter; therefore, consumers should be able to easily match the appropriate air filter to their system specifications if the replacement filter is labeled. These proposed regulations seek

to complete the cycle ensuring a correct filter beyond the originally installed one.

IV. Heat–Pump Water Chilling Packages

Heat–pump water–chilling packages are not currently regulated for energy efficiency. Because heat–pump water chilling packages are a new concept in Title 20, it is necessary to add a definition setting the parameters of the product. The new regulations would add a definition for “Heat–pump water–chilling packages” and establish a standardized test method to demonstrate its energy usage.

The testing and reporting requirements are not efficiency standards, requiring any specific level of efficiency, but a means to allow these packaged items to comply with the building code.

V. Incorporation of Federal Updates

Changes in federal regulations are already effective by operation of preemption in California. (*See* 42 U.S.C. § 6297(a)–(c) and 10 C.F.R. § 430.33(a).) Because regulated parties must comply with them regardless of California’s regulations, these changes do not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any California Code of Regulations.

Some of the proposed express terms update the federal portion of the Appliance Efficiency Regulations. Because the Appliance Efficiency Regulations include the federal appliance efficiency requirements, when federal law changes, it is necessary to update the Appliance Efficiency Regulations to correctly reflect these changes. To provide manufacturers, retailers, and consumers of appliances with a clear and comprehensive set of requirements, in a single location, the Energy Commission seeks to harmonize the California Appliance Efficiency Regulations with the federal appliance efficiency requirements.

ANTICIPATED BENEFITS

For additional information, please refer to the “Benefits of the Regulation” discussed under the, “STATEMENT OF THE RESULTS OF THE STANDARDIZED REGULATORY IMPACT ASSESSMENT”.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS (Gov. Code, § 11346.5, subd. (a)(3)(D))

The proposed amendments are not inconsistent or incompatible with existing state regulations. The Energy Commission has looked into whether there are any related state regulations in this area and has determined that the only other state regulations related to appliance

efficiency are in Title 24, Part 6, of the California Code of Regulations. The proposed amendments are intended to harmonize with these provisions in Title 24, Part 6, and are therefore neither inconsistent nor incompatible with existing state regulations.

DOCUMENTS INCORPORATED BY REFERENCE (Cal. Code Regs., tit. 1, § 20(c)(3))

The following represent documents incorporated by reference:

- 10 C.F.R. section 430.23(cc): Appendix AA to Subpart B of part 430
- 10 C.F.R. section 430.23(q): Appendix Q1 to Subpart B of part 430 with modifications
- 10 C.F.R. section 430.23(t): Appendix T to Subpart B of part 430
- 10 C.F.R section 431.323: Materials incorporated by reference
- 10 C.F.R. section 431.324: Uniform test method for the measurement of energy efficiency and standby mode energy consumption of metal halide lamp ballasts
- AHRI 680–2009: Standard for Performance Rating of Residential Air Filter Equipment (Revised 2009)
- ANSI/AHRI 550–590 (I–P) 2011: Standard for Performance Rating of Water–Chilling and Heat Pump Water–Heating Packages Using the Vapor Compression Cycle (Revised 2011)
- ASHRAE 52.2–2012: Method of Testing General Ventilation Air–Cleaning Devices for Removal Efficiency by Particle Size (Revised 2012)
- MaP Testing Toilet Fixture Performance Testing Protocol Version 5 (March 2013)
- ASME/ANSI Standard A112.18.1M — 1996, 7.4.4(a): Plumbing Fixture Fittings (Revised 1996)
- ASTM Standard E 1084–86: Standard Test Method for Solar Transmittance (Terrestrial) of Sheet Materials Using Sunlight (Reapproved 2009)
- NFPA 70: National Electric Code (Current Edition 2014)
- UL 1029: High–Intensity–Discharge Lamp Ballasts (Revised 2001)

The documents listed above are too cumbersome or impractical to publish in Title 20. Therefore, it is proposed to incorporate the documents by reference. Copies of these documents are available for review Monday through Friday from (8:00) a.m. to (4:30) p.m. at the California Energy Commission located at:

Docket Office
 California Energy Commission
 1516 Ninth Street, MS 4
 Sacramento, CA 95814–5504
 Phone: (916) 654–5076

FEDERAL LAW

(Gov. Code, §§ 11346.2, subd. (c) and 11346.9)

None of the proposed changes conflict with federal law but, instead, ensure consistency with it.

LOCAL MANDATE

(Gov. Code, § 11346.5, subd. (a)(5))

The proposed amendments will not impose a mandate on state or local agencies or school districts.

ECONOMIC IMPACTS

(Gov. Code, § 11346.5, subd. (a)(6))

The proposed standards are designed such that appliances sold in California will use less energy or water and consumers will see a positive net present value from the purchase. The standards also strive to minimize any negative effect to efficacy of the appliances. The proposed standards will reduce electricity, natural gas, and water consumption. Conservation of these resources makes them available for other purposes. Regulations will transform the market towards more cost-effective and energy-efficient appliances.

The proposed standards will provide water savings of about 460 billion gallons and monetary savings of \$1.56 billion to consumers over a ten-year period from the effective date of regulations. The proposed standards will reduce electricity consumption by about 6,371 gigawatt-hours and provide consumer savings of \$863 million. Natural gas savings are estimated to be about 1,410 mm therms and would save consumers \$1.28 billion. Combined dollar savings from the proposed regulations will be more than \$3.73 billion between 2016 and 2025.

Energy Commission staff used a macroeconomic model to estimate the impacts of proposed and alternative regulations within the California economy, accounting for reallocation of water savings. Estimated job-years will increase by 279 in 2016 and by 621 by the year 2025. Total job-years over the decade are projected to increase by 5,668 under the proposed standards. Proposed standards are estimated to increase real disposable personal income by \$9 million in 2016 and \$56 million in 2025. The cumulative increase in personal income with the proposed standards is projected to be \$375 million, which is a beneficial outcome for the California economy.

The proposed regulations are also estimated to avoid 260,000 tons of carbon dioxide (CO₂) in 2016 and 2.3 million tons in 2025. The value for CO₂ allowance savings was estimated to be \$151 million, based upon an assumed allowance value of \$12 per ton.

FISCAL IMPACTS

(Gov. Code, § 11346.5, subd. (a)(6))

Costs Requiring Reimbursement. As generally applicable requirements, the proposed amendments will not impose on local agencies or school districts any costs for which Government Code sections 17500–17630 require reimbursement.

Cost or Savings in Federal Funding to the State. As generally applicable requirements, the proposed amendments will not result in any costs or savings in federal funding to the state.

Cost or Savings to State Agencies. As generally applicable requirements, the proposed amendments will not result in any costs or savings to any state agency.

Other Nondiscretionary Costs or Savings Imposed Upon Local Agencies. As generally applicable requirements, the proposed amendments will not result in any other nondiscretionary costs or savings to local agencies.

EFFECT ON HOUSING COSTS

(Gov. Code, § 11346.5, subd. (a)(12))

There will be no significant effect on housing costs. Urinals are not found in residences, so the standards for urinals will not affect housing costs. The toilet standards are required by statute; therefore, the standards are simply harmonizing the Energy Commission regulations with current law. The flow rate required by the standards can be achieved by adjusting an existing piece of the faucet and will thus have no discernible effect on housing costs.

INITIAL DETERMINATION OF SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACTS DIRECTLY AFFECTING BUSINESS, INCLUDING THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE WITH BUSINESSES IN OTHER STATES

(Gov. Code, §§ 11346.2, subd. (b)(6), 11346.3, subd. (a), 11346.5, subd. (a)(7) and 11346.5, subd. (a)(8))

The Energy Commission has determined that there will be no significant statewide adverse economic, fiscal, or environmental impact directly affecting businesses, including small businesses, as a result of the proposed regulations, including the ability of California businesses to compete with businesses in other states because the information in the record shows that the cost per unit of compliant appliances is the same as the cost per unit of noncompliant appliances. The distribution of compliant products is spread fairly evenly amongst manufacturers.

The proposed regulations have advantages and disadvantages to retailers, manufacturers, and utilities in the

state. The regulations would give an advantage to manufacturers who make and distribute more efficient appliances in California and a disadvantage to those that do not. Energy utilities will see a decrease in demand for electricity and natural gas relative to a base-line forecast. Because their revenues are decoupled from sales, these utilities will see a business advantage to the proposed regulations. Water utilities will neither be at an advantage nor disadvantage as the demand for water in California far exceeds the supply. The saved water will be redirected to other uses. Therefore, the Energy Commission expects that water utilities sales will not change.

The direct benefits of the regulations for the commercial sector in California are \$1.1 billion from 2016 to 2025. This includes \$661 million in commercial water savings, \$163 million in commercial electricity savings, and \$281 million in commercial natural gas savings over the 10-year period. With no significant adverse impacts, these savings are extremely beneficial to California's commercial sector.

STATEMENT OF THE RESULTS OF THE
STANDARDIZED REGULATORY IMPACT
ASSESSMENT: IMPACTS ON THE CREATION
OR ELIMINATION OF JOBS WITHIN THE
STATE; THE CREATION OF NEW BUSINESSES
OR THE ELIMINATION OF EXISTING
BUSINESSES; COMPETITIVE ADVANTAGES OR
DISADVANTAGES FOR BUSINESS CURRENTLY
DOING BUSINESS WITHIN THE STATE;
INCREASE OR DECREASE OF INVESTMENT IN
THE STATE; INCENTIVES FOR INNOVATION IN
PRODUCTS, MATERIALS OR PROCESSES;
BENEFITS OF THE REGULATIONS
(Gov. Code, § 11346.5, subd. (a)(10))

CREATION OR ELIMINATION OF JOBS
WITHIN CALIFORNIA

Total job-years over the decade will increase by 5,668 under the proposed standards. Estimated job-years rise 279 in 2016 and 621 in the year 2025.

CREATION OR ELIMINATION OF BUSINESSES
WITHIN CALIFORNIA

Staff estimates commercial businesses will save \$12.7 million on water bills in 2016, the first year of standards implementation. By the year 2025, California commercial businesses will be saving \$117 million annually on their water utility bills. In 2016 commercial businesses are estimated to save \$2.8 million and \$5.4 million on electricity and natural gas bills, respectively.

By the year 2025 these figures increase to \$30.6 million and \$50.2 million. The overall impact to California businesses will be positive: reduced water and energy utility bills, and a very small reduction in overall prices throughout the economy.

COMPETITIVE ADVANTAGES OR
DISADVANTAGES FOR BUSINESS CURRENTLY
DOING BUSINESS WITHIN THE STATE

The proposed regulations have advantages and disadvantages to retailers, manufacturers, and utilities in the state. The regulations would naturally give an advantage to manufacturers of more efficient appliances in California. Energy utilities will see a decrease in demand for electricity and natural gas relative to a base-line forecast. Because they separate revenues from sales, these utilities will see a business advantage to the proposed regulations. Water utilities will not be at an advantage or a disadvantage as the demand for water in California far exceeds the supply. The saved water will be redirected to other uses. Therefore, the Energy Commission expects that water utilities sales will not change.

INCREASE OR DECREASE OF INVESTMENT IN
THE STATE

Staff estimates that gross private domestic fixed investment declines by \$26 million in 2016 and by \$446 million in 2025. These levels of reduced investment are very small compared to the whole California economy and represent a 0.01 percent decline in 2016 and a 0.12 percent decline by 2025. In other words, the proposed regulations reduce domestic private investment by less than two-tenths of 1 percent over the 10-year analysis period. Given important caveats regarding limitations of the REMI model to account for productive economic uses of conserved water and energy, staff finds the overall effect of the regulations to investment in California to be small compared to expected benefits of increased jobs, increased personal income, conservation of water and energy, improved air quality, and reduced greenhouse gas emissions.

INCENTIVES FOR INNOVATION IN PRODUCTS,
MATERIALS OR PROCESSES

Innovations in the products proposed to be regulated can be organized into three types: innovations that would decrease water or energy use, innovations that are neutral to water or energy use, and innovations that increase water or energy use. The proposed standards clearly provide incentives for technologies and innovations that can reduce the water and energy use of pro-

posed covered products. The proposed regulations put pressure on manufacturers of existing products to adjust from status quo designs that would have difficulty meeting the performance standards. These changes lead to increased industry investment in technology that forms the core of innovation.

In the case of toilets, urinals, and faucets, the proposed regulations form an incentive for innovation, as the demand for improved performance in lower water-using products will be increased.

In the case of heat-pump, water-chilling packages, innovation is directly enhanced because the regulations are removing a market barrier for this product.

BENEFITS OF THE REGULATIONS

The proposed and alternative regulations provide a wide range of benefits to California households and commercial businesses. The benefits that were quantified include water, electricity, and natural gas conservation, utility bill savings, jobs impact, changes in personal income, reduced air pollution, and reduced greenhouse gas emissions.

The proposed standards over the next 10 years will conserve about 460 billion gallons of water. Staff estimates the consumer water utility bill savings from implementation of the proposed standards to total \$0.9 billion for households over 10 years. Commercial businesses would save roughly \$661 million between 2016 and 2025.

Total electricity savings are estimated to be 136 GWh in 2016 and rise to 1,156 GWh by 2025. The value of residential electricity bill savings is estimated to be \$18.3 million in 2016 and up to \$119 million in 2025. Commercial sector electricity bill savings over the same period go from \$2.8 million to \$30.6 million.

Estimates of natural gas savings from reduced hot water heating total 30 mm therms in 2016 and increase to 252 mm therms in 2025 under the proposed standards. Cumulative natural gas savings for the 10-year period equals 1,410 mm therms.

Utility bill benefits to households total \$23.7 million in 2016 and increase to \$176 million in 2025. Total residential sector natural gas utility bill savings is \$1.0 billion between 2016 and 2025. Businesses are estimated to save \$5.4 million in 2016 and \$50.2 million by 2025. Businesses will save a total of \$281 million on natural gas bills over the 10 years.

Total job-years over the decade will increase by 5,668 under the proposed standards. Estimated job-years rise 279 in 2016 and 621 in 2025.

In addition to utility bill savings, the proposed standards will increase real disposable personal income by \$9 million in 2016 and \$56 million in 2025, as a result of

employment effects. The cumulative increase in personal income with the proposed standards is \$375 million.

The proposed regulations over the next 10 years will reduce PM 2.5 emissions by about 193 tons, NO_x emissions by 4,446 tons, and oxides of sulfur (SO_x) emissions by about 64 tons. The proposed standards are estimated to avoid between \$1.1 million and \$2.4 million in health impacts during the first year of implementation in 2016. By 2025, the range of avoided public health impacts increases to \$8.1 million to \$20.5 million. The 10-year cumulative estimated air quality benefit of proposed regulations is between \$36 million and \$90 million.

The proposed regulations are estimated to avoid 0.26 million tons of carbon dioxide (CO₂) in 2016 and 2.3 million tons in 2025. The cumulative benefit of CO₂ reductions for the proposed standards is 12.6 million tons. Total avoided global damages for the 10-year period under proposed standards equals \$542 million. A second value estimated is the avoided cost of purchasing CO₂ allowances for California's Cap-and-Trade Program. The value for CO₂ allowance savings was estimated to be \$151 million, based upon an assumed allowance value of \$12 per ton.

RESPONSE TO COMMENTS ON STANDARD REGULATORY IMPACT ASSESSMENT

The Department of Finance (DOF) submitted comments to the Energy Commission regarding the standard regulatory impact assessment (SRIA) dated January 2, 2015. The Commission reviewed and updated the SRIA in response to DOF and to adjust for changes in the regulatory proposal.

In its comments, DOF requested a better description of the baseline, reflecting the current regulations against which the impacts of the proposed regulations are compared. In addition they requested more detail so that a "percentage improvement" could be derived. The Commission has updated its SRIA to address this comment. The Commission used more sophisticated analysis than percentage improvement from baseline code in its analysis to derive savings and impacts as outlined in the staff reports relied upon in this rulemaking. The DOF presents potential effects of increasing the efficiency of a product, including varying product life and usage patterns. These were evaluated in the staff reports referenced in the SRIA and also in the documents relied upon in this rulemaking.

The DOF also commented that the costs and benefits should be separately and distinctly identified between different parties affected by the potential regulations. The macro-economic modeling was not detailed to a level that would allow for disaggregation as requested

by DOF. For this appliance efficiency standards regulation package, the costs are very small and the majority of the individuals/businesses will both incur the small cost and reap the significant utility bills savings. In the case of a separation of purchaser and user, it is expected that the purchaser passes such costs on to the user.

The DOF noted that the Commission did not evaluate more stringent toilet and urinal standards in the SRIA. The DOF pointed out that it is the responsibility of the agency to evaluate alternatives, whether identified by external stakeholders or not. The Commission evaluated the proposed amendments as a package. As such, it evaluated a more stringent and a less stringent package relative to the proposed package. The Commission evaluated the most likely, reasonable, and substantial alternative scenarios based on staff expertise. Further, the Commission did not consider more stringent standards for toilets and urinals because it was not clear that more stringent standards would also meet the statutory requirements in 25402(c)(1) for the Commission to adopt a standard.

Lastly, DOF commented that the SRIA should address the fiscal impacts of enforcement, implementation, and interactions with other policies. DOF provided specific examples of economic interactions with policies, including the value of air pollution and greenhouse gas emission reduction. The adoption of the proposed regulation does not include additional enforcement or implementation costs. The Commission already has certification and enforcement staff and funding that will be used to address the proposed regulations. The revised SRIA estimates the value of reduced pollution and greenhouse gasses and relevance to state policies.

