



California Regulatory Notice Register

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PROPOSED ACTION ON REGULATIONS

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

Conflict-of-Interest Code — Notice File No. Z2015-1027-01 2011
Amendment

State Agency: Franchise Tax Board
Multi-County: Nevada Joint Union High School District
Sacramento Area Council of Governments
Capitol Valley Regional Service Authority for
Freeways and Expressways

TITLE 4. CALIFORNIA SCHOOL FINANCE AUTHORITY

California School Facility Grant Program — Notice File No. Z2015-1027-10 2012

TITLE 4. CALIFORNIA SCHOOL FINANCE AUTHORITY

State Charter School Facilities Incentive Grants — Notice File No. Z2015-1027-11 2016

TITLE 8. DEPARTMENT OF INDUSTRIAL RELATIONS

Workers' Compensation — Self-Insurance — Notice File No. Z2015-1026-01 2021

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Administration of Death Penalty — Lethal Injection — Notice File No. Z2015-1027-02 2024

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Dated
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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, 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 codes of the following:

CONFLICT-OF-INTEREST CODES

AMENDMENT

STATE AGENCY: Franchise Tax Board
 MULTI-COUNTY: Nevada Joint Union High School District
 Sacramento Area Council of Governments
 Capitol Valley Regional Service Authority for Freeways and Expressways

A written comment period has been established commencing on November 6, 2015, and closing on December 21, 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 or 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.

The Executive Director of the Commission, upon her or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

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 December 21, 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 4. CALIFORNIA SCHOOL
FINANCE AUTHORITY**

**Article 1.5, Sections 10170.2 through 10170.12
Division 15**

NOTICE IS HEREBY GIVEN that the California School Finance Authority (Authority), organized and operating pursuant to Sections 17170 through 17199.5 of the Education Code, proposes to amend the regulations described below after considering all comments, objections, and recommendations regarding the proposed action. Any person interested may present written statements or arguments relevant to the proposed action to the attention of the Contact Person as listed in this Notice no later than 5:00 p.m. on Tuesday, December 21, 2015. The Authority Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person(s) designated in this notice as Contact Person and will be mailed to those persons who submit statements related to this proposal or who have requested notification of any changes to the proposal.

PROPOSED REGULATORY ACTION

The Authority proposes to adopt Sections 10170.2 through 10170.12 of Title 4 of the California Code of Regulations (Regulations) as permanent regulations. The Regulations implement Authority's responsibilities related to the Charter School Facility Grant Program (Program).

AUTHORITY AND REFERENCE

Authority: Section 47614.5 of the Education Code. Section 47614.5(m) allows the Authority to adopt regulations in order to administer the Program.

Reference: Section 47614.5 of the Education Code, Section 47600, et seq., of the Education Code, Section 47605 of the Education Code, and Section 47612.5 of the Education Code. The Regulations include a number of the requirements of the Program contained in Section 47614.5. They also rely on specific provisions within the Charter Schools Act of 1992, commencing with Section 47600 of the Education Code.

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

The Authority was created in 1985 to assist school districts and community college districts in financing school construction projects (Education Code Section 17170, et seq.). The Authority is authorized to adopt by-laws for the regulation and conduct of its business, and is vested with all powers reasonably necessary to carry out its powers and responsibilities (Education Code Sections 17179 and 17180).

Pursuant to Education Code, Section 47614.5, the State Legislature directed the Authority to commence administration of the Program with the 2013-14 fiscal year and to adopt regulations to implement the statute. Effective July 1, 2013, the Authority initiated its administration of the Program, and pursuant to Section 47614.5(m), a Certificate of Compliance was approved on 8/6/2014 (OAL Regulatory Action #2014-0625-01C). The Authority adopted emergency regulations through the Office of Administrative Law's (OAL's) Emergency Rulemaking procedures, and such emergency regulations were approved by OAL on April 27, 2015 (OAL Regulatory Action # 2015-0417-01E). In addition, OAL approved an emergency readopt of the emergency regulations pursuant to Government Code, Section 11346.1(h) on October 26, 2015 (OAL Regulatory Action # 2015-1015-03EE). In order to establish permanent regulations for purposes of administration of the Program, the Authority is proposing permanent regulations through OAL's permanent rulemaking process and through submission of a Certificate of Compliance.