The revised SRIA is available at the Energy Commission's appliance efficiency website at: <http://www.energy.ca.gov/appliances/2015-AAER-1/rulemaking/>.

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

(Gov. Code, § 11346.5, subd. (a)(9))

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. Because the federal regulations are already effective by operation of preemption in California, and because regulated parties must comply with them regardless of California's regulations, these changes also do not create an adverse economic impact on representative persons or businesses.

BUSINESS REPORTS

(Gov. Code, §§ 11346.5, subd. (a)(11) and 11346.3, subd. (d))

The proposed changes to the labeling requirements on HVAC systems would require reporting beyond what is already required to be collected and reported to the government. The Energy Commission estimates that the annual reporting cost to be \$374 per manufacturer.

The Energy Commission finds that it is necessary for the health, safety, or welfare of the people of California that proposed section 1607(d)(12), which requires a marking on air filters manufactured after May 1, 2016, apply to businesses.

SMALL BUSINESS

(Cal. Code Regs., tit. 1, §§ 4(a) and 4(b))

There will be no significant cost impacts on small businesses that purchase toilets, urinals, faucets, dimming ballasts, or heating and ventilations systems subject to the proposed regulations. The costs of owning and operating toilets, urinals, faucets, dimming ballasts, or heating and ventilations systems will decrease as a result of lower electricity and water costs by using the more efficient products.

There will be no significant cost impacts on small businesses due to the federal updates because these federal regulations are already effective by operation of preemption in California, and because regulated parties must comply with them regardless of California's regulations, these changes do not create an adverse impact on small business.

ALTERNATIVES STATEMENT

(Gov. Code, § 11346.5, subd. (a)(13))

Before adopting the proposed regulations, the Energy Commission must determine that no reasonable alternative it considered, or that has otherwise been identified and brought to its attention, would be more effective in carrying out the purpose for which the amendments are proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

DESIGNATED CONTACT PERSONS

(Gov. Code, § 11346.5, subd. (a)(14))

Please contact the following person, preferably by e-mail, for general information about the proceeding or to

obtain any document relevant to the proceeding, including this document, the Express Terms, the Initial Statement of Reasons, the Form 399, and any other document in the rulemaking file:

Angelica Ramos
 California Energy Commission
 1516 Ninth Street, Mail Station 25
 Sacramento, California 95814-5512
 Telephone: 916-654-4147
 Fax: 916-654-4304
 E-mail: Angelica.Romo@energy.ca.gov

Please contact the following person, preferably by e-mail, for substantive questions:

Harinder Singh
 California Energy Commission
 1516 Ninth Street, Mail Station 25
 Sacramento, California 95814-5512
 Telephone: 916-654-4091
 Fax: 916-654-4304
 E-mail: Harinder.Singh@energy.ca.gov

The backup contact person for substantive questions is:

Kenneth Rider
 California Energy Commission
 1516 Ninth Street, Mail Station 25
 Sacramento, California 95814-5512
 Telephone: 916-654-5006
 Fax: 916-654-4304
 E-mail: Ken.Rider@energy.ca.gov

Mr. Singh and Mr. Rider also can assist in obtaining documents and in answering general questions.

Public Adviser and Other Commission Contacts

The Energy Commission's Public Adviser's Office provides the public assistance in participating in Energy Commission proceedings. If you want information on how to participate in this forum, please contact the Public Adviser's Office at PublicAdviser@energy.ca.gov or (916) 654-4489 (toll free at (800) 822-6228).

If you have a disability and require assistance to participate, please contact Lou Quiroz at lquiroz@energy.ca.gov or (916) 654-5146 at least five days in advance.

NEWS MEDIA INQUIRIES

News media inquiries should be directed to Media and Public Communications Office at (916) 654-4989, or by e-mail at mediaoffice@energy.ca.gov.

AVAILABILITY OF THE TEXT OF THE PROPOSED AMENDMENTS (EXPRESS TERMS), THE INITIAL STATEMENT OF REASONS (ISOR), AND THE INFORMATION UPON WHICH THE PROPOSAL IS BASED (RULEMAKING FILE)
 (Gov. Code, § 11346.5, subd. (a)(16))

The first action to take to obtain documents in this rulemaking proceeding is to visit the Energy Commission's appliance efficiency website at: <http://www.energy.ca.gov/appliances/2015-AAER-1/rulemaking/>.

The website will have all of the documents prepared by the Energy Commission, including the Express Terms of the proposed amendments (written in plain English and set forth in a format that indicates both the existing text and the proposed text), the Initial Statement of Reasons, and availability of information upon which the proposed regulations are based. The website will also include all documents incorporated by reference, as well as most of the other documents in the rulemaking file.

The Express Terms and the Initial Statement of Reasons are also available at no cost from the contact person, Angelica Ramos (see above).

The Energy Commission's Docket Office has available all of the documents in the rulemaking file; for copies, please contact:

Docket Office
 California Energy Commission
 1516 Ninth Street, MS 4
 Sacramento, California 95814-5504
 916-654-5076

AVAILABILITY OF CHANGED OR MODIFIED TEXT
 (Gov. Code, § 11346.5, subd. (a)(18))

After considering all timely and relevant comments received, the Energy Commission may adopt the proposed regulations substantially as described in this notice. If the Energy Commission makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before it adopts the regulations as revised. Per section 44, title 1, of the California Code of Regulations, notice of any modified text will be submitted to (1) anyone who submits oral or written comments at the public hearing, (2) anyone who submits written comments to the Energy Commission's docket, or (3) anyone who specifically requests notification of such modifications.

FINAL STATEMENT OF REASONS
(Gov. Code, § 11346.5, subd. (a)(19))

The Energy Commission will prepare a Final Statement of Reasons on the amendments, responding to all relevant comments made during the proceeding. The Final Statement of Reasons will be available from the contact person named above, from the Docket Office, and will be posted on the Energy Commission's website.

INTERNET ACCESS

(Gov. Code, §§ 11346.4, subd. (a)(6) and 11346.5, subd. (a)(20))

The Energy Commission maintains a website in order to facilitate public access to documents prepared and considered as part of this rulemaking proceeding. Documents prepared by the Energy Commission for this rulemaking, including this Notice of Proposed Action, the Express Terms, the Initial Statement of Reasons, and the Economic and Fiscal Impact Statements, as well as many other documents in the rulemaking file have been posted at: <http://www.energy.ca.gov/>.

TITLE 24. CALIFORNIA ENERGY COMMISSION

PROPOSED REVISIONS TO THE CALIFORNIA BUILDING ENERGY EFFICIENCY STANDARDS CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1, CHAPTER 10, and PART 6 (CALIFORNIA ENERGY CODE)

2016 BUILDING ENERGY EFFICIENCY STANDARDS
California Energy Commission
DOCKET NO. 15-BSTD-01

INTRODUCTION

Notice is hereby given that the California Energy Commission (Energy Commission) proposes to adopt changes to the Building Energy Efficiency Standards contained in the California Code of Regulations (CCR), Title 24, Part 6 (also known as the California Energy Code), and associated administrative regulations in Chapter 10 of Part 1. The proposed amended standards are called the "2016 Building Energy Efficiency Stan-

dards" (Standards) and will go into effect on January 1, 2017.

The Energy Commission has prepared this Notice of Proposed Action (NOPA) and an Initial Statement of Reasons (ISOR) regarding the need for the proposed revisions. The Energy Commission has also published the Express Terms (45-Day Language) of the proposed amendment language. These documents can be obtained from the contact persons designated below or from the Energy Commission website at: www.energy.ca.gov/title24/2016standards/rulemaking/.

PUBLIC COMMENT PERIOD AND HEARINGS

The Energy Commission's Energy Efficiency Lead Commissioner will hold public hearings to receive public comments on the proposed action. At these hearings, any person may present statements or arguments relevant to the proposed regulatory action summarized below. The proposed language (45-Day Language Express Terms) is posted on the Energy Commission's website at: www.energy.ca.gov/title24/2016standards/rulemaking/.

The 45-Day Language Express Terms are also available from the Energy Commission's Building Standards Office (contact persons are listed later in this NOPA). The Energy Efficiency Lead Commissioner Hearings to discuss the 45-Day Language are scheduled as follows:

March 2 and March 3, 2015

9:00 a.m.

CALIFORNIA ENERGY COMMISSION
Hearing Room A
1516 Ninth Street
Sacramento, California
(Wheelchair Accessible)

The Energy Efficiency Lead Commissioner Hearing will be held on the first date listed. The Energy Efficiency Lead Commissioner Hearing may continue on the second date listed, as necessary.

Audio for the Energy Efficiency Lead Commissioner Hearings will be broadcast over the internet. For details, please go to www.energy.ca.gov/webcast.

If you have a disability and require assistance to participate in these hearings, please contact Lou Quiroz at (916) 654-5146 at least 5 days in advance.

A hearing before the full Energy Commission, for possible final adoption of the 45-Day Language Express Terms will be held on the date below; however, if the Energy Commission decides to make substantive changes to the Express Terms through 15-Day Language, the public hearing may be continued to a later noticed date.

PROPOSED ADOPTION DATE — FULL ENERGY COMMISSION HEARING

APRIL 8, 2015

10:00 a.m.

CALIFORNIA ENERGY COMMISSION
Hearing Room A
1516 Ninth Street
Sacramento, California
(Wheelchair Accessible)

Audio for the April 8, 2015, ENERGY COMMISSION HEARING will be broadcast over the internet. For details, please go to www.energy.ca.gov/webcast.

If you have a disability and require assistance to participate in these hearings, please contact Lou Quiroz at (916) 654-5146 at least 5 days in advance.

If the Energy Commission decides to propose 15-Day Language modifications to the Express Terms, a separate notice of the adoption hearing for the 15-Day Language will be provided.

The public comment period for the 2016 Building Energy Efficiency Standards will begin February 13, 2015, and end at 5:00 p.m. on March 30, 2015. Any interested person may submit written comments on the proposed amendments. Regarding the Energy Efficiency Lead Commissioner and Adoption Hearings, the Energy Commission requests written comments at the earliest possible date: for the March 2 and 3, 2015 hearings, please provide written comments by March 17, 2015. However, written comments will still be accepted if they are received by 5:00 p.m. on March 30, 2015. Written comments must be emailed to Docket@energy.ca.gov or mailed or delivered to the following address (emailing is preferred):

CALIFORNIA ENERGY COMMISSION
Attention: Docket No. 15-BSTD-01
Dockets Office 1516
Ninth Street, MS-4
Sacramento, CA 95814

All written comments must contain the official number of the proceeding “Docket No. 15-BSTD-01,” prominently displayed on the first page. When comments are emailed on behalf of an organization, the comments should be a scanned copy of the original on the organization’s letterhead and include a signature of an authorized representative.

Written comments may also be filed electronically by emailing adrian.ownby@energy.ca.gov or faxing them to (916) 654-4304, as long as they are received no later than March 30, 2015, at 5:00 p.m.

Oral comments may be made at the Energy Efficiency Lead Commissioner hearing(s). In addition,

oral comments may be made at the April 8, 2015, Full Commission Adoption Hearing.

POTENTIAL POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Interested persons should be aware that any of the provisions of the amendments under consideration by the Energy Commission could be substantively changed as a result of public comment, staff recommendations, or discussions at the Energy Efficiency Lead Commissioner or Full Commission Hearings. The proposed regulations could be changed, withdrawn, or replaced with different proposals. If the Energy Commission makes substantive changes to the 45-Day Language Express Terms that a reasonable person could have anticipated could be made as within the scope of this NOPA, the Energy Commission will make the full text of the modified amendments available to the public at least 15 days before adoption, as required by Government Code 11346.8. (Changes outside the scope of the NOPA must be made in new 45-day language.)

To be notified of any modifications, please sign-up on the Building Standards list-serve to be informed of ongoing activities regarding the 2016 Update. You can sign up for this list-serve here: <http://www.energy.ca.gov/efficiency/listservers.html>.

For assistance in participating in the rulemaking proceeding, please contact the Energy Commission’s Public Adviser’s Office, at (916) 654-4489, toll free at (800) 822-6228, or by email at publicadviser@energy.ca.gov.

AUTHORITY AND REFERENCE

The Energy Commission proposes to adopt the Express Terms under the authority granted by Public Resources Code Sections 25213, 25402, subdivisions (a)-(b), 25402.1, 25402.4, 25402.5, 25402.8, 25910, 25942, and 25943.

The Energy Commission proposes to adopt the Express Terms in order to implement, interpret, or make specific Public Resources Code Sections 25402, subdivisions (a)-(b), 25402.1, 25402.4, 25402.5, 25910, 25942, and 25943.

INFORMATIVE DIGEST

A. Summary of Existing Laws and Regulations and Policy Overview

Public Resources Code Sections 25402 and 25402.1 were enacted in the 1970s as part of the enabling legislation establishing the Energy Commission and its basic mandates. These sections require the Energy Commis-

sion to adopt, implement, and periodically update energy efficiency standards for both residential and nonresidential buildings. In addition, Public Resources Code Section 25910 directs the Energy Commission to adopt standards for the minimum amount of additional insulation installed in existing buildings. Senate Bill (SB) 639 (Statutes of 1993) added Section 25402.5, which expressly directs the Energy Commission to consider both new and replacement, and both interior and exterior, lighting devices when adopting building standards. SB 5X (Statutes of 2001) added subsection (c) to Section 25402.5 to clarify and expand the Energy Commission's authority to adopt standards for outdoor lighting.

The Global Warming Solutions Act (Assembly Bill (AB) 32, Núñez, Chapter 488, Statutes of 2006) has been the foundation of California's efforts over the past five years to reduce greenhouse gas emissions (GHG); AB 32 requires that by 2020 the state reduce its GHG emissions to the level that existed in 1990. *Improving the energy efficiency of existing residential and commercial buildings is the single most important activity to reduce greenhouse gas emissions that result from electricity and natural gas use.* The Energy Commission's 2007 Integrated Energy Policy Report (IEPR), which is California's official statement of the state's energy policy, concludes that climate change is the single most important environmental and economic challenge of the century, that greenhouse gas emissions are the largest contributors to climate change, and that California's ability to slow the rate of greenhouse gas emissions will depend first on energy efficiency.

Similarly, the California Long-Term Energy Efficiency Strategic Plan (2008) adopted by the California Public Utilities Commission (CPUC) identifies the importance of the Energy Commission's Building Energy Efficiency Standards in reaching the State's goal of having new homes be "zero net energy" buildings by 2020 and of having commercial buildings be "zero net energy" buildings by 2030¹. Governor Brown's Clean Energy Jobs Plan (2010) combines existing state energy policy with economic recovery and growth goals by focusing on developing renewable energy and energy efficiency technologies and creating more than half a million green jobs. In the area of building efficiency, the Governor's Plan calls for:

- Adopting stronger appliance standards for lighting, consumer electronics, and other products;
- Creating new efficiency standards for new buildings;
- Increasing public education and enforcement efforts so that the gains promised by California's efficiency standards are realized;
- Adopting a plan for achieving "zero-net-energy" homes and businesses;
- Making existing buildings more efficient, especially the half of California homes that were built before the advent of modern building standards; and
- Providing information to commercial investors and homebuyers by disclosing building energy consumption prior to building sale.

The Energy Commission's integrated Energy Policy Report (2013) includes an energy efficiency chapter that emphasizes the zero net energy policy goals for the state's residential and nonresidential buildings. It articulates how the Building Energy Efficiency Standards, including Reach Standards, will be updated periodically to attain the aggressive levels of energy efficiency required to make zero net energy buildings cost-effective for consumers.

The 45-Day Language Express Terms described in this NOPA are designed to comply with and meet all of these state laws and policies. To summarize:

As required by law, the proposed Standards are cost-effective to consumers (that is, the energy bill savings over the life of the building will be much greater than any increased construction costs that will result from the Standards).

The proposed Standards take a crucial step in meeting the 2020 and 2030 zero net energy goals; if adopted, they will advance new residential buildings closer to achieving California's goal of having all new residential buildings be zero net energy by 2020. They will also advance California's requirements for nonresidential buildings in a manner that harmonizes California with national nonresidential building standards, ensuring California neither lags behind nor departs from the national work of the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) and the U.S. Department of Energy.

By saving large amounts of energy, the Standards will make a major contribution in meeting the state's goals for reductions in greenhouse gas emissions.

By making buildings more affordable to own and operate, the Standards will encourage investment in new construction, make more capital available for other investments, stimulating economic growth, and create new jobs.

¹ "A Zero-Net-Energy Code Building is one where the net amount of energy produced by on-site renewable energy resources is equal to the value of the energy consumed annually by the building, at the level of a single "project" seeking development entitlements and building code permits, measured using the California Energy Commission's Time Dependent Valuation (TDV) metric. A Zero Net Energy Code Building meets an Energy Use Intensity value designated in the Building Energy Efficiency Standards by building type and climate zone that reflects best practices for highly efficient buildings." 2013 *Integrated Energy Policy Report*, p.5.

B. Summary of Existing Regulations

The Standards were first adopted in 1976 and have been updated periodically since then as directed by statute. In 1975 the Department of Housing and Community Development adopted rudimentary energy conservation standards under their State Housing Law authority, that were a precursor to the first generation of the Standards. However, the Warren–Alquist Act was passed one year earlier with explicit direction to the Energy Commission (formally titled the State Energy Resources Conservation and Development Commission) to adopt and implement the Standards. The Energy Commission’s statute created separate authority and specific direction regarding what the Standards are to address, what criteria are to be met in developing the Standards, and what implementation tools, aids, and technical assistance are to be provided.

The Standards contain energy and water efficiency requirements (and indoor air quality requirements) for newly constructed buildings, additions to existing buildings, and alterations to existing buildings. Public Resources Code Sections 25402 subdivisions (a)–(b) and 25402.1 emphasize the importance of building design and construction flexibility by requiring the Energy Commission to establish performance standards, in the form of an “energy budget” in terms of the energy consumption per square foot of floor space. For this reason, the Standards include both a prescriptive option, allowing builders to comply by using methods known to be efficient, and a performance option, allowing builders complete freedom in their designs provided the building achieves the same overall efficiency as an equivalent building using the prescriptive option. The Standards have done so since 1976 and the 45–Day Language Express Terms described in this NOPA will do the same if adopted.

Public Resources Code Section 25402.1 also requires the Energy Commission to support the performance standards with compliance tools for builders and building designers. Thus in its Alternative Calculation Method (ACM) Approval Manuals, which are adopted by regulation in support of the Standards, and which are described in more detail below, the Energy Commission establishes requirements for input, output and calculational uniformity in computer programs that are used to demonstrate compliance with the Standards. The ACM Manuals thereby allow private firms to develop compliance software for approval by the Energy Commission, which further encourages flexibility and innovation.

The Energy Commission also adopts Reference Appendices that contain data and other information that helps builders comply with the Standards.

The Standards are divided into three basic sets. First, there is a basic set of mandatory requirements that apply

to all buildings. Second, there is a set of performance standards — the energy budgets — that vary by climate zone (of which there are 16 in California) and building type; thus the Standards are tailored to local conditions. Finally, the third set constitutes an alternative to the performance standards, which is a set of prescriptive packages that are basically a recipe or a checklist compliance approach. A summary outline of the Standards is as follows:

- Mandatory requirements that apply to all building types are in Part 6, Sections 110.0–110.9.
- The requirements for nonresidential buildings, high–rise residential buildings, and hotels/motels are in Part 6, Sections 120.0 to 120.9 and 130.0 to 141.0. Specialized mandatory requirements for such buildings are in Sections 120.0 to 130.5; the performance compliance approach is explained in Section 140.1; nonresidential prescriptive packages are in Sections 140.2 to 140.9; and requirements for additions, alterations, and repairs to existing nonresidential buildings are in Section 141.
- The requirements for low–rise residential buildings are in Part 6, Sections 150.0 to 150.2. Specialized mandatory requirements for these buildings are in Section 150.0; the performance compliance approach is explained in Section 150.1; prescriptive packages are in Section 150.1; and requirements for additions and alterations to existing buildings are in Section 150.2.
- Additional direction relating to the Standards in Part 6 are in the Reference Appendices: the Residential Appendices, the Nonresidential Appendices, the Joint Appendices, and the Alternative Calculation Method Approval Manual.
- The administrative regulations for the Standards, are in Part 1, Chapter 10.
- The voluntary Reach Standards are in Part 11, the Green Building Standards (CALGreen).

C. Summary of the Proposed Regulations

Overview

The 2016 Standards focus on three key areas: updating requirements for low–rise residential, buildings to move closer to California’s zero net energy goal, updating nonresidential and high–rise residential requirements to better align with the national ASHRAE 90.1 standards, and updating the entirety of the existing Standards to improve clarity and consistency, correct errors, streamline requirements, or make adjustments to provisions in the regulations that were found to have unanticipated impacts.

In addition to updating the Standards in Title 24 Parts 1 and 6, the Energy Commission is also proposing up-

dates to the CALGreen energy efficiency provisions in Title 24, Part 11, in a separate, parallel rulemaking.

The following is a list of the specific proposals currently included in the Draft Express Terms. Note that these proposals result from broad consideration of the three focus areas stated above, and the Energy Commission will consider any changes within these three areas as a part of this rulemaking.

Residential

The proposed changes to the residential sections of the Standards include prescriptive options reflecting updates to building technologies and best practices. By incorporating these improvements, these Standards narrow the gap between current residential construction and what will be required in 2020 to ensure that all newly constructed residential buildings achieve zero net energy.

The proposed changes examine four aspects of newly constructed residential buildings, as follows:

- For attics, the current practice in residential building design is to place a majority of heating, ventilation, and air conditioning (HVAC) ducting in an uninsulated attic space. These spaces can reach temperature extremes at different times of the year, leading to significant energy losses (through unwanted warming or cooling of conditioned air) even when using insulated ducting.

For this reason, the 2016 Standards propose several prescriptive options for either moving HVAC ducts into conditioned spaces, placing attic insulation at the roof deck rather than above the ceiling, or sealing the attic similar to other rooms in the house. Any of these approaches may be applied, or builders may take an optional path of installing solar photovoltaics atop a more traditional vented, above-ceiling insulated attic.

In addition to these new prescriptive options, staff has determined that tighter air leakage requirements are both feasible and cost-effective in newly constructed residential buildings. As a result, the requirement for duct tightness has been adjusted from six percent to five percent air leakage.

- For walls, the proposed Standards update the U-factor² requirements to acknowledge several new cost-effective practices and insulation products. The Energy Commission has found that several approaches are available for meeting this proposed requirement.

- For lighting, the current Standards designate certain types of residential lighting as “high efficacy lighting”, and require a certain amount of high efficacy lighting within the home. The proposed Standards take the next step of requiring all of the lighting in newly constructed residential buildings to be high efficacy, while also expanding the types of lighting that qualifies as high efficacy lighting. This also allows the Standards to be streamlined to a significant extent while ensuring that a variety of lighting technologies and techniques are available to builders and contractors. As a part of this, Joint Appendix 8 has been rewritten to be technology neutral, and to apply to any technology intended to qualify as high efficacy lighting.
- For water heating, the proposed Standards add a prescriptive option for installation of a gas instantaneous (or “tankless”) water heater, and make this option the primary option considered. The prescriptive option for installing a gas storage water heater has been updated to include either installing a compact hot water distribution system or installing Home Energy Rating System (HERS) verified pipe insulation on all hot water piping. Note that the proposed Standards also specify that when an instantaneous water heater is installed, isolation valves are required to be installed with such a heater.

Nonresidential

The proposed changes to the nonresidential sections of the Standards focus on updates that align with ASHRAE 90.1 (2013). These updates include:

- Revising the prescriptive opaque envelope requirements for nonresidential and high-rise residential buildings and relocatable classrooms. These requirements also provide the baseline requirements for the standard design building when using the performance approach.
- Updating and aligning values relating to required space conditioning efficiencies and lighting power allowances. (Note that staff have not included changes to match values specified in ASHRAE 90.1 that were not found to be feasible and cost-effective in California.)
- Revising nonresidential lighting control requirements.
- Adding requirements for elevators that ensure the lights and fans do not stay on while the cab is empty.
- Adding requirements for escalators and moving walkways in transit areas (e.g., airports, bus stations, etc.) to run at a lower, less energy-consuming speed when not in use.

² U-factor is the overall coefficient of thermal transmittance of a fenestration, wall, floor, or roof/ceiling component, in Btu/(hr x ft² x °F), including air film resistance at both surfaces.

- Adding requirements for mechanical systems shut off controls specifying that any directly-conditioned space with operable doors must be equipped with interlock switches that turn off the space conditioning equipment while the doors are open.
- Updating requirements for electrical power distribution systems relating to service metering, voltage drop, and disaggregation to align with ASHRAE 90.1, the latter of which aligns to the specifications for energy monitoring equipment found in ASHRAE 90.1.

In addition, staff has identified areas where it is feasible and cost-effective to establish a standard above the ASHRAE 90.1 standard. These include:

- **Lighting Power Allowances:** The Energy Commission proposes a greater efficiency requirement for the installed lighting than that specified in ASHRAE 90.1.
- **Elevator Cab Lighting:** The Energy Commission proposes a greater efficiency requirement for the installed lighting than that specified in ASHRAE 90.1.
- Adding requirements for mechanical systems shutoff controls specifying that any directly-conditioned space with operable wall or roof openings (i.e., windows or skylights) must be equipped with interlock switches that turn off the space conditioning equipment while the openings are open.
- Direct digital controls were previously required to have specific features if/when installed, but were not required to be installed. The proposed Standards now require installation of direct digital controls and add specificity to the expected features and operation of those controls.
- **Commissioning** — The changes to Title 24, Part 6, Section 120.8 clarify the applicability of building commissioning and correct the use of terms to be consistent with Title 24, Part 1, Section 10–103(a). Importantly, these changes also remove language that incorrectly implied that commissioning was required for alterations, or applied to covered processes. Matching corrections have been made where this Section is referenced in Section 100.0 Table 100–A, and Section 141.0.
- **Nonresidential Lighting Alterations** — The changes to Part 6, Section 141.0(b)2I simplify and streamline the requirements for lighting alterations. The terms “lighting alteration”, “lighting wiring alteration”, and “luminaire modification” are now clearly separated in what actions each term applies to. For luminaire modifications, the control requirements are being relaxed to require that existing multi-level or automatic shutoff controls remain operable in controlling the luminaires after they are modified, rather than requiring the installation of new multi-level or automatic controls.
- **Alternative Calculation Method manuals** — The changes to the Alternative Calculation Method manuals adopted as appendices to the Standards combine what was previously two largely identical manuals (for residential and nonresidential building modeling software) into a single manual. This manual provides more explicit and better organized requirements for the approval of compliance software. The requirements that apply to the Compliance Manager software developed by the Energy Commission are now clearly separated from the requirements for approval of vendor software and the requirements for vendor software user manuals. Two appendices have been added to the manual containing the evaluation criteria specific to residential and nonresidential software.
- **Charge Indicator Displays** — For residential HVAC equipment, the language relating to installation of Charge Indicator Displays has been updated to use the broader term Fault Indicator Displays, recognizing that a display may treat an incorrect charge as a fault while also being able to display other fault conditions or other information.
- **Pipe Insulation** — For hot water piping, the value for the required level of residential insulation was erroneously removed when the tables were merged in the 2013 update to the Standards. This

Standards Cleanup

The proposed changes to the Standards also include changes throughout the regulations to clarify, simplify, and streamline the existing language and requirements. The most significant of these changes are the following:

- **Acceptance Test Training and Certification** — The changes to Title 24 Part 1, Section 10–103A and 10–103B clarify and streamline the approval process for Acceptance Test Training and Certification Providers. Of note, new provisions have been added to allow for amendment of a submitted application, meaning that changes to a submitted or approved application may be made without requiring a complete resubmittal.

separate value has been returned to Table 120.3–A.

- Economizers — The requirements for testing and certification of economizer damper leakage to the Energy Commission in order to be installed as part of the prescriptive performance approach of Section 140.4(e)4 have been clarified, and the language expanded to explicitly state who is expected to certify and what information must be provided. In addition, the specification that an economizer is required for each air handler was clarified to be more explicit in where it’s applied.
- Electrical Power Distribution System — Circuit controls for 120v receptacle were clarified and moved to a separate section in 130.5 relating to electrical power distribution systems.
- Fault Detection and Diagnostics — References to pressure sensors were removed, and the word “unitary” removed as an unneeded term.

IMPORTANT NOTE: These proposed changes are discussed in more detail in the Initial Statement of Reasons that is being published simultaneously with this NOPA.

Specific Benefits Anticipated from the 2016 Standards

The proposed Standards are expected to save California residents and businesses hundreds of millions of dollars in energy costs over the next decade. These energy cost savings benefit the environment, due to the reductions in natural resource utilization and greenhouse gas emissions from energy production. The non–monetary benefits of the proposed Standards include more reliable ventilation and better thermal comfort for the health and welfare of building occupants. The proposed Standards also increase transparency in government by improving the clarity and increasing the simplicity of the Standards. In addition, the proposed Standards will help residential and nonresidential buildings reach California’s zero net energy goals.

COMPARABLE FEDERAL STATUTES OR REGULATIONS

There are no federal energy standards applicable to nonfederal buildings. (The current and proposed California Standards do, however, reference federal energy standards for particular *appliances*.)

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

There is no inconsistency or incompatibility with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE ENERGY COMMISSION, OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS PROPOSED FOR ADOPTION

All of the laws applicable to the proposed Standards, primarily Public Resources Code Sections 25402 and 25402.1, are discussed above.

POTENTIAL MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Energy Commission has determined that the proposed regulatory action would not impose a new mandate on local agencies. Existing law already obligates local building departments to serve as enforcement agencies for the Standards (see Public Resources Code Sections 25402(a)–(b), 25402.1). Existing law already requires compliance with the Standards as they apply to school buildings, and all other buildings, owned by local agencies (see California Code of Regulations, Title 24, Part 1, Administrative Regulations of Department of School Administration). While the proposed Standards add requirements for schools and other building types owned by local agencies, those requirements are the same as those applicable to all nonresidential buildings regardless of owner. Moreover, the proposed Standards recognize the unique characteristics of relocatable school buildings, and they establish procedures to facilitate compliance by relocatables. Finally, the Standards for schools, and for all other buildings, are cost effective, and they will thereby reduce the costs of building and operating school buildings over their useful life.

ESTIMATE OF COSTS OR SAVINGS

See the Economic and Fiscal Analysis (Form 399), published simultaneously with this NOPA, for complete details. To summarize:

- Total statewide costs and benefits:** The Standards are estimated to deliver \$4,016 million in benefits at a cost of \$1,034 million, for a cost–effectiveness ratio of 3.9 to 1.
- Cost or savings to any state agency:** Buildings owned and occupied by state agencies are required to comply with the Standards, as are all other nonresidential buildings. State agencies will benefit from reduced energy bills that more than pay for the costs of the Standards.
- Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code:** The Standards do not result in new mandates to local agencies. Buildings owned and occupied by local agencies are required to

comply with the same Standards as any other nonresidential building. Local agencies will benefit from reduced energy bills that more than pay for the costs of the Standards.

- D. ***Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code:*** School buildings are covered by the Standards, and the Administrative regulations of the Division of the State Architect require public school buildings to comply with the Standards. Costs of complying with the Standards are not required to be reimbursed. Schools benefit from reduced energy bills, and these reductions fully offset the costs of the Standards over time.
- E. ***Other nondiscretionary cost or savings imposed on local agencies:*** The Standards do not result in new mandates to local agencies, and thus do not result in any costs or savings imposed on local agencies.
- F. ***Cost or savings in federal funding to the state:*** While the Energy Commission does receive federal funding for the Building Standards program, the updates proposed to the Standards do not alter or affect the State’s ongoing participation in federal funding programs. For this reason, the proposed updates will not result in either costs or savings in federal funding to the state, except that updating the Standards and continuing the Building Standards program allows the State to continue to receive and spend federal funding relating to this program.

INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES,
DECLARATION OF EVIDENCE

The Energy Commission has completed an Economic and Fiscal Analysis and made an initial determination that the adoption of the proposed Standards will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states, as is described in more detail below. Comments on this determination (as on everything in this NOPA) are welcome.

- A. ***Identification of the types of businesses that would be affected.***

The Standards will require energy efficiency measures for all newly constructed buildings, but those measures are cost-effective, so businesses will experience a positive economic impact. Indirectly, the Standards will require changes in practice, and the retraining of employees, in businesses that are involved in the de-

sign and construction of buildings, in compliance analysis and documentation, and in field verification. Any costs attributable to such changes and retraining would be short-term, since the incremental cost increases for new technologies will not persist once these technologies become mainstream, and building practice changes requiring retraining will not result in ongoing cost increases. In any case, these incremental construction cost increases would ultimately be borne by the beneficiary of the Standards, the entity paying reduced energy bills.

- B. ***A description of the projected reporting, record keeping, and other compliance requirements that would result from the proposed action.***

Most reporting, record keeping, and compliance duties associated with the Standards do not change. New acceptance requirements for nonresidential buildings will formalize and standardize documentation, but these requirements exist in a less structured way in the current Standards. Documentation authors who specify measures requiring field verification will need to notify a professional who will perform the acceptance tests, but this notification can be done by phone or electronically in very little time. Any such costs would, therefore, be insignificant, and to the extent they exist, would ultimately be borne by the beneficiary of the Standards, the entity paying reduced energy bills. It is necessary for the health, safety, or welfare of the people of the state that the business-report regulations in the proposed Standards apply to businesses.

- C. ***Evidence relevant to the Energy Commission’s initial determination that the adoption of the proposed Standards will not have a significant statewide adverse economic impact.***

The basis for the Energy Commission’s findings on economic impacts is that the Standards are cost-effective, and therefore will have a beneficial economic impact on the owners and occupants of buildings built to comply with the Standards. Evidence for the cost-effectiveness of the Standards requirements are contained in the “Documents Relied Upon” listed in the Initial Statement of Reasons and on the Energy Commission’s website.

COST IMPACT ON REPRESENTATIVE PRIVATE
PERSONS OR BUSINESSES

The Energy Commission has determined that energy bill savings substantially in excess of compliance costs will be received by all private persons and businesses directly affected by the proposed Standards. The Energy Commission estimates that an average of \$2,452 additional single family residential construction costs may result from the proposed Standards. This estimate is likely more than what will be realized, since it does

not account for volume pricing or reductions in technology costs once these technologies are provided to a mass market. The Energy Commission estimates that the nonresidential Standards may result in an incremental construction cost of \$33,650 for a 15,000 square foot building, slightly less than 1.5 percent of typical construction costs for this building size. This estimate is also substantially higher than what will likely be real-

ized, due to the fact that this cost estimate includes all proposed changes to the nonresidential Standards, but an individual building built under these Standards will not need to include every new efficiency measure in the proposed Standards. Table 1 below summarizes the expected costs and net present value energy bill savings for all new homes and buildings expected to be permitted in 2017.