The proposed regulations set forth Authority's policies and procedures for administering the Program, including: definitions; minimum eligibility requirements; eligible costs; application submission and content requirements; basis for determining estimated annual entitlement calculation; basis for final fiscal-year entitlement calculation; procedures for apportionment of grant funds and appeals; and policies governing

Grantee obligations and responsibilities and approval of grant use change.

In order to be eligible for Program grant funds, Applicants are required to meet minimum eligibility requirements, which include, but are not limited to, the following: (1) applications are submitted by or on behalf of a Charter School; (2) a current charter has been awarded and is in place at the time of the application submission, or in the case of a first year charter, there is evidence that a charter petition has been submitted for approval to the Chartering Authority; and (3) either fifty–five percent (55%) or more of the student enrollment at the charter school site must be eligible for free or reduced–price meals (FRPM); or the charter school site for which grant funds are requested must be physically located in an attendance area of a public elementary school that has fifty–five percent (55%) or more of its students eligible for FRPM.

Pursuant to Education Code, Section 47614.5(f), the Program provides assistance to charter schools with the following types of costs: costs associated with facilities, consistent with the definitions used in the California School Accounting Manual or regulations adopted by the Authority; and costs associated with common area maintenance. For a description of further benefits, please see part “d” under the “Results of Economic Impact Assessment.”

After conducting an evaluation of any related regulations on this matter, the Authority has concluded that these are the only regulations dealing with the Program, and therefore, these proposed regulations do not present any inconsistencies or incompatibilities with existing state regulations.

The Regulations are briefly summarized below.

Section 10170.2 — “Definitions”:

This section provides definitions for key terms.

Section 10170.3 — “Eligible Applicant”:

This section sets forth the minimum requirements for an Applicant to be considered eligible under the Program.

Section 10170.4 — “Eligible Costs”:

This section sets forth the eligible and ineligible uses of the Program funds. This section also sets forth that where an application is for multiple school sites, each site’s eligibility and costs will be evaluated separately. The average daily attendance (ADA) applied to the determination of the grant, as described in subdivision (d), shall only be based on the eligible site(s).

Section 10170.5 — “Application Submission”:

This section sets forth requirements pertaining to the Application submission, including, but not limited to, due date and time, submission of supporting documents, development of an online application, circum-

stances under which Applications may be submitted after the Initial Application Deadline, Application with original executed signatures, and the indication that the Authority may waive an Application with procedural defects under certain circumstances.

Section 10170.6 — “Content of Application”:

This section sets forth the specific documentation that is required for a Program Application to be considered complete while providing the Authority the ability to request additional documentation when deemed necessary. The Authority shall request the return of funds if the school is deemed ineligible based on misleading information or failure to provide complete and accurate information.

Section 10170.7: — “Estimated Annual Entitlement Calculation”:

This section informs Applicants of the basis by which the Authority will make an initial determination regarding each Applicant’s Annual Entitlement. The Authority will determine the estimated Annual Entitlement based on \$750 per unit of average daily attendance for the prior year, but in no case shall the estimated annual entitlement be more than seventy–five percent of the charter school’s actual annual facilities costs for the school site for the designated fiscal year. For Charter Schools that do not have Prior Year enrollment data, the Authority shall base the units of ADA on 90% of the school’s enrollment as reported in the Charter School 20 Day Attendance Report pursuant to section 10170.6(e)(3).

Section 10170.8: — “Final Fiscal Year Entitlement Calculation”:

This section clarifies the basis by which the Authority will make its final fiscal year entitlement calculations and eligibility determinations based on final and actual rent or lease costs and additional facility costs for the fiscal year, final average daily attendance figures, and final FRPM Eligibility data.

Section 10170.9: “Apportionment of Grant Funds”:

In addition, this section clarifies Final Fiscal Year Disbursement to include common area maintenance costs, and a complete Invoice Report, as provided by the Authority. All supporting documents shall be submitted to the Authority by July 15 of the applicable fiscal year. If the Authority is oversubscribed a pro–rata methodology shall be applied in the distribution of Grant funds to Grantees.

Section 10170.10: “Notification of Grantee; Appeal Process”:

This section provides clarification to Grantees about their right to appeal the Authority’s estimated annual entitlement calculation, and extends the appeal process to 30 days.