Table 1. Summary of Statewide Costs and Energy Bill Savings

Sector	Statewide Measure Costs	Statewide Energy Bill Savings	Statewide Net Savings
Residential	\$381.72 Million	\$1,337.22 Million	\$955.50 Million
Nonresidential	\$652.37 Million	\$2,679.19 Million	\$2,026.82 Million
Total	\$1.13 Billion	\$4.11 Billion	\$2.98 Billion

ASSESSMENT OF THE EFFECTS OF THE PROPOSED STANDARDS ON JOBS AND BUSINESS EXPANSION, ELIMINATION, OR CREATION

The Energy Commission has made a preliminary assessment on whether, and if so to what extent, the proposed Standards will affect the following:

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

Jobs will not be eliminated. It is possible that new jobs may be created as a result of the new compliance procedures. In addition, because the Standards will save hundreds of millions of dollars in energy costs, there will be more money in the economy that can be used for job creation.

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

Businesses will not be eliminated. It is possible that new businesses will be created to provide field verification and other compliance services, and to supply energy efficiency products.

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

It is likely that businesses currently doing business in California to provide compliance-related services and energy-efficiency products will be expanded.

D. *Benefits of the proposed standards to the health and welfare of California residents, to worker safety, and to the state’s environment.*

The proposed Standards modify existing field verification tests, add new verification tests, and add new equipment specifications that will improve ventilation system installations and operations. This will benefit the health and welfare of building occupants, who are typically California residents, as well as workers in these buildings. The proposed Standards should have no effect on worker safety. The increases in energy and water efficiency stringency in the proposed Standards will benefit California’s environment by reducing the consumption of natural resources and the greenhouse gas emissions that the use of these resources generate.

INITIAL DETERMINATION OF SIGNIFICANT EFFECT ON HOUSING COSTS

The Energy Commission has made an initial determination that the proposed Standards would have a significant effect on housing costs, as described above. The initial costs of housing construction will rise, but homeowners and occupants will be the beneficiaries of energy bill savings substantially in excess of the initial costs, so the net result will be more affordable housing.

A detailed analysis of the estimated costs and benefits of the proposed regulations is available in the Economic and Fiscal Impact Statement accompanying the Initial Statement of Reasons for this rulemaking.

CONSIDERATION OF ALTERNATIVES

The Energy Commission has made a preliminary determination that no reasonable alternative considered by it, or that has otherwise been identified and brought to its attention, would be more effective in carrying out the purpose of the proposed Standards or would be as effective (and cost-effective) as, and less burdensome to affected private persons than, the proposed Standards.

A rulemaking agency must determine in the Final Statement of Reasons that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

AVAILABILITY OF
RULEMAKING DOCUMENTS

All of the information on which the proposed Standards are based is contained in the rulemaking file, which is available for public review at the Energy Commission's Dockets Office, by contacting the persons named below, or on this website: <http://www.energy.ca.gov/title24/2016standards/>.

If the proposed Standards are adopted, then interested parties may obtain a copy of the Final Statement of Reasons once it has been prepared by going to this website, or by making a written request to the contact person named below.

ENERGY COMMISSION CONTACT PERSON
FOR PROCEDURAL AND
ADMINISTRATIVE QUESTIONS

Questions on procedural and administrative issues should be addressed to:

Adrian Ownby
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street, MS-25
Sacramento, CA 95814
(916) 651-3008
Email: adrian.ownby@energy.ca.gov

CONTACT PERSON FOR SUBSTANTIVE AND
TECHNICAL QUESTIONS

Maziar Shirakh
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street, MS-37
Sacramento, CA 95814
(916) 654-3839
Email: maziar.shirakh@energy.ca.gov

or

Peter Strait
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street, MS-37
Sacramento, CA 95814
(916) 654-2817
Email: peter.strait@energy.ca.gov

PUBLIC PARTICIPATION

For assistance in participating in the rulemaking proceeding, please contact the Energy Commission's Public Adviser's Office, at (916) 654-4489, toll free at (800) 822-6228, or by email at publicadviser@energy.ca.gov.

If you have a disability and require special accommodations to attend or participate in a hearing, please contact Lou Quiroz at (916) 654-5146 five days before the hearing.

FINAL STATEMENT OF REASONS

If the proposed amendments are adopted, the Energy Commission will prepare a Final Statement of Reasons. This document will update the Initial Statement of Reasons and respond to public comments. It will be posted on the Energy Commission's website for this proceeding described below, and will be distributed to interested persons subscribed to the Building Standards list-server described above. This document may also be obtained after the conclusion of the rulemaking by contacting Adrian Ownby at (916) 651-2915 or by email at adrian.ownby@energy.ca.gov.

WEBSITE INFORMATION

This NOPA, the Initial Statement of Reasons, the Express Terms, any 15-Day Language issued subsequently, and all other relevant rulemaking documents can be accessed at the Energy Commission's website at: <http://www.energy.ca.gov/title24/2016standards/>.

**TITLE 24. CALIFORNIA
ENERGY COMMISSION**

**REVISIONS TO THE CALIFORNIA GREEN
BUILDING STANDARDS CODE**

**2016 CALGREEN EFFICIENCY STANDARDS
California Energy Commission
DOCKET NO. 15-CALG-01**

INTRODUCTION

Notice is hereby given that the California Energy Commission proposes to adopt changes to the Building Energy Efficiency Standards contained in the California Green Building Standards Code, California Code of Regulations (CCR), Title 24, Part 11 (also known as CALGreen). The proposed amended standards, if adopted, will go into effect on January 1, 2017.

The Energy Commission has prepared this Notice of Proposed Action (NOPA) and an Initial Statement of Reasons (ISOR) regarding the need for the proposed revisions. The Energy Commission has also published the Express Terms (45-Day Language) of the proposed amendment language. These documents can be obtained from the contact persons designated below or from the Energy Commission website at: www.energy.ca.gov/title24/2016standards/rulemaking/.

PUBLIC COMMENT PERIOD AND HEARINGS

The Energy Commission's Energy Efficiency Lead Commissioner will hold public hearings to receive public comments on the proposed action. At these hearings, any person may present statements or arguments relevant to the proposed regulatory action summarized below. The proposed language (45-Day Language Express Terms) is posted on the Energy Commission's website at: www.energy.ca.gov/title24/2016standards/rulemaking/.

The 45-Day Language Express Terms are also available from the Energy Commission's Building Standards Office (contact persons are listed later in this NOPA). The Energy Efficiency Lead Commissioner Hearings to discuss the 45-Day Language are scheduled as follows:

March 2 and March 3, 2015

9:00 a.m.

CALIFORNIA ENERGY COMMISSION
Hearing Room A
1516 Ninth Street
Sacramento, California
(Wheelchair Accessible)

The Energy Efficiency Lead Commissioner Hearing will be held on the first date listed. The Energy Efficiency Lead Commissioner Hearing may continue on the second date listed, as necessary.

Audio for the Energy Efficiency Lead Commissioner Hearings will be broadcast over the internet. For details, please go to www.energy.ca.gov/webcast.

If you have a disability and require assistance to participate in these hearings, please contact Lou Quiroz at (916) 654-5146 at least 5 days in advance.

A hearing before the full Energy Commission, for possible final adoption of the 45-Day Language Express Terms will be held on the date below; however, if the Energy Commission decides to make substantive changes to the Express Terms through 15-Day Language, the public hearing may be continued to a later noticed date.

**PROPOSED ADOPTION DATE — FULL ENERGY
COMMISSION HEARING**

APRIL 8, 2015

10 a.m.

CALIFORNIA ENERGY COMMISSION
Hearing Room A
1516 Ninth Street
Sacramento, California
(Wheelchair Accessible)

Audio for the April 8, 2015, ENERGY COMMISSION HEARING will be broadcast over the internet. For details, please go to: www.energy.ca.gov/webcast.

If you have a disability and require assistance to participate in these hearings, please contact Lou Quiroz at (916) 654-5146 at least 5 days in advance.

If the Energy Commission decides to propose 15-Day Language modifications to the Express Terms, a separate notice of the adoption hearing for the 15-Day Language will be provided.

The public comment period for the 2016 Building Energy Efficiency Standards will begin February 13, 2015, and end at 5:00 p.m. on March 30, 2015. Any interested person may submit written comments on the proposed amendments. Regarding the Energy Efficiency Lead Commissioner and Adoption Hearings, the Energy Commission appreciates receiving written

comments at the earliest possible date: for the March 2 and 3, 2015 hearing, please provide written comments by March 17, 2015. However, written comments will still be accepted at the adoption hearing if they are received by 5:00 p.m. on March 30, 2015. Written comments must be emailed to Docket@energy.ca.gov or mailed or delivered to the following address (emailing is preferred):

CALIFORNIA ENERGY COMMISSION

Attention: Docket No. 15-CALG-01
 Dockets Office
 1516 Ninth Street, MS-4
 Sacramento, CA 95814

All written comments must contain the official number of the proceeding “Docket No. 15-CALG-01,” prominently displayed on the first page. When comments are emailed on behalf of an organization, the comments should be a scanned copy of the original on the organization’s letterhead and include a signature of an authorized representative.

Written comments may also be filed electronically by emailing adrian.ownby@energy.ca.gov or faxing them to (916) 654-4304, as long as they are received no later than March 30, 2015 at 5:00 p.m.

Oral comments may be made at the Energy Efficiency Lead Commissioner hearing(s). In addition, oral comments may be made at the April 8, 2015, Full Commission Adoption Hearing.

POTENTIAL POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Interested persons should be aware that any of the provisions of the amendments under consideration by the Energy Commission could be substantively changed as a result of public comment, staff recommendations, or discussions at the Energy Efficiency Commissioner or Full Commission Hearings. The proposed regulations could be changed, withdrawn, or replaced with different proposals. If the Energy Commission makes substantive changes to the 45-Day Language Express Terms that a reasonable person could have anticipated could be made as within the scope of this NOPA, the Commission will make the full text of the modified amendments available to the public at least 15 days before adoption, as required by Government Code Section 11346.8. (Changes outside the scope of the NOPA must be made in new 45-Day Language.)

To be notified of any modifications, please sign-up on the [Building Standards](#) list-serve to be informed of ongoing activities regarding the 2016 Update. You

can sign up for this list-serve here: <http://www.energy.ca.gov/efficiency/listservers.html>.

AUTHORITY AND REFERENCE

The Energy Commission proposes to adopt the Express Terms under the authority granted by Public Resources Code Sections 25213, 25402, subdivisions (a)–(b), 25402.1, 25402.4, 25402.5, 25402.8, 25910, 25942, and 25943.

The Energy Commission proposes to adopt the Express Terms in order to implement, interpret, or make specific Public Resources Code Sections 25402, subdivisions (a)–(b), 25402.1, 25402.4, 25402.5, and 25910.

INFORMATIVE DIGEST

A. Summary of Existing Laws and Regulations; Policy Overview

Public Resources Code Sections 25402 and 25402.1 were enacted in the 1970s as part of the enabling legislation establishing the Energy Commission and its basic mandates. These sections require the Energy Commission to adopt, implement, and periodically update energy efficiency standards for both residential and nonresidential buildings. In addition, Public Resources Code Section 25910 directs the Energy Commission to adopt standards for the minimum amount of additional insulation installed in existing buildings. Senate Bill (SB) 639 (Statutes of 1993) added Section 25402.5, which expressly directs the Energy Commission to consider both new and replacement, and both interior and exterior, lighting devices when adopting building standards. SB 5X (Statutes of 2001) added subsection (c) to Section 25402.5 to clarify and expand the Commission’s authority to adopt standards for outdoor lighting.

The Global Warming Solutions Act (Assembly Bill 32, Núñez, Chapter 488, Statutes of 2006) has been the foundation of California’s efforts over the past five years to reduce greenhouse gas emissions (GHG); this Act requires that by 2020 the state reduce its GHG emissions to the level that existed in 1990. *Improving the energy efficiency of existing residential and commercial buildings is the single most important activity to reduce greenhouse gas emissions that result from electricity and natural gas use.* The Energy Commission’s 2007 Integrated Energy Policy Report (IEPR), which is California’s official statement of the state’s energy policy, concludes that climate change is the single most important environmental and economic challenge of the century, that greenhouse gas emissions are the largest contributors to climate change, and that California’s ability to slow the rate of greenhouse gas emissions will depend first on energy efficiency.

Similarly, the California Long-Term Energy Efficiency Strategic Plan (2008) adopted by the California

Public Utilities Commission (CPUC) identifies the importance of the Energy Commission’s Building Energy Efficiency Standards in reaching the State’s goal of having new homes be “zero net energy” buildings by 2020 and of having commercial buildings be “zero net energy” buildings by 2030¹.

Governor Brown’s Clean Energy Jobs Plan (2010) combines existing state energy policy with economic recovery and growth goals by focusing on developing renewable energy and energy efficiency technologies and creating more than half a million green jobs. In the area of building efficiency, the Governor’s Plan calls for:

- Adopting stronger appliance standards for lighting, consumer electronics, and other products;
- Creating new efficiency standards for new buildings;
- Increasing public education and enforcement efforts so that the gains promised by California’s efficiency standards are realized;
- Adopting a plan for achieving “zero net energy” homes and businesses;
- Making existing buildings more efficient, especially the half of California homes that were built before the advent of modern building standards; and
- Providing information to commercial investors and homebuyers by disclosing building energy consumption prior to building sale.

The Energy Commission’s Integrated Energy Policy Report (2013) includes an energy efficiency chapter that emphasizes the zero net energy policy goals for the state’s residential and nonresidential buildings. It articulates how the Building Energy Efficiency Standards, including Reach Standards, will be updated periodically to attain the aggressive levels of energy efficiency required to make zero net energy buildings cost-effective for consumers.

The 45-Day Language Express Terms described in this NOPA are designed to comply with and meet all of these state laws and policies. The proposed amendments take a crucial step in meeting the 2020 and 2030 net energy goals: if adopted, they will provide a specifi-

¹ “A Zero-Net-Energy Code Building is one where the net amount of energy produced by on-site renewable energy resources is equal to the value of the energy consumed annually by the building, at the level of a single “project” seeking development entitlements and building code permits, measured using the California Energy Commission’s Time Dependent Valuation (TDV) metric. A Zero Net Energy Code Building meets an Energy Use Intensity value designated in the Building Energy Efficiency Standards by building type and climate zone that reflects best practices for highly efficient buildings.” 2013 Integrated Energy Policy Report, p.5.

cation of a zero net energy residential building in the Part 11 CALGreen regulations.

B. Summary of Existing Regulations

The Energy Commission’s Building Energy Efficiency Standards are contained in two parts of Title 24 of the California Code of Regulations. Administrative regulations, such as how the standards’ requirements are integrated with local governments’ building permit processes, are in Part 1 of Title 24, and the substantive requirements for building construction are in Part 6 of Title 24. In addition, voluntary, or “reach” guidelines for sustainable building practices that are more protective of the environment than the minimum standards are in Part 11 of Title 24, the California Green Building Standards. The Energy Commission is responsible for the Energy Chapters (separate chapters are published for residential and nonresidential buildings) of the California Green Building Standards.

The Green Building Standards in Part 11 of Title 24 are composed of several chapters, some of which apply to all buildings and all types of construction, while others apply to specified subsets. Part 11 is further divided into mandatory measures that must be met by a qualifying building (primarily specifying the other Parts and Sections of Title 24 that apply) and voluntary or “reach” measures that are not mandatory unless adopted by a local jurisdiction. The Energy Commission is responsible for adopting both mandatory and voluntary energy provisions in Part 11 of Title 24 with other state agencies being responsible for approving and adopting the other portions of Part 11.

The Energy Commission is responsible for adopting the energy provisions found in the following sections of Part 11:

Chapter 4, Division 4.2, Section 4.201 states that the Energy Commission will adopt mandatory standards for residential green buildings through its adoption of Part 6 of Title 24.

Chapter 5, Division 5.2, Section 5.201 states that the Energy Commission will adopt mandatory standards for nonresidential green buildings through its adoption of Part 6 of Title 24.

Appendix A4, Division A4.2 describes the voluntary energy provisions for residential buildings that may only become mandatory when adopted by a local jurisdiction.

Appendix A5, Division A5.2 describes the voluntary energy provisions for nonresidential buildings that may only become mandatory when adopted by a local jurisdiction.

The amendments proposed as a part of this rulemaking are solely to the voluntary provisions in Appendices 4 and 5.

C. Summary of the Proposed Regulations

Overview

The proposed changes to Title 24, Part 11, formally acknowledge California’s path to zero net energy buildings by establishing a third tier of efficient residential buildings in the voluntary CALGreen provisions, following the existing Tier 1 and Tier 2. This tier pairs the current requirements for Tier 2 with sufficient renewable energy to offset the building’s energy use, and explicitly designates such a building as a zero net energy design building.

In addition, the Energy Commission has engaged in a code cleanup review of the voluntary energy efficiency provisions in the CALGreen code, with the anticipated benefits of clearer, more consistent, and more streamlined code language.