Section 10170.11: “Obligation and Expenditure of Grant Funds”:

This section provides Grantees with information regarding the obligation to hold the State and the Authority harmless, comply with any audit provisions required by the Authority or the State Controller Office, maintain a valid a charter, ensure the continuous operation of the charter school throughout the fiscal year, and notify the Authority within 30 days of any material changes that may affect the estimated annual entitlement calculation.

Section 10170.12 “Approval of Grant use Change”:

This section informs Grantees of the Authority’s discretion to change the use of Grant funds, depending on the case, if the Grantee demonstrates that the change is consistent with the Program and the Regulations.

INCORPORATED BY REFERENCE FORM

Charter School Facility Grant Program Application, CSFA Form 740–01 (Revised October 23, 2015)

OTHER MATTERS PRESCRIBED BY STATUTES APPLICABLE TO THE SPECIFIC STATE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

No other matters prescribed by statute are applicable to the Authority or to any specific Regulation or class of Regulations pursuant to Section 11346.5(a)(4) of the California Government Code pertaining to the proposed Regulations or the Authority.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Authority has determined that the Regulations do not impose a mandate on local agencies or school districts.

FISCAL IMPACT

The Authority has determined that the Regulations do not impose any additional cost or savings to any state agency, any costs to any local agency or school district requiring reimbursement under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code, any other non–discretionary cost or sav-

ings to any local agency, or any cost or savings in federal funding to the State.

On an annual basis, the State Legislature will issue appropriations for purposes of the Program grant funds based on availability of funding and demand for the Program. For the current 2015–16 fiscal year, the State Legislature appropriated approximately \$112 million towards Program grant funds. There will be no cost or savings to any State Agency pursuant to Government Code Sections 11346.1(b) or 11346.5(a)(6).

INITIAL DETERMINATION REGARDING ANY SIGNIFICANT, STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS

The Authority has made an initial determination that the Regulations will not have any significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

EFFECT ON SMALL BUSINESSES

The Authority has determined that the adoption of the Regulations will not affect small business. The Program is a voluntary Grant program available to charter schools to assist in the costs of charter school facilities.

COST IMPACTS

The Authority is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT ON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Adoption of these regulations will not: (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.

COST IMPACT ON HOUSING

The Regulations will not have any effect on housing costs.

**RESULTS OF ECONOMIC
IMPACT ASSESSMENT**

- a. With the exception of the addition of a limited number of additional full-time staff positions needed to administer the Program, the proposed regulations will unlikely have an impact on the creation or elimination of jobs within the State of California. In addition, the Authority is unaware of any reason providing Grant funds to awardees would result in the elimination of jobs. The purpose of the proposed regulations is to set forth administrative criteria and requirements for administering a Grant program that will disburse funds to existing charter schools in need across the State of California for per pupil facilities funding. There are no provisions within the proposed regulations which place additional burdens, obligations, or expenses on existing businesses such that jobs would be created or eliminated as a result.
- b. The proposed regulations will unlikely have an impact on the creation or elimination of new businesses within the State of California. As noted above, the purpose of the proposed regulations is to set forth administrative criteria and requirements for administering a Grant program that provides per pupil facilities funding to existing charter schools in need. There are no provisions within the proposed regulations which place additional burdens, obligations, or expenses on existing businesses such that businesses would be created or eliminated as a result.
- c. The proposed regulations will unlikely have an impact on the expansion of businesses currently doing business within the State of California. The purpose of the proposed regulations is to set forth administrative criteria and requirements for administering a Grant program that will provide per pupil facilities funding to existing charter schools.
- d. The proposed regulations are intended to provide per pupil facilities funding to existing charter schools in need, especially serving communities with low-income households. As such, to the extent that the awards benefit the long-term viability of charter schools, the Program and its proposed regulations have the potential to directly benefit economically vulnerable populations and communities throughout the State.

REASONABLE ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the Authority must determine that no reasonable alternative to the Regulations considered by the Authority or that has otherwise been identified and brought to the attention of the Authority would be more effective in carrying out the purpose for which the Regulations are proposed or would be as effective and less burdensome to affected private persons than the Regulations, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Authority invites interested persons to present statements with respect to alternatives to the Regulations during the written comment period.