IMPORTANT NOTE: These proposed changes are discussed in more detail in the Initial Statement of Reasons that is being published simultaneously with this NOPA.

Specific Benefits anticipated from the Proposed Standards

The proposed standards will help residential buildings to reach California’s zero net energy goals and assist local jurisdictions considering zero net energy related ordinances by providing a clear and specific definition of a zero net energy design building. In addition, clearer phrasing and presentation of the CALGreen regulatory language will aid its effectiveness and implementation.

As these updates to CALGreen concern the voluntary provisions, there is no direct monetary benefit that can be attributed to the regulations. Instead, CALGreen results in indirect benefits and cost savings by acting as a model for local energy efficiency ordinances.

COMPARABLE FEDERAL STATUTES
OR REGULATIONS

There are no federal energy standards applicable to nonfederal buildings.

CONSISTENCY AND COMPATIBILITY WITH
EXISTING STATE REGULATIONS

There is no inconsistency or incompatibility with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE ENERGY COMMISSION, OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS PROPOSED FOR ADOPTION

All of the laws applicable to the proposed Standards, primarily Public Resources Code Sections 25402 and 25402.1, are discussed above.

POTENTIAL MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Energy Commission has determined that the proposed regulatory action would not impose a new mandate on local agencies or school districts. The amended provisions are part of the voluntary provisions of Title 24, Part 11, and add a new, additional efficiency tier without altering the existing tiers or their requirements.

ESTIMATE OF COSTS OR SAVINGS

See the Economic and Fiscal Analysis (Form 399), published simultaneously with this NOPA, for complete details. To summarize:

- A. **Total statewide costs and benefits:** There are no estimated statewide costs associated with this update to the voluntary appendices. The benefit of this update is that it aligns CALGreen’s voluntary provisions with California’s current zero net energy policies, and makes it easier for local jurisdictions to consider local and regional zero net energy programs.
- B. **Cost or savings to any state agency:** There are no estimated statewide costs to state agencies associated with this update to the voluntary appendices.
- C. **Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code:** The updates to the voluntary appendices do not result in new mandates to local agencies.
- D. **Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code:** The updates to the voluntary appendices do not result in new mandates for schools.
- E. **Other nondiscretionary cost or savings imposed on local agencies:** No costs or savings are imposed on local agencies by the updates to the voluntary appendices. Local agencies may use the provisions in these appendices as templates or

examples for drafting of local ordinances, however agencies are not required to adhere to the specific language or requirements in these appendices.

- F. ***Cost or savings in federal funding to the state:*** No costs or savings in federal funding to the state are created by the updates to the voluntary appendices.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES, DECLARATION OF EVIDENCE

The Energy Commission has completed an Economic and Fiscal Analysis and made an initial determination that the adoption of the proposed amendments to the voluntary appendices to Part 11 will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states. Comments on this determination (as on everything in this NOPA) are welcome.

- A. ***Identification of the types of businesses that would be affected.***

The proposed amendments to the voluntary provisions would have no effect on California businesses.

- B. ***A description of the projected reporting, record keeping, and other compliance requirements that would result from the proposed action.***

The proposed amendments to the voluntary provisions would not result in new or increased reporting, record keeping, or other compliance requirements or activities.

- C. ***Evidence relevant to the Energy Commission's initial determination that the adoption of the proposed Standards will not have a significant statewide adverse economic impact.***

The proposed amendments to the voluntary provisions do not create economic impacts of any kind, due to their voluntary nature. To the extent that actions taken by local agencies may include, modify, or not include all or part of the voluntary provisions, those actions would be subject to existing laws relating to the evaluation and disclosure of impacts of actions by those local agencies. Consideration of potential actions taken by local agencies in the future is speculative and therefore not included as an impact of the amendments.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

Given that the portions of Part 11 that the Energy Commission proposes to modify are voluntary provisions, the Energy Commission has determined that there are no monetary costs or savings associated with these changes.

ASSESSMENT OF THE EFFECTS OF THE PROPOSED STANDARDS ON JOBS AND BUSINESS EXPANSION, ELIMINATION, OR CREATION

The Energy Commission has made a preliminary assessment on whether, and if so to what extent, the proposed Standards will affect the following:

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

Jobs will not be created or eliminated by the proposed updates to the voluntary appendices.

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

Businesses will not be created or eliminated by the proposed updates to the voluntary appendices.

- C. ***The expansion of businesses currently doing business with the State of California.***

Businesses will not be expanded by the proposed updates to the voluntary appendices.

- D. ***Benefits of the proposed standards to the health and welfare of California residents, to worker safety, and to the state's environment.***

The proposed updates to the voluntary appendices will have no direct effect on health, welfare, worker safety, or the environment. The updates may encourage consideration and adoption of local ordinances relating to energy efficiency in buildings, and such ordinances, if adopted, can be expected to have the positive impacts on health, welfare, and the environment known to result from energy efficiency. However, as such impacts are speculative they are not considered in this rulemaking.

As noted, while local agencies may use the provisions in these appendices as templates or examples for drafting of local ordinances, such agencies are not required to adhere to the specific language or requirements in these appendices. Consideration of potential future actions taken by local agencies is therefore speculative and is not included in the assessment of the effects of the proposed standards.

INITIAL DETERMINATION OF SIGNIFICANT
EFFECT ON HOUSING COSTS

The Energy Commission has made an initial determination that amending the voluntary appendices to Part 11 will not have a significant effect on housing costs. As no new requirements are imposed on new or existing housing by the proposed updates, these updates will have no effect on housing costs.

CONSIDERATION OF ALTERNATIVES

The Energy Commission has made a preliminary determination that no reasonable alternative considered by it, or that has otherwise been identified and brought to its attention, would be more effective in carrying out the purpose of the proposed Standards or would be as effective (and cost-effective) as, and less burdensome to affected private persons than, the proposed amendments.

A rulemaking agency must determine in the Final Statement of Reasons that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

AVAILABILITY OF
RULEMAKING DOCUMENTS

All of the information on which the proposed Standards are based is contained in the rulemaking file, which is available for public review at the Energy Commission's Dockets Office, by contacting the persons named below, or on this website: <http://www.energy.ca.gov/title24/2016standards/>.

If the proposed Standards are adopted, then interested parties may obtain a copy of the Final Statement of Reasons once it has been prepared by going to this website, or by making a written request to the contact person named below.

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Email: adrian.ownby@energy.ca.gov

CONTACT PERSON FOR SUBSTANTIVE AND
TECHNICAL QUESTIONS

Maziar Shirakh
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street, MS-37
Sacramento, CA 95814
(916) 654-3839
Email: maziar.shirakh@energy.ca.gov

or

Peter Strait
CALIFORNIA ENERGY COMMISSION
1516 Ninth Street, MS-37
Sacramento, CA 95814
(916) 654-2817
Email:
peter.strait@energy.ca.gov

PUBLIC PARTICIPATION

For assistance in participating in the rulemaking proceeding, please contact the Energy Commission's Public Adviser's Office, at (916) 654-4489, toll free at (800) 822-6228, or by email at publicadviser@energy.ca.gov.

If you have a disability and require special accommodations to attend or participate in a hearing, please contact Lou Quiroz at (916) 654-5146 five days before the hearing.

FINAL STATEMENT OF REASONS

If the proposed amendments are adopted, the Energy Commission will prepare a Final Statement of Reasons. This document will update the Initial Statement of Reasons and respond to public comments. It will be posted on the Energy Commission's website for this proceeding described below, and will be distributed to interested persons subscribed to the Building Standards list-server described above. This document may also be obtained after the conclusion of the rulemaking by contacting Adrian Ownby at (916) 651-2915 or by email at adrian.ownby@energy.ca.gov.

WEBSITE INFORMATION

This NOPA, the Initial Statement of Reasons, the Express Terms, any 15-Day Language issued subsequent-

ly, and all other relevant rulemaking documents can be accessed at the Energy Commission's website at:
<http://www.energy.ca.gov/title24/2016standards/>.

GENERAL PUBLIC INTEREST

BUREAU OF ELECTRONIC AND APPLIANCE REPAIR, HOME FURNISHINGS AND THERMAL INSULATION

NOTICE OF CHANGE OF DATE OF REGULATORY HEARING AND EXTENSION OF WRITTEN COMMENT PERIOD

Concerning Proposed Rulemaking on Ignition Interlock Devices

NOTICE IS HEREBY GIVEN that the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation (BEARHFTI) has rescheduled the regulatory hearing originally scheduled for **March 17, 2015 at 10:00 a.m.**, at the Department of Consumer Affairs, Hearing Room, 1625 North Market Blvd., Sacramento, California 95834, regarding proposed language to the California Code of Regulations, Title 16, Division 27, pursuant to the Notice of Proposed Language filed with the Office of Administrative Law and published on January 30, 2015 in Notice Register 2015, No. 5-Z (OAL Notice File No. Z2015-0114-01).

The new date and location of the regulatory hearing is as follows:

Date of Hearing: **March 24, 2015**
Address: **Department of Consumer Affairs
1625 North Market Blvd.,
Hearing Room
Sacramento, California 95834**
Time: **10:00 a.m.**

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by BEARHFTI at its office no later than 5:00 p.m. on March 24, 2015, or must be received by BEARHFTI at the hearing. Attached are the Notice of Proposed Language in the Regulations and the Proposed Language for your reference.

CONTACT PERSON

If you have any questions or comments, you may direct them to:

Terri Rice, Policy Analyst
Bureau of Electronic and Appliance Repair,
Home Furnishings, and Thermal Insulation
4244 South Market Ct., Suite D
Sacramento, California 95834
Telephone: (916) 999-2058
FAX: (916) 921-7279
E-mail
Address: Terri.Rice@dca.ca.gov

DEPARTMENT OF HEALTH CARE SERVICES

THE CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES INTENDS TO SUBMIT A REQUEST FOR MEDICAID SECTION 1115 WAIVER RENEWAL PUBLIC NOTICE STATEMENT — MEDI-CAL 2020 PROPOSAL

This notice provides information of public interest with respect to the Department of Health Care Services (DHCS). DHCS is seeking approval from the federal Centers for Medicare & Medicaid Services (CMS) for the renewal of the state's Section 1115 Waiver. This proposal will be effective upon approval from CMS. DHCS plans to submit the Waiver application to CMS in March 2015.

Background:

The California Department of Health Care Services (DHCS) is currently operating a five-year Medicaid section 1115 Waiver through which much of the Medi-Cal Program now operates¹. The current "Bridge to Reform" Waiver authority expires on October 31, 2015, and DHCS is in the process of planning for the next phase of the Waiver program — Medi-Cal 2020. Over the past several months, DHCS has engaged the stakeholder and provider communities, and solicited public comment, to gain input and insight into how the Medi-Cal program can continue to evolve and mature over the next five years. The State must submit its formal request for extension of the Waiver no later than March 31, 2015. This Waiver Renewal is critical to the long-term fiscal sustainability of the Medi-Cal program and to California's ability to continue to provide high quality health care to our beneficiaries.

¹ <http://www.dhcs.ca.gov/provgovpart/Documents/BTR-1115-Waiver-Summary.pdf>.

Stakeholder Input/ Public Notice and Comment Opportunities:

DHCS began public input and stakeholder engagement on Waiver Renewal with the release of an initial concept paper in July 2014 which identified the central proposals for the renewal of the state's section 1115 Medicaid Waiver. The key proposals include: 1) Housing and supportive services for vulnerable populations; 2) various health plan and provider delivery system transformation and alignment Incentive programs, including: 3) a new Delivery System Reform Incentive Program (DSRIP) at designated public hospitals and non-designated public hospitals; 4) Workforce Development strategies to expand provider access and capacity; and 5) safety net payment and delivery system transformation.

To facilitate public involvement and to solicit meaningful input with regard to the proposals, DHCS convened five distinct expert stakeholder workgroups composed of subject matter experts in Medicaid delivery system and payment reform, social determinants of health, care coordination and integration, and clinical practice improvement. Comprehensive descriptions of concepts considered for inclusion in the Waiver Renewal, including the goals and objectives, and fiscal impact are made available to the public on the DHCS Waiver Renewal website at <http://www.dhcs.ca.gov/provgovpart/Pages/1115-Waiver-Renewal.aspx>.

DHCS invites comment on the Waiver Renewal proposal from the public and interested stakeholders through a dedicated inbox: WaiverRenewal@dhcs.ca.gov. All comments received via the inbox are made available to the public on the DHCS Waiver Renewal website.

DHCS anticipates submission of the Waiver Renewal application to the Centers for Medicare & Medicaid Services (CMS) in March 2015 for review and approval. The proposal will be based on the initial concept paper released in July 2014² and further informed by the Workgroup discussions.

Goals and Objectives:

DHCS will seek a five-year renewal of the 1115 Waiver in order to continue to support ACA implementation, improve the health care quality and outcomes for our approximately 12.0 million beneficiaries and provide for the long-term fiscal stability of the Medi-Cal program through delivery system transformation. Medi-Cal 2020 is designed to improve the quality of care and ultimately the health of Medi-Cal beneficiaries by driving quality improvement across settings of care, promote system integration, and align

incentives. This effort will bring together California, CMS, plans, providers, and safety net programs to share accountability for Medi-Cal beneficiaries' health outcomes, which will result in high-quality, integrated care and increase the value of California's health care dollar, promoting the long-term viability of the program.

Program Description:

Medi-Cal 2020 will combine a set of strategies to collectively build a stronger and healthier system for all Medi-Cal beneficiaries, demonstrating California's commitment to improving quality and better integrating care. Medi-Cal 2020 is built around specific, interconnected strategies that will improve health of beneficiaries by strengthening the health care system as a whole, while also assisting in targeting populations in need of specific focus or services to improve coordination, utilization, equity, and at the same time, control health care costs. Within each of these strategies, specific population focus areas may be included, as appropriate, to ensure health equity and elevate support for the populations with the highest needs.

Strategies include a federal-state shared savings initiative, housing and supportive services for vulnerable populations; various health plan and provider delivery system transformation and alignment Incentive programs, including: a new Delivery System Reform Incentive Program (DSRIP) at designated public hospitals and non-designated public hospitals; Workforce Development strategies to expand provider access and capacity; and safety Net payment and delivery system transformation.

Impact to Beneficiaries:

The 2015 Waiver Renewal will impact Medi-Cal beneficiaries in that program elements are designed to improve consumer experience in receiving appropriate, quality, coordinated care and expanding access within the delivery system. The program design seeks improvements within the Managed Care and Fee-for-Service delivery systems as well as across physical health, behavioral health, and long term care settings. Additionally, Waiver Renewal concepts will improve patient care experience for the remaining uninsured that seek care at county safety net systems.

Proposed Delivery System, Benefits, and Enrollment:

The foundational infrastructure that exists in Medi-Cal today will not change. DHCS will continue to contract with managed care health plans for approximately 80% of Medi-Cal members, with the remaining population receiving services carved out of managed care contracts under a fee-for-service arrangement. Given California's structure wherein managed care plans are responsible for physical health care, while county be-

² http://www.dhcs.ca.gov/provgovpart/Documents/Waiver%20Renewal/Initial_Concepts_for_2015_Waiver-July_2014.pdf.

behavioral health systems (county mental health plans and substance use disorder systems) are responsible for behavioral health services, the Waiver would direct the systems to better coordinate care for members across care settings.

Hypothesis/Evaluation Parameters:

Similar to the existing Bridge to Reform 1115 Waiver, each program strategy under the new Waiver will test unique hypothesis and evaluation parameters. Various incentive program designs will test achievement of the goals of the Triple Aim in providing cost-efficient, quality care that leads to better health outcomes for Medi-Cal beneficiaries. The Waiver will also evaluate whether shifting payment away from cost and toward value under a global payment structure for safety net systems can encourage care in more appropriate settings, to ensure that patients are seen in the right place and given the right care at the right time. A formal evaluation design will be developed in partnership with the Centers for Medicare and Medicaid Services.

Waiver/Expenditure Authority: Anticipated Waiver and Expenditure Authority needed to implement the Waiver proposal is attached to this notice.

Public Hearings:

DHCS has had approximately 20 stakeholder meetings on Waiver Renewal (date, times, materials detailed on DHCS website) and will have 2 additional public forums in February and March of 2015 to provide further opportunity for stakeholders and other interested parties to provide feedback on the renewal proposal and to ask questions about the technical aspects of the State’s plans for Medi-Cal 2020. Statewide participation for those who cannot attend in person will be facilitated via webinar and conference call. Information, including but not limited to date, time, and location, for the public forums will be posted on the DHCS Waiver Renewal website at least one week before the scheduled event.

Upcoming stakeholder meetings:

February 11, 2015 (9:30 a.m.–3:00 p.m.):
DHCS Stakeholder Advisory Committee meeting
Sacramento Convention Center
1400 J St, Sacramento, CA 95814

March 3, 2015 (12:30 p.m.–3:30 p.m.):
Safety Net Payment Reform workgroup
By webinar. Registration link to be posted on:
<http://www.dhcs.ca.gov/provgovpart/Pages/Waiver-Renewal-Workgroup-Safety-Net-Financing.aspx>.

Additional meetings will be posted on the Waiver Renewal webpage: <http://www.dhcs.ca.gov/provgovpart/Pages/1115-Waiver-Renewal.aspx>.

More information on Waiver Renewal is available and regularly updated on the DCHS website at <http://www.dhcs.ca.gov/provgovpart/Pages/1115-Waiver-Renewal.aspx>.