AGENCY CONTACT PERSON(S)

Written comments, inquiries, and any questions regarding the substance of the Regulations shall be submitted or directed to:

Katrina Johantgen, Executive Director
California School Finance Authority
at:
300 S. Spring Street, Suite 8500
Los Angeles, CA 90013
(213) 620-4467
or
915 Capitol Mall, Room 101
Sacramento, CA 95814
(916) 651-7710
or
kjohantgen@treasurer.ca.gov
or
csfa@treasurer.ca.gov

The following person is designated as a backup Contact Person for inquiries only regarding the Regulations:

Mark Paxson, General Counsel
State Treasurer's Office
915 Capitol Mall, Room 110
Sacramento, CA 95814
(916) 653-2995

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the Regulations to the Authority. The written comment pe-

riod on the Regulations will end at 5:00 p.m. on Monday, December 20, 2015. All comments to be considered by the Authority must be submitted in writing to the Agency Contact Person identified in this Notice by that time. In the event that changes are made to the Regulations during the written comment period, the Authority will also accept additional written comments limited to any changed or modified Regulations for 15 calendar days after the date on which such Regulations, as changed or modified are made available to the public pursuant to Title 1, Chapter 1, Section 44 of the California Code of Regulations. Such additional written comments should be addressed to the Agency Contact Person identified in this Notice.

AVAILABILITY OF INITIAL STATEMENT OF REASONS, RULEMAKING FILE AND EXPRESS TERMS OF PROPOSED REGULATIONS

The Authority has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at the Authority's office at 915 Capitol Mall, Sacramento, California, during normal business hours. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the Initial Statement of Reasons, and the proposed text of the Regulations. Copies of these items are available upon request, from the Agency Contact Person designated in this Notice. The Sacramento address will also be the location for inspection of the rulemaking file and any other public records, including reports, documentation and other materials related to this proposed regulatory action. In addition, the rulemaking file, including the Initial Statement of Reasons and the proposed text, may be viewed on the Authority's Web site at www.treasurer.ca.gov/csfa.

PUBLIC HEARING

No public hearing regarding the Regulations has been scheduled. Anyone wishing a public hearing must submit a request in writing, pursuant to Section 11346.8 of the Government Code, to the Authority at least 15 days before the end of the written comment period. Such request should be addressed to the Agency Contact Person identified in this Notice and should specify the Regulations for which the hearing is being requested.

15-DAY AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the written comment period ends and following a public hearing, if any is requested, the Authority may

adopt the Regulations substantially as described in this Notice, without further notice. If the Authority makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public (including through the Authority's Web site described above) for at least fifteen (15) calendar days before the Authority adopts the proposed Regulations, as modified. Inquiries about and requests for written copies of any changed or modified regulations should be addressed to the Agency Contact Person identified in this Notice.

AVAILABILITY OF FINAL STATEMENT OF REASONS

The Authority is required to prepare a Final Statement of Reasons pursuant to Government Code Section 11346.9. Once the Authority has prepared a Final Statement of Reasons, a copy will be made available to anyone who requests a copy and will be available on the Authority's Web site described above. Written requests for copies should be addressed to the Agency Contact Person identified in this Notice.

TITLE 4. CALIFORNIA SCHOOL FINANCE AUTHORITY

**Article 2.0, Sections 10179, 10180, and 10181
Division 15**

NOTICE IS HEREBY GIVEN that the California School Finance Authority (CSFA), organized and operating pursuant to Sections 17170 through 17199.5 of the Education Code, proposes to amend the regulations described below after considering all comments, objections, and recommendations regarding the proposed action. Any person interested may present written statements or arguments relevant to the proposed action to the attention of the Contact Person as listed in this Notice no later than 5:00 p.m. on Monday, December 21, 2015. The CSFA Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person(s) designated in this notice as Contact Person and will be mailed to those persons who submit statements related to this proposal or who have requested notification of any changes to the proposal.

PROPOSED REGULATORY ACTION

CSFA proposes to amend Sections 10176, 10179, and 10180 of Title 4 of the California Code of Regulations (Regulations) as permanent regulations. The amended Regulations implement CSFA’s responsibilities related to the State Charter School Facilities Incentive Grants Program (Program).