For questions and comments on 1115 Waiver Renewal, please contact: WaiverRenewal@dhcs.ca.gov or send written correspondences to:

DHCS Waiver Renewal
Attn: Mari Cantwell
PO Box 997413, MS 0000
Sacramento, CA 95899-7413

Attachment A: Draft List of Waiver and Expenditure Authority

**Attachment A
RENEWAL OF CALIFORNIA MEDICAID
DEMONSTRATION
DRAFT LIST OF PROPOSED WAIVER AND
EXPENDITURE AUTHORITIES**

NOTE: The below is subject to change as substantive details for the eventual waiver components are refined in the application and approval processes.

**BRIDGE TO REFORM AUTHORITIES
EXPECTED TO CONTINUE**

Managed Care Waiver Authorities:

- 1. Freedom of Choice Section 1902(a)(23)(A)**
(authorizing Medi-Cal managed care delivery models)
- 2. Statewide Section 1902(a)(1)**
(authorizing county-by-county variance.)
- 3. Amount, Duration, and Scope of Services and Comparability Section 1902(a)(10)(B)**
(specific to SPDs in the current waiver authority)

NOTE: to the extent the currently pending Drug Medi-Cal Organized Delivery System (DMC-ODS) waiver amendment is approved, it is expected that those applicable waiver authorities would be carried over. This would potentially include the three waivers listed above.

Safety Net Care Pool (SNCP) Expenditure Authorities: The following expenditures are authorized under the existing Bridge to Reform Demonstration, subject to an overall cap

- 1. Uncompensated Care**
(expenditures for uncompensated care meeting the section 1905(a) medical assistance definition incurred by hospitals, providers and clinics for Medicaid eligible or uninsured individuals, and to the extent that those costs exceed the amounts paid to the hospital pursuant to Section 1923)

2. Designated State Health Care Programs (DSHP).

(authorizing reimbursement of expenditures for certain state-funded programs: (1) Breast and Cervical Cancer Treatment Program (BCCTP); (2) Medically Indigent Adults/Long Term Care Program; (3) California Children’s Services Program; (4) Genetically Handicapped Persons Program; (5) Expanded Access to Primary Care Program; (6) AIDS Drug Assistance Program; (7) Department of Developmental Services; (8) County Mental Health Services.)

3. Workforce Development

(expenditures for workforce development programs in medically disadvantaged service areas:

- (1) Song Brown HealthCare Workforce Training; (2) Health Professionals Education Foundation Loan Repayment; (3) Mental Health Loan Assumption; (4) Training program for medical professionals at CA Community Colleges, CA State Universities, and the University of CA)

4. Delivery System Reform Incentive Pool

(expenditures for incentive payments from a Delivery System Reform Incentive Pool)

5. Uncompensated care for Indian Health Service (HIS) and tribal facilities

(authorizing supplemental payments for certain uncompensated care expenditures)

Community Based Adult Services (CBAS) expenditure authority

1. Authorizing expenditures for CBAS services to qualifying individuals

Drug Medi-Cal Organized Delivery System Proposed Authorities (the following expenditure authority has been requested in the DMC-ODS waiver amendment, and if approved for the current demonstration, would be expected to continue)

1. DMC-ODS residential-based services

(expenditures not otherwise eligible for FFP for covered services furnished to beneficiaries who are residents in facilities that meet the definition of an Institution for Mental Disease under Section 1905(a))

AUTHORITIES EXPECTED TO CHANGE OR NEW AUTHORITIES REQUESTED

1. Federal and State Shared Savings

To authorize the reinvestment of state-designated shared savings towards applicable demonstration expenditures. The amount of state-designated shared savings available for use under this authority will be based on the difference between the State’s actual expenditures under the demonstration and pre-established per beneficiary per month amounts.

2. SNCP/DSH Safety Net Payment Reform

In addition to the existing SNCP authority for uncompensated care costs, authority to allow reimbursement for whole person care expenditures incurred by public health care systems (including affiliated hospitals, providers, and clinics) on behalf of uninsured individuals.

This may include requests for expenditure authority to: (1) reimburse services not recognized as medical assistance under Section 1905(a); (2) extend reimbursement to a broader set of modalities and provider settings; and (3) allow for risk-based payment through county-based delivery systems that do not meet the requirements for managed care organization under Section 1903(m)(2)(A).

This may also include specific waiver authority for the following provisions:

(1) **Freedom of choice, Section 1902(a)(23)(A)** (to allow the state to require certain beneficiaries to receive services from specified providers);

(2) **Statewideness, Section 1902(a)(1)** (to limit this demonstration component to certain counties or geographic areas that include designated public hospitals);

(3) **Amount, duration and scope of services and comparability, Section 1902(a)(10)(B)** (to allow the state to provide a different benefit package to those who qualify for the whole person care program);

(4) **Disproportionate Share Hospital payments, Section 1902(a)(13)(A)** (to the extent that it requires DSH payments consistent with Section 1923, as necessary for the implementation of the DSH/SNCP project, and without regard to hospital-specific limits under Section 1923(g)).

3. DSRIP 2.0

Existing DSRIP authority will continue.

4. Housing-Based Case Management and Supportive Services

To authorize reimbursement for housing-based case management and supportive services, to the extent not encompassed under the Section 1905(a) definition of medical assistance, for qualifying beneficiaries accessing Medi-Cal benefits. This includes, but is not limited to, housing-based expenditures made with respect to Medi-Cal beneficiaries in facilities that meet the definition of an Institution for Mental Disease under Section 1905(a).

Depending on the details of the proposal and the proposed mechanism(s) for payment, expenditure authority relating to the following provisions may be requested: (1) Section 1903(m) and 42 CFR §438.60 (to allow for direct payments to managed care providers).

This may also include specific waiver authority for the following provisions:

(1) **Statewideness, Section 1902(a)(1)** (to the extent housing-based case management is limited to only certain counties or geographic areas);

(2) **Amount, duration and scope of services and comparability, Section 1902(a)(10)(B)** (to limit housing-based case management to certain targeted groups of Medi-Cal beneficiaries);

5. Workforce development:

To allow for reimbursement for select workforce development subsidies, incentive payments, and related expenditures to or on behalf of health care providers who have not previously participated in the Medi-Cal program or nontraditional provider types, to the extent not otherwise allowable as medical assistance or administrative costs under Section 1903.

Expenditure authority relating to the following provisions may be requested: (1) Section 1903(m) and 42 CFR §438.60 (to allow for direct payments to managed care providers); (2) Section 1903(m) and 42 CFR §438.6(c)(5)(iii) and (iv) (to the extent subsidies and incentives included in capitation rate and as necessary to exceed the 105% limit for approved capitation payments)

This may also include specific waiver authority for the following provisions:

(1) **Statewideness, Section 1902(a)(1)** (to the extent workforce development programs are limited to only certain counties or geographic areas).

6. Plan/Provider/System Incentives:

To allow for reimbursement for select provider, health plan, and/or system incentive payments geared toward performance, quality, and whole person care coordination principles, to the extent not otherwise considered allowable medical assistance or administrative costs under Section 1903.

Expenditure authority relating to the following provisions may be requested: (1) Section 1903(m) and 42 CFR §438.60 (to allow for direct payments to managed care providers); (2) Section 1903(m) and 42 CFR §438.6(c)(5)(iii) and (iv) (to the extent incentives included in capitation rate and as necessary to exceed the 105% limit for approved capitation payments).

This may also include specific waiver authority for the following provisions:

(1) **Statewideness, Section 1902(a)(1)** (to the extent plan or provider incentives are limited to only certain counties or geographic areas).

PROPOSITION 65

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986
(Proposition 65)**

**NOTICE OF A PUBLIC HEARING FOR
COMMENT ON A REQUEST FOR A SAFE USE
DETERMINATION FOR DIISONONYL
PHTHALATE (DINP) IN PHIFERTEX®
FABRIC USED IN OUTDOOR
FURNITURE PRODUCTS**

The California Environmental Protection Agency’s Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as Proposition 65, codified at Health and Safety Code section 25249.5 *et seq.*). OEHHA has received a request for a Safe Use Determination (SUD) for diisononyl phthalate (DINP) in outdoor furniture products made with Phifer[®] fabric, specifically that exposures to DINP in these products do not present significant cancer risks under Proposition 65, and do not require a warning. The request is made by McKenna Long & Aldridge LLP, on behalf of Phifer Incorporated, pursuant to Title 27 of the California Code of Regulations, section 25204(b)(3).

This SUD request is limited to exposures to DINP in Phifer[®] fabric, when it is used as a component of outdoor furniture products. Exposure to other listed substances, if any, that may be present in the Phifer[®] fabric or other components of the outdoor furniture products will not be reviewed by OEHHA in the context of this request.

In accordance with the process set forth in section 25204(f)¹, a public hearing has been scheduled for **Monday, March 30, 2015**, in the Coastal Hearing Room on the 2nd Floor of the California Environmental Protection Agency Headquarters, 1001 I Street, Sacra-

¹ All referenced sections are from Title 27 of the Cal. Code of Regulations.

mento, CA 95814, as an opportunity for public comment on this request for a safe use determination. The hearing will be held between 2:00 p.m. and 5:00 p.m.

The public may also submit written comments on this request. In order to be considered, **OEHHA must receive comments by 5:00 p.m. on Monday, March 30, 2015.** We encourage you to submit comments in electronic form, rather than in paper form. Comments transmitted by e-mail should be addressed to P65Public.Comments@oehha.ca.gov. Please include "SUD — Phifertex Fabric Outdoor Furniture Products" in the subject line. Comments submitted in paper form may be mailed, faxed, or delivered in person to the address below.

Mailing

Address: Ms. Monet Vela
Office of Environmental Health
Hazard Assessment
P.O. Box 4010, MS-23A
Sacramento, California 95812-4010

Fax: (916) 323-2610

Street

Address: 1001 I Street
Sacramento, California 95814

Comments received during the public comment period will be posted on the OEHHA website after the close of the comment period. If you have any questions, please contact Ms. Monet Vela at (916) 323-2517 or Monet.Vela@oehha.ca.gov.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2014-1218-01
BOARD OF EQUALIZATION
Requirements for Managing General Partner of Limited Partnership

The Board of Equalization submitted this action to make changes without regulatory effect, pursuant to 1 CCR sec. 100, to section 140.1 of title 18 of the California Code of Regulations, which pertains to require-

ments for a managing general partner of a limited partnership for a welfare exemption for low-income housing properties. The changes update cross-references to statutory definitions related to limited partnerships and a statutory cross-reference to provisions for adding a general partner to a limited partnership under the Uniform Limited Partnership Act of 2008, commencing with section 15900 of the Corporations Code.

Title 18
California Code of Regulations
AMEND: 140.1
Filed 01/28/2015
Agency Contact:
Richard E. Bennion (916) 445-2130

File# 2014-1216-03
BOARD OF FORESTRY AND FIRE PROTECTION
Changes Without Regulatory Effect to SRA Fire Prevention Fee Rules, 2015

This filing of changes without regulatory effect by the Board of Forestry and Fire Protection (Board) amends 8 sections in Title 14 of the California Code of Regulations. The amendments include grammar, punctuation as well as changes that reflect statutory amendments.

Title 14
California Code of Regulations
AMEND: 1665.1, 1665.2, 1665.3, 1665.4, 1665.5, 1665.6, 1665.7, 1665.8
Filed 01/29/2015
Agency Contact: Thembi Borrás (916) 653-9633

File# 2015-0120-01
BUREAU FOR PRIVATE POSTSECONDARY EDUCATION
Accreditation of Degree Granting Institutions

This emergency rulemaking action by the Bureau of Private Postsecondary Education implements recent statutory changes regarding accreditation of degree-offering postsecondary institutions. Regulatory modifications include new definitions, procedures for creating plans for accreditation and associated timelines, and revised processes for application, closure, various student notifications, suspension of programs, and enforcement.

Title 5
California Code of Regulations
ADOPT: 71105, 71105.5, 71410, 71471, 71775, 71775.5, 74240, 74250, 75140 AMEND: 70000, 71400, 71650, 75150
Filed 01/30/2015
Effective 02/01/2015
Agency Contact: Kent Gray (916) 246-3907

File# 2014-1222-02
BUREAU OF REAL ESTATE APPRAISERS
License Application Processing

This action by the Bureau of Real Estate Appraisers (Bureau), amends Title 10, California Code of Regulations, section 3528, regarding the processing of applications for licenses issued by the Bureau. This rulemaking clarifies the process of determining the evaluation date of license applications for purposes of applying the licensing requirements.

Title 10
California Code of Regulations
AMEND: 3528
Filed 02/02/2015
Effective 04/01/2015
Agency Contact: Kyle Muteff (916) 341-6126

File# 2015-0122-01
CALIFORNIA ALTERNATIVE ENERGY AND
ADVANCED TRANSPORTATION FINANCING
AUTHORITY
PACE Loss Reserve Program

The California Alternative Energy and Advanced Transportation Financing Authority (CAEATFA) amended section 10085 of title 4 of the California Code of Regulations to reduce the PACE Loss Reserve Program administrative fee from 0.0025 (.25%) of the principle value of each financing to 0.0000 (0%). This regulatory action was filed as an emergency and is conclusively presumed to be necessary for the immediate preservation of the public peace, health, safety, or general welfare pursuant to Public Resources Code section 26009.

Title 4
California Code of Regulations
AMEND: 10085
Filed 01/30/2015
Effective 01/30/2015
Agency Contact: Ashley Bonnett (916) 651-5100

File# 2014-1219-03
CALIFORNIA GAMBLING CONTROL
COMMISSION
Accounting and Financial Reporting Requirements

The California Gambling Control Commission (CGCC) adopts and amends regulations in Title 4 of the California Code of Regulations so as to extend CGCC's accounting and financial reporting requirements to licensed Gambling Businesses and Third-Party Providers of Proposition Player Services. This rulemaking action also reorganizes, consolidates, and eliminates repetition within CGCC's accounting and financial report-

ing regulations for the purposes of simplification, clarity, and uniformity of procedural requirements.

Title 4
California Code of Regulations
ADOPT: 12003, 12311, 12312, 12313, 12315, 12316 AMEND: 12002 REPEAL: 12400, 12401, 12402, 12403, 12404, 12405, 12406, 12410
Filed 02/02/2015
Effective 07/01/2015
Agency Contact: James Allen (916) 263-4024

File# 2014-1219-04
DEPARTMENT OF CORRECTIONS AND
REHABILITATION
Involuntary Psychiatric Medication

The Department of Corrections and Rehabilitation amended sections 3351 and 3364 and adopted sections 3364.1 and 3364.2 of title 15 of the California Code of Regulations, and adopted six forms, governing the administration of involuntary psychiatric medications. This action implements Penal Code section 2602, enacted in AB 1114 (2011) and subsequently amended in several other bills. This action establishes statewide procedures for all institutions to follow pertaining to form usage, inmate rights, service of documents, hearing procedures, and documentation for the involuntary psychiatric medication process in order to ensure inmates receive the same procedural and substantive due process regardless of housing assignment or institution when use of involuntary psychiatric medication is determined necessary.

Title 15
California Code of Regulations
ADOPT: 3364.1, 3364.2 AMEND: 3351, 3364
Filed 01/28/2015
Effective 01/28/2015
Agency Contact: Diane Hawkins (916) 322-8447

File# 2014-1229-02
DEPARTMENT OF FOOD AND AGRICULTURE
Certified Farmers' Market Fees

This action amends the fee payable by certified farmers' market operators to an amount equal to that mandated by recent statutory change.

Title 3
California Code of Regulations
AMEND: 1392.8.1
Filed 02/02/2015
Agency Contact: Laurel Rudolph (916) 900-5322

File# 2015-0120-03
DEPARTMENT OF INSURANCE
Provider Network Adequacy

This emergency action by the Department of Insurance (DOI) amends four sections and adopts four sec-

tions in title 10 of the California Code of Regulations (CCR) to require health insurers to establish and maintain adequate medical provider networks to meet the healthcare needs of their policyholders, maintain accurate provider directories, and require disclosure of out-of-network providers who may participate in a patient's planned care.

Title 10
California Code of Regulations
ADOPT: 2240.15, 2240.16, 2240.6, 2240.7
AMEND: 2240, 2240.1, 2240.4, 2240.5
Filed 01/30/2015
Effective 01/30/2015
Agency Contact: Bruce Hinze (415) 538-4392

File# 2014-1212-02
DEPARTMENT OF PARKS AND RECREATION
Trail and Tool Use in State Parks

In this resubmitted regulatory action, the Department of Parks and Recreation delineates trail uses and users on trails in the State Park System, what tools may be used, and under what circumstances they may be used in cultural and natural preserves. The Department also clarifies that permanent structures and installations are allowed in wilderness and preserves where necessary for natural or cultural heritage protection.

Title 14
California Code of Regulations
AMEND: 4351.1 (renumbered as 4351), 4360
REPEAL: 4351
Filed 01/28/2015
Effective 04/01/2015
Agency Contact: Alexandra Stehl (916) 324-0370

File# 2014-1219-02
DIVISION OF WORKERS' COMPENSATION
Workers' Compensation — Official Medical Fee Schedule

This action by the Division of Workers' Compensation of the Department of Industrial Relations is submitted to OAL for filing and printing pursuant to Labor Code section 5307.1(g)(2). The action amends the Official Medical Fee Schedule located within title 8 of the California Code of Regulations.

Title 8
California Code of Regulations
AMEND: 9789.10, 9789.11, 9789.20, 9789.21, 9789.22, 9789.23, 9789.25, 9789.50, 9789.60, 9789.70, 9789.110, 9789.111, 9790
Filed 02/04/2015

Effective 03/05/2015
Agency Contact: Jarvia Shu (510) 286-0646

File# 2015-0123-05
FAIR POLITICAL PRACTICES COMMISSION
Conflict of Interest — Materiality Standards

In this regular rulemaking filing, repeals and amendments made by the Fair Political Practices Commission deal with materiality standards for conflicts of interest.

OAL's review of FPPC proposed regulations is limited to the provisions of the APA as it was enacted on June 4, 1974, when voters adopted the California Political Reform Act. (Fair Political Practices Commission v. Office of Administrative Law, Linda Stockdale Brewer, (April 27, 1992, C010924 [nonpub. opn.].) As such, OAL's review is limited to determining if the proposed regulations comply with "the form and style prescribed by the Secretary of State. If the department approves the regulation or order of repeal for filing, it shall endorse on the certified copy thereof its approval for filing and shall transmit such copy to the Secretary of State." (Former Gov. Code, sec. 11380.2, repealed by Stats. 1979, ch. 467, § 2.)

Title 2
California Code of Regulations
AMEND: 18705, 18705.3, 18705.4, 18705.5 REPEAL: 18704, 18704.1, 18704.5
Filed 02/02/2015
Effective 03/04/2015
Agency Contact:
Virginia Latteri-Lopez (916) 322-5660

File# 2015-0123-04
FAIR POLITICAL PRACTICES COMMISSION
Spokesperson Disclosure

In this regular rulemaking filing, amendments made by the Fair Political Practices Commission deal with spokesperson disclosures.

OAL's review of FPPC proposed regulations is limited to the provisions of the APA as it was enacted on June 4, 1974, when voters adopted the California Political Reform Act. (Fair Political Practices Commission v. Office of Administrative Law, Linda Stockdale Brewer, (April 27, 1992, C010924 [nonpub. opn.].) As such, OAL's review is limited to determining if the proposed regulations comply with "the form and style prescribed by the Secretary of State. If the department approves the regulation or order of repeal for filing, it shall endorse on the certified copy thereof its approval for filing and shall transmit such copy to the Secretary of State." (Former Gov. Code, sec. 11380.2, repealed by Stats. 1979, ch. 467, § 2.)

Title 2
 California Code of Regulations
 AMEND: 18450.11
 Filed 02/02/2015
 Effective 03/04/2015
 Agency Contact:
 Virginia Latteri-Lopez (916) 322-5660

File# 2015-0123-06
 FAIR POLITICAL PRACTICES COMMISSION
 Legally Prohibited Disclosure: SEIs

In this regular rulemaking filing, amendments made by the Fair Political Practices Commission deal with legally prohibited disclosures for statements of economic interests.

Title 2
 California Code of Regulations
 AMEND: 18740
 Filed 02/02/2015
 Effective 03/04/2015
 Agency Contact:
 Virginia Latteri-Lopez (916) 322-5660

File# 2014-1216-02
 FISH AND GAME COMMISSION
 Prohibition of Prizes for take of Furbearers and Non-game Mammals

This rulemaking action by the Fish and Game Commission (FGC) amends sections 465 and 472 of title 14 of the California Code of Regulations to prohibit the offering of prizes or inducements as a reward for the take of furbearers or nongame mammals in an individual contest, tournament, or derby.

Title 14
 California Code of Regulations
 AMEND: 465, 472
 Filed 01/30/2015
 Effective 04/01/2015
 Agency Contact: Caren Woodson (916) 651-1329

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN September 3, 2014 TO
 February 4, 2015**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person

listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1
 11/10/14 AMEND: 1, 14, 20
 10/29/14 AMEND: 86

Title 2
 02/02/15 AMEND: 18705, 18705.3, 18705.4, 18705.5 REPEAL: 18704, 18704.1, 18704.5
 02/02/15 AMEND: 18450.11
 02/02/15 AMEND: 18740
 01/22/15 AMEND: 54300
 12/31/14 ADOPT: 20620 AMEND: 20610, 20611, 20612, 20613, 20622 and renumber as 20621, 20623 and renumber as 20622, 20624 and renumber as 20623, 20625 and renumber as 20624, 20626 and renumber as 20625, 20627 and renumber as 20626, 20630, 20631, 20632, 20633, 20635 and renumber as 20634, 20636 and renumber as 20635, 20637 and renumber as 20636, 20638 and renumber as 20637, 20639 and renumber as 20638, 20640, 20641, 20642, 20645 and renumber as 20643, 20646 and renumber as 20644, 20650, 20651, 20652, 20653, 20654, 20660, 20661, 20662, 20663, 20670, 20672, 20680, 20681, 20682 REPEAL: 20620, 20621, 20671, Appendices A and B to Chapter 6
 12/18/14 ADOPT: 1859.167.1, 1859.167.2, 1859.167.3 AMEND: 1859.2, 1859.77.4, 1859.106.1, 1859.160, 1859.161, 1859.162, 1859.163, 1859.163.1, 1859.163.4, 1859.163.5, 1859.164, 1859.164.1, 1859.164.2, 1859.165, 1859.166, 1859.166.1, 1859.167, 1859.167.2 (renumbered as 1859.167.4), 1859.167.3 (renumbered as 1859.167.5), 1859.168, 1859.171, 1859.172
 12/16/14 ADOPT: 557
 12/15/14 AMEND: 18545, 18703.4, 18730, 18940.2
 12/15/14 AMEND: 18704.1, 18705.1
 12/15/14 AMEND: 18704
 12/10/14 ADOPT: 20700, 20701, 20702, 20703, 20704, 20705, 20706, 20707
 12/03/14 AMEND: 51.7
 11/24/14 AMEND: 18942
 11/24/14 AMEND: 18705.2
 11/20/14 AMEND: 1859.73.2, 1859.76, 1859.78.7, 1859.82

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11/03/14	ADOPT: 559.518	599.778, 599.779, 599.779.1, 599.779.2,
10/29/14	AMEND: 18705.3	599.779.3, 599.779.4, 599.779.5,
10/27/14	AMEND: 10001, 10002, 10005, 10006,	599.779.6, 599.779.7, 599.780, 599.781,
	10007, 10008, 10009, 10011, 10012,	599.782, 599.783, 599.784, 599.785,
	10013, 10015, 10021, 10022, 10024,	599.785.5, 599.786, 599.787, 599.788,
	10025, 10029, 10030, 10031, 10033,	599.789, 599.790, 599.791, 599.792.5,
	10035, 10037, 10038, 10039, 10041,	599.793, 599.794, 599.795, 599.796,
	10042, 10046, 10047, 10050, 10053,	599.796.1, 599.797, 599.798, 599.800,
	10054, 10056, 10057, 10061, 10062,	599.801, 599.802, 599.803, 599.804,
	10063, 10065	599.805, 599.806, 599.807, 599.808,
10/20/14	AMEND: 18705.2	599.809, 599.810, 599.815, 599.817,
10/17/14	AMEND: 3435	599.818, 599.819, 599.825, 599.826,
10/17/14	AMEND: 3435(b)	599.827, 599.828, 599.830, 599.831,
10/13/14	AMEND: 599.615, 599.615.1, 599.616,	599.832, 599.833, 599.834, 599.835,
	599.616.1, 599.619, 599.621, 599.622,	599.836, 599.837, 599.854, 599.854.1,
	599.623, 599.624, 599.624.1, 599.625,	599.854.2, 599.854.3, 599.854.4,
	599.625.1, 599.626, 599.626.1, 599.627,	599.856, 599.857, 599.858, 599.859,
	599.627.1, 599.628, 599.628.1, 599.629,	599.866, 599.867, 599.868, 599.870,
	599.629.1, 599.630, 599.631, 599.633,	599.873, 599.874, 599.876, 599.877,
	599.633.1, 599.634, 599.635, 599.635.1,	599.880, 599.881, 599.882, 599.883,
	599.636, 599.636.1, 599.637, 599.638,	599.888, 599.893, 599.910, 599.911,
	599.638.1, 599.640, 599.641, 599.642,	599.912, 599.913, 599.920.5, 599.920.6,
	599.643, 599.644, 599.645, 599.646,	599.921, 599.922, 599.922.1, 599.922.2,
	599.647, 599.648, 599.649, 599.650,	599.922.3, 599.923, 599.924, 599.924.5,
	599.651, 599.652, 599.655, 599.656,	599.925, 599.925.1, 599.925.5, 599.926,
	599.657, 599.658, 599.659, 599.660,	599.927, 599.929, 599.930, 599.931,
	599.661, 599.662, 599.663, 599.664,	599.933, 599.934, 599.935, 599.936,
	599.665, 599.666, 599.666.1, 599.667,	599.937, 599.937.1, 599.937.2,
	599.668, 599.669, 599.670, 599.671,	599.937.3, 599.937.4, 599.939, 599.940,
	599.672, 599.672.1, 599.673, 599.674,	599.941, 599.942, 599.943, 599.944,
	599.675, 599.676, 599.676.1, 599.677,	599.946, 599.947, 599.950, 599.951,
	599.678, 599.679, 599.680, 599.681,	599.952, 599.953, 599.954, 599.955,
	599.682, 599.683, 599.684, 599.685,	599.956, 599.957, 599.958, 599.959,
	599.686, 599.687, 599.688, 599.689,	599.960, 599.961, 599.962, 599.963,
	599.690, 599.691, 599.700, 599.701,	599.964, 599.965, 599.966, 599.985,
	599.702, 599.703, 599.703.1, 599.704,	599.986, 599.987, 599.988, 599.990,
	599.705, 599.705.1, 599.706, 599.707,	599.992, 599.993, 599.994, 599.995
	599.708, 599.709, 599.710, 599.711,	09/25/14 AMEND: 18438.5
	599.714, 599.714.1, 599.715, 599.715.1,	09/09/14 ADOPT: 599.839, 599.844.1, 599.844.2,
	599.716, 599.716.1, 599.717, 599.717.1,	599.848, 599.849, 599.968, 599.969,
	599.718, 599.718.1, 599.719, 599.719.1,	599.970, 599.971, 599.972, 599.973,
	599.720, 599.720.1, 599.721, 599.722,	599.974, 599.975, 599.976, 599.977,
	599.723, 599.723.1, 599.723.2, 599.724,	599.978, 599.979 AMEND: 599.600,
	599.724.1, 599.725, 599.726, 599.727,	599.601, 599.602, 599.603, 599.604,
	599.728, 599.729, 599.730, 599.731,	599.605, 599.606, 599.607, 599.608,
	599.732, 599.733, 599.734, 599.736,	599.609, 599.610, 599.840, 599.841,
	599.737, 599.737.5, 599.738, 599.739,	599.850 REPEAL: 599.842, 599.843,
	599.739.1, 599.739.2, 599.740, 599.741,	599.844, 599.845, 599.846, 599.847,
	599.742, 599.742.1, 599.743, 599.744,	599.849, 599.978, 599.979, 599.980
	599.745, 599.745.1, 599.746, 599.747,	09/09/14 ADOPT: 4.5, 54.2, 56, 249 AMEND: 37,
	599.748, 599.749, 599.750, 599.751,	53.2, 151.3, 151.5, 153, 171, 174, 174.6,
	599.752, 599.752.1, 599.752.2,	174.8, 176, 185, 187, 188, 190, 194, 195,
	599.752.3, 599.753, 599.754, 599.770,	196, 197, 197.5, 199, 199.1, 200, 203,
	599.771, 599.772, 599.773, 599.774,	203.1, 203.7, 205, 206, 207, 211, 213.4,
	599.775, 599.776, 599.776.1, 599.777,	213.5, 232, 234, 235, 239, 241, 264, 265,

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266, 266.1, 266.2, 266.3, 282, 302.2, 302.3, 303, 500, 501, 502, 503, 504, 505, 506, 511, 512, 513, 547.54, 547.55, 547.56 REPEAL: 8, 172.1, 172.3, 172.4, 172.5, 172.6, 172.7, 172.8, 172.9, 172.10, 172.11, 201, 458, 470, 470.1, 471, 471.1, 472

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02/02/15 AMEND: 1392.8.1
 01/27/15 AMEND: 3591.13(a)
 01/26/15 AMEND: 3435(b)
 01/21/15 AMEND: 300, 301
 01/16/15 AMEND: 3435
 01/02/15 AMEND: 3435(b)
 12/23/14 AMEND: 1380.19, 1442.7
 12/01/14 AMEND: 1310, 1310.1
 11/19/14 AMEND: 3435(b)
 11/03/14 AMEND: 3591.11(a)
 10/23/14 ADOPT: 2326.1, 2326.2
 10/23/14 AMEND: 3435(b)
 10/17/14 AMEND: 3435
 10/17/14 AMEND: 3435(b)
 10/14/14 AMEND: 3435(b)
 09/25/14 AMEND: 3435 (b)
 09/17/14 AMEND: 3435(b)
 09/15/14 AMEND: 3435(b)
 09/04/14 AMEND: 3700(b)

Title 4

02/02/15 ADOPT: 12003, 12311, 12312, 12313, 12315, 12316 AMEND: 12002 REPEAL: 12400, 12401, 12402, 12403, 12404, 12405, 12406, 12410
 01/30/15 AMEND: 10085
 01/13/15 ADOPT: 5600, 5610, 5620, 5630, 5640 AMEND: 5000, 5144, 5170, 5200, 5205, 5230, 5240, 5255, 5350, 5370
 01/13/15 AMEND: 1858
 12/24/14 AMEND: 106(d)
 12/15/14 AMEND: 10080, 10081, 10082, 10083, 10084, 10085, 10086
 12/05/14 ADOPT: 10080, 10081, 10082, 10083, 10084, 10085, 10086, 10087
 11/19/14 ADOPT: 12006, 12012, 12035, 12052, 12054, 12056, 12058, 12060, 12062, 12064, 12066, 12068 AMEND: 12002, 12015, (Renumbered 12047), 12017, (Renumbered 12048), 12050 REPEAL: 12218.5, 12234
 11/10/14 ADOPT: 8130, 8131, 8132, 8133, 8134, 8135, 8136, 8137, 8138
 11/10/14 AMEND: 10030, 10031, 10032, 10033, 10033, 10035, 10036

10/27/14 ADOPT: 10170.16, 10170.17, 10170.18, 10170.19, 10170.20, 10170.21, 10170.22, 10170.23, 10170.24

10/23/14 ADOPT: 4190, 4191

10/06/14 ADOPT: 7113, 7114, 7115, 7116, 7117, 7118, 7119, 7120, 7121, 7122, 7123, 7124, 7125, 7126, 7127, 7128, 7129

09/17/14 AMEND: 1658, 1656

09/15/14 AMEND: 1844

09/08/14 ADOPT: 10080, 10081, 10082, 10083, 10084, 10085, 10086, 10087

09/08/14 AMEND: 1536

Title 5

01/30/15 ADOPT: 71105, 71105.5, 71410, 71471, 71775, 71775.5, 74240, 74250, 75140 AMEND: 70000, 71400, 71650, 75150

01/20/15 ADOPT: 80693, 80694

01/08/15 ADOPT: 15494, 15495, 15496, 15497, 15497.5

12/04/14 AMEND: 76120

12/04/14 AMEND: 30040, 30042.5

12/01/14 AMEND: 1514, 3380

11/18/14 ADOPT: 27200, 27201, 27300, 27301, 27400, 27401, 27500, 27501, 27502, 27600, 27601, 27602

11/10/14 AMEND: 80225

11/05/14 ADOPT: 19810 REPEAL: 19810, 19812, 19813, 19814, 19815, 19816, 19816.1, 19817, 19817.1, 19817.2, 19817.5, 19818, 19819, 19820, 19821, 19821.5, 19822, 19823, 19824, 19824.1, 19825, 19825.1, 19827, 19828, 19828.1, 19828.2, 19828.3, 19828.4, 19829, 19829.5, 19830, 19830.1, 19831, 19832, 19833, 19833.5, 19833.6, 19834, 19835, 19836, 19837, 19837.1, 19837.2, 19837.3, 19838, 19840, 19841, 19843, 19844, 19845, 19845.1, 19845.2, 19846, 19846.1, 19847, 19848, 19849, 19850, 19851, 19851.1, 19852, 19853, 19854, 19854.1, 19855

10/30/14 AMEND: 26000

10/27/14 ADOPT: 15494, 15495, 15496, 15497

10/07/14 REPEAL: 19839

09/10/14 AMEND: 80037

09/08/14 AMEND: 55518

Title 8

02/04/15 AMEND: 9789.10, 9789.11, 9789.20, 9789.21, 9789.22, 9789.23, 9789.25, 9789.50, 9789.60, 9789.70, 9789.110, 9789.111, 9790

12/04/14 AMEND: 9789.39

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12/02/14	AMEND: 5620, 6165, 6180, 6181, 6182, 6183, 6184	(renumbered to 2548.16), 2548.16
12/01/14	AMEND: 1514, 3380	(renumbered to 2548.17), 2548.17
11/26/14	AMEND: 5155	(renumbered to 2548.18), 2548.18
10/15/14	ADOPT: 10390, 10391, 10392, 10393, 10414, 10416, 10417, 10470, 10548, 10549, 10552, 10555, 10563, 10563.1, 10592, 10760, 10995, 10996 10770	(renumbered to 2548.20), 2548.20
	AMEND: 10397, 10561, 10593, 10740, 10750, 10751, 10753, 10754, 10755, 10770.1, 10845, 10957.1 REPEAL:	(renumbered to 2548.21), 2548.21
	10213, 10241, 10246, 10253, 10256, 10294, 10227, 10230, 10233, 10236, 10240, 10243, 10244, 10250, 10251, 10252, 10254, 10260, 10272, 10275, 10280, 10281, 10295, 10296, 10561.5, 10958	(renumbered to 2548.22), 2548.22
		(renumbered to 2548.23), 2548.23
		(renumbered to 2548.24), 2548.24
		(renumbered to 2548.25), 2548.25
		(renumbered to 2548.26), 2548.26
		(renumbered to 2548.27), 2548.27
		(renumbered to 2548.28), 2548.28
		(renumbered to 2548.29), 2548.29
		(renumbered to 2548.30), 2548.30
		(renumbered to 2548.31), and 2548.31
		(renumbered to 2548.32) REPEAL: 2548.8
10/02/14	AMEND: 1903	
09/30/14	AMEND: 9792.5.1	11/17/14 ADOPT: 6460
09/23/14	AMEND: 9789.32	11/17/14 ADOPT: 8000, 8010, 8020, 8030, 8040
09/17/14	AMEND: 10205.13	11/10/14 AMEND: 2498.6
09/15/14	AMEND: 10205.14	11/03/14 AMEND: 2318.6, 2353.1, 2354
		10/22/14 ADOPT: 2187.31, 2188.10 AMEND: 2186, 2186.1, 2187, 2187.1, 2187.2, 2187.3, 2187.4, 2187.5, 2187.6, 2187.7, 2188, 2188.1, 2188.2, 2188.25, 2188.3, 2188.4, 2188.5, 2188.5.5, 2188.50, 2188.6, 2188.65, 2188.7, 2188.8, 2188.9
Title 9		
09/29/14	AMEND: 4210	10/02/14 ADOPT: 6520, 6522, 6524, 6526, 6528, 6530, 6532, 6534, 6536, 6538
Title 10		
02/02/15	AMEND: 3528	10/02/14 ADOPT: 6700, 6702, 6704, 6706, 6708, 6710, 6712, 6714, 6716, 6718
01/30/15	ADOPT: 2240.15, 2240.16, 2240.6, 2240.7 AMEND: 2240, 2240.1, 2240.4, 2240.5	10/02/14 ADOPT: 6462
01/20/15	AMEND: 2695.85	09/30/14 ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620
01/08/15	AMEND: 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2507.1, 2507.2, 2508, 2509	09/17/14 ADOPT: 6464
01/02/15	AMEND: 2698.95	
12/12/14	ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620	
12/12/14	ADOPT: 6657, 6658, 6660, 6664, 6670	Title 11
12/10/14	AMEND: 2498.4.9	09/17/14 ADOPT: 51.29
12/08/14	AMEND: 2498.6	
12/04/14	AMEND: 2717	Title 13
11/25/14	ADOPT: 2548.7, 2548.8 AMEND: 2548.2, 2548.4, 2548.5, 2548.7 (renumbered to 2548.9), 2548.9 (renumbered to 2548.10), 2548.10 (renumbered to 2548.11), 2548.11 (renumbered to 2548.12), 2548.12 (renumbered to 2548.13), 2548.13 (renumbered to 2548.14), 2548.14 (renumbered to 2548.15), 2548.15	01/23/15 AMEND: 553.70
		01/21/15 AMEND: 1159
		12/31/14 AMEND: 2025
		12/17/14 ADOPT: 2416, 2417, 2418, 2419, 2419.1, 2419.2, 2419.3, 2419.4
		12/17/14 ADOPT: 2416, 2417, 2418, 2419, 2419.1, 2419.2, 2419.3, 2419.4
		12/01/14 ADOPT: 16.00, 16.02, 16.04, 16.06, 16.08, 16.10, 16.12, 16.14
		10/29/14 AMEND: 1239

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10/23/14 AMEND: 423.00
 10/23/14 AMEND: 115.04
 10/22/14 AMEND: 425.01
 10/08/14 ADOPT: 2428
 09/24/14 AMEND: 156.00, 156.01
 09/15/14 AMEND: 1233
 09/15/14 AMEND: 2030, 2031

Title 13, 17

01/23/15 AMEND: 553.70
 01/21/15 AMEND: 1159
 12/05/14 AMEND: Title 13: 1900, 1956.8, 2036, 2037, 2112, 2139, 2140, 2147, 2485; Title 17: 95300, 95301, 95302, 95303, 95305

Title 14

01/30/15 AMEND: 465, 472
 01/29/15 AMEND: 1665.1, 1665.2, 1665.3, 1665.4, 1665.5, 1665.6, 1665.7, 1665.8
 01/28/15 AMEND: 4351.1 (renumbered as 4351), 4360 REPEAL: 4351
 12/30/14 ADOPT: 1751, 1761, 1777.4, 1780, 1781, 1782, 1783, 1783.1, 1783.2, 1783.3, 1784, 1784.1, 1784.2, 1785, 1785.1, 1786, 1787, 1788, 1789
 12/29/14 AMEND: 1665.7
 12/29/14 AMEND: 670.5
 12/16/14 AMEND: 790, 791.6, 791.7, 795
 12/10/14 AMEND: 895.1, 1038, 1039.1, 1041, 1092.01, 1092.28 REPEAL: 1038
 11/26/14 AMEND: 923.2 [943.2, 963.2], 923.4 [943.4, 963.4], 923.5 [943.5, 963.5], 923.9 [943.9, 963.9]
 11/25/14 AMEND: 1038, 1038.2
 11/24/14 AMEND: 917.2, 937.2, 957.2
 11/17/14 AMEND: 1051(a)
 11/14/14 AMEND: 790, 817.02, 819.02, 819.03, 819.04, 820.01
 11/13/14 AMEND: 895.1, 929.1, 949.1, 969.1, 1052
 11/05/14 ADOPT: 5200, 5200.5, 5201, 5202, 5203, 5204, 5205, 5206, 5207, 5208, 5209, 5210, 5211, 5300, 5301, 5302, 5303, 5304, 5304.5, 5305, 5306, 5307
 10/24/14 ADOPT: 786.9
 10/23/14 AMEND: 870.15, 870.17, 870.19, 870.21
 10/23/14 ADOPT: 180.6
 10/13/14 AMEND: 200.12, 200.29, 200.31
 10/13/14 AMEND: 163, 164
 10/08/14 AMEND: 18720
 09/29/14 ADOPT: 17225.821, 17225.822, 17225.850, 17357, 17358, 17359, 18420.1, 18431.1, 18431.2, 18431.3, 18450(a)(25) AMEND: 17346, 17350, 17351, 17352, 17353, 17354, 17355,

17356, 18420, 18423, 18424, 18425, 18426, 18427, 18428, 18429, 18431, 18432, 18433, 18450(a)(1), 18450(a)(6), 18450(a)(8), 18450(a)(10), 18450(a)(11), 18450(a)(15), 18450(a)(16), 18450(a)(17), 18450(a)(18), 18450(a)(19), 18450(a)(21), 18450(a)(24), 18450(a)(25), 18450(a)(26), 18450(a)(27), 18450(a)(28), 18450(a)(29), 18450(a)(30), 18450(a)(31), 18450(a)(32), 18450(a)(33), 18450(a)(34), 18450(a)(35), 18450(a)(36), 18450(a)(37), 18450(a)(38), 18450(a)(39), 18450(a)(40), 18456.4, 18459, 18460.1.1, 18460.2, 18461, 18462

09/29/14 AMEND: 670.2
 09/22/14 AMEND: 18660.40

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01/28/15 ADOPT: 3364.1, 3364.2 AMEND: 3351, 3364
 12/22/14 ADOPT: 3620, 3621, 3622, 3623, 3624, 3625, 3626 AMEND: 3000, 3521.1, 3521.2, 3545, 3800.2 REPEAL: 3620, 3625
 12/04/14 AMEND: Renumber 8125 to 8199
 12/03/14 AMEND: Renumber Section 8002 to 8901
 12/01/14 AMEND: 4604, 4605
 11/26/14 REPEAL: 2600, 2603, 2604, 2605, 2606, 2615, 2616, 2617, 2618, 2619, 2620, 2635, 2635.1, 2636, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2646.1, 2647, 2647.1, 2648, 2649, 2710, 2711, 2712, 2714
 11/06/14 ADOPT: 1712.2, 1714.2, 1730.2, 1740.2 AMEND: 1700, 1706, 1712, 1712.1, 1714, 1714.1, 1730, 1730.1, 1731, 1747, 1747.1, 1747.5, 1748, 1748.5, 1749, 1749.1, 1750, 1750.1, 1751, 1752, 1753, 1754, 1756, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788, 1790, 1792
 11/05/14 ADOPT: 1
 10/17/14 ADOPT: 3378.1, 3378.2, 3378.3, 3378.4, 3378.5, 3378.6, 3378.7, 3378.8 AMEND: 3000, 3023, 3043.4, 3044, 3077, 3139, 3269, 3269.1, 3314, 3315, 3321, 3323, 3334, 3335, 3341.5, 3375, 3375.2, 3375.3, 3376, 3376.1, 3377.2, 3378 (subds. (c)(6)–(c)(6)(G) re-numbered to 3378.2(c)–(c)(7)),

	3378.1 (re-numbered to 3378.5), 3378.2 (re-numbered to 3378.5(e)), 3378.3 (re-numbered to 3378.7), 3504, 3505, 3545, 3561, 3651, 3721	12/31/14	AMEND: 95101, 95102, 95103, 95104, 95111, 95112, 95113, 95114, 95115, 95119, 95121, 95122, 95124, 95130, 95131, 95132, 95133, 95152, 95153, 95156, 95157
10/09/14	AMEND: 100, 101, 102, 103, 130, 131, 132, 171, 176, 179, 180, 181, 184, 185, 235, 260, 261, 262, 263, 291, 292, 295, 296, 297, 298, 299, 300, 301, 303, 304, 305, 306, 317, 318, 319, 351, 352, 353, 354, 355, 356, 357, 358	12/30/14	ADOPT: 30180.1, 30180.2, 30180.3, 30180.4, 30180.5, 30180.6, 30180.7, 30181, 30192.7, 30195.4, 30196, 30237, 30332.9 AMEND: 30180, 30190, 30192.1, 30194, 30195, 30195.2, 30195.3, 30235, 30253, 30254, 30257, 30330, 30332, 30332.5, 30332.6, 30332.8, 30333, 30333.1, 30334, 30336, 30336.1, 30336.5, 30346, 30346.2, 30348.1, 30350 REPEAL: 30192, 30210.2, 30237
10/08/14	ADOPT: 3410.2 AMEND: 3000, 3173.2, 3287, 3410.1		
10/02/14	ADOPT: 3410.1 AMEND: 3173.2	12/10/14	AMEND: 94014, 94016
09/18/14	AMEND: 3290, 3315	12/05/14	ADOPT: 95660, 95661, 95662, 95663, 95664
09/17/14	AMEND: 3043	10/13/14	AMEND: 2606.4
Title 16		09/17/14	AMEND: 94501, 94506, 94508, 94509, 94512, 94513, 94515, 94520, 94521, 94522, 94523, 94524, 94525, 94526, 94528, 94700 REPEAL: 94560, 94561, 94562, 94563, 94564, 94565, 94566, 94567, 94568, 94569, 94570, 94571, 94572, 94573, 94574, 94575
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01/12/15	AMEND: 601.3, 601.5, 620, 621, 622, 628, 631, 631.1	01/28/15	AMEND: 140.1
01/08/15	AMEND: 1707.5	12/09/14	AMEND: 18662-0, 18662-3, 18662-4, 18662-5, 18662-6, 18662-8
12/30/14	ADOPT: 832.22, 833	11/05/14	AMEND: 1603
12/23/14	AMEND: 116	09/29/14	AMEND: 1684
12/22/14	AMEND: 1948	09/25/14	ADOPT: 1525.4
12/17/14	AMEND: 109	Title 19	
12/17/14	AMEND: 1399.541	10/08/14	AMEND: 2735.1, 2735.3, 2735.4, 2735.5, 2740.1, 2745.1, 2745.2, 2745.3, 2745.6, 2745.7, 2745.10, 2745.10.5, 2750.2, 2750.3, 2750.4, 2750.7, 2755.2, 2755.3, 2755.4, 2755.5, 2755.6, 2755.7, 2760.1, 2760.2, 2760.5, 2760.6, 2760.7, 2760.8, 2760.9, 2760.12, 2765.1, 2765.2, 2770.2, 2770.5, 2775.2, 2775.5, 2775.6, 2780.1, 2780.2, 2780.3, 2780.4, 2780.6, 2780.7 and Appendix A
12/03/14	AMEND: 2610	Title 22	
11/19/14	AMEND: 950.2, 950.9	12/31/14	AMEND: 97174
11/13/14	AMEND: 3003	12/17/14	AMEND: 51341.1
11/10/14	AMEND: 3005	12/01/14	REPEAL: 63000.10, 63000.13, 63000.16, 63000.17, 63000.19, 63000.25, 63000.28, 63000.31, 63000.34, 63000.35, 63000.37, 63000.40, 63000.43, 63000.46
11/05/14	ADOPT: 1032.7, 1032.8, 1032.9, 1032.10, 1036.01 AMEND: 1021, 1028, 1030, 1031, 1032, 1032.1, 1032.2, 1032.3, 1032.4, 1032.5, 1032.6, 1033, 1033.1, 1034, 1034.1, 1035, 1036		
10/22/14	AMEND: 1018		
10/20/14	AMEND: 1387, 1387.1		
10/20/14	AMEND: 4110, 4112, 4120, 4121, 4123, 4127		
09/16/14	ADOPT: 1887, 1887.2, 1887.3, 1887.4.0, 1887.4.1, 1887.4.2, 1887.4.3, 1887.11.0, 1887.15 AMEND: 1887, 1887.1, 1887.2, 1887.3, 1887.4, 1887.6, 1887.7, 1887.8, 1887.9, 1887.10, 1887.11, 1887.12, 1887.13, 1887.14		
09/10/14	AMEND: 2285		
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01/21/15	ADOPT: 6550, 6551, 6553, 6553.1, 6555, 6557, 6557.1, 6557.2, 6557.3		
12/31/14	AMEND: 95802, 95830, 95833, 95852, 95852.2, 95890, 95892, 95895, 95921, 95973, 95975, 95976, 95981, 95983, 95985, 95990		
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	63000.62,	63000.65,	63000.66,		AMEND: 3946(a)
	63000.67,	63000.68,	63000.70,	11/25/14	AMEND: 2050, 2050.5, 2051
	63000.71,	63000.74,	63000.77,	10/30/14	AMEND: 1062, 1064, 1066, 3833.1
	63000.80,	63000.81,	63000.83,	10/29/14	ADOPT: 3979.8
	63000.84,	63000.85,	63000.86,	10/29/14	ADOPT: 3929.13
	63000.87,	63000.88,	63000.89,	10/27/14	AMEND: 2200, 2200.2, 2200.5, 2200.6, 2200.7, 3833
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	63011,	63012,	63013,	63014,	63015,
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	63028,	63029,	63030,	63040,	63050,
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	63058				
11/18/14	AMEND: 97240, 97241, 97246				
10/14/14	ADOPT: 65530, 65534, 65540, 65546				
	AMEND: 65501, 65503, 65511, 65521,				
	65523, 65525, 65527, 65529, 65531,				
	65533, 65535, 65537, 65539, 65541,				
	65545, 65547, 65551 REPEAL: 65505,				
	65507, 65509, 65543, 65549				
10/08/14	AMEND: 51051, 51135 REPEAL:				
	51221, 51222				
09/15/14	ADOPT: 66273.80, 66273.81, 66273.82,				
	66273.83, 66273.84, 66273.90,				
	66273.91, 66273.100, 66273.101				
	AMEND: 66261.4, 66273.6, 66273.7,				
	66273.9, 66273.70, 66273.72, 66273.73,				
	66273.74, 66273.75				
09/04/14	AMEND: 97215, 97225, 97226, 97227,				
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				01/05/15	ADOPT: 3946(b), 3946(c), 3946(d)
					AMEND: 3946(a)
				11/25/14	AMEND: 2050, 2050.5, 2051
				10/30/14	AMEND: 1062, 1064, 1066, 3833.1
				10/29/14	ADOPT: 3979.8
				10/29/14	ADOPT: 3929.13
				10/27/14	AMEND: 2200, 2200.2, 2200.5, 2200.6, 2200.7, 3833
				10/13/14	ADOPT: 3939.46
				10/13/14	AMEND: 3930
				10/01/14	ADOPT: 3959.6
Title 27					
				11/19/14	AMEND: Appendix A of 25903
Title 28					
				12/22/14	ADOPT: 1300.65.2, 1300.89.21
					AMEND: 1300.65, 1300.65.1
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				01/22/15	ADOPT: 42-708, 42-709 AMEND:
					42-302, 42-701, 42-711, 42-712,
					42-714, 42-716, 42-720, 42-721,
					42-722, 42-802, 42-1009, 42-1010,
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				12/12/14	ADOPT: 40-039 AMEND: 22-071,
					22-072, 22-305, 40-103, 40-105,
					40-107, 40-119, 40-125, 40-128,
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