AUTHORITY AND REFERENCE

Authority: Sections 17179 and 17180, Education Code. Section 17179 provides CSFA with the authority to do all things reasonably necessary to carry out its responsibilities. Section 17180(a) of the Education Code provides CSFA the authority to adopt bylaws for the regulation of its affairs and the conduct of its business. Subdivision (d) provides CSFA with the authority to receive and accept grants from the federal government. Subdivision (o) allows CSFA the authority to adopt guidelines for grants.

Reference: Section 17180(d) of the Education Code; and Section 47600, et seq., of the Education Code. These Regulations implement the State Charter School Facilities Incentive Grants Program (Grant) and include a number of the requirements of that program contained in the reference code provisions and their implementing Regulations. They also rely on a number of provisions in the Charter Schools Act of 1992, commencing with section 47600 of the Education Code. Section 17180(d) provides CSFA with the authority to receive grants from the federal government.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

CSFA was created in 1985 to assist school districts and community college districts in financing school construction projects (Education Code section 17170, et seq.). CSFA is authorized to adopt bylaws for the regulation and conduct of its business, and is vested with all powers reasonably necessary to carry out its powers and responsibilities (Education Code sections 17179 and 17180).

In 2004, 2009, and 2014, the United States Department of Education approved grant awards to CSFA pursuant to the State Charter School Facilities Incentive Grant (Grant), authorized under Title V, Part B, Subpart 1 of the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act of 2001. The Grant provides for \$49,250,000 in 2004, \$46,132,749 in 2009, and \$50,000,000 in 2014, to be awarded over five-year periods for the purposes of funding per-pupil facilities aid programs for California charter schools.

Grant funds may be applied toward a charter school’s annual costs of rent, lease, mortgage, debt service, or Proposition 39 pro-rata payments for facilities, or toward the costs of purchase, design, construction, and/or renovation of a new or existing facility.

Pursuant to the federal rules governing the Grant, an annual portion of the funds must be allocated during each of five consecutive federal fiscal years. The first funding round began on June 28, 2005 when an emergency rulemaking file was approved by the Office of Administrative Law. Permanent Regulations implementing the Grant were approved March 24, 2006.

The allocation of these grant funds to eligible charter schools are based on preference points assigned for certain factors, including the low income population served by the school as reported by the percentage of students eligible to receive free and reduced price meals, the school’s nonprofit status, whether a school is located in an overcrowded attendance area, whether the school has previously received a Program award, the school’s academic performance as measured by its Annual Performance Index (API), and the school’s academic performance in comparison to nearby schools as measured by API and Adequate Yearly Progress (AYP). Due to the transition to Common Core Standards, the use of academic performance for the determination of preference points has been temporarily suspended and is expected to resume either for the funding round commencing in spring of 2016 (Round 12) or the funding round commencing in the spring of 2016 (Round 13).

Effective July 1, 2013, the state-funded Charter School Facility Grant Program (SB 740) was transferred to the Authority from the California Department of Education. SB 740 provides for State-funded grants to charter schools for reimbursement of eligible lease costs as well as other facility-related costs. Both SB 740 and the Program provide grants of eligible lease costs and other specific facility-related costs. This fact, along with the federal regulations requiring that federal funds *supplement rather than supplant* State grant funds (federal supplant/supplement requirement), has resulted in the Authority’s development of a methodology that complies with this requirement and that can be consistently applied. This specific methodology is incorporated into the proposed amended regulations.

The amendments to the Regulations are briefly summarized below and are intended to address the following: (1) use of current-year lease cost data for determining an award; (2) the federal requirement that Grant funds supplement and not supplant State grant funds; (3) replacement of the February 1 deadline for the Authority’s posting of the Application and submission deadline on its website to the Authority’s having to post such on its website within at least 30 days prior to the Application submission deadline for any specific fund-

ing round. The amended Application Form (Form CSFA 05–01, as revised) is incorporated into this Notice by reference, with proposed changes, in addition to formatting changes, to address: (1) the option to submit supporting documents via CD Rom or flash drive in addition to hard copy; (2) the option to indicate that the charter petition or lease agreement is on file with the Authority rather than having to resubmit the document, identifying the specific document; and (3) the addition of a statement to the declaration page requiring the Applicant to declare, under penalty of perjury, that to the best of the Applicant’s knowledge, the Applicant has “complied with 34 CFR 75.525(a) and (b) to ensure that there are no apparent or actual conflicts of interest.”

The Authority has conducted an evaluation as to whether there are any related regulations on this matter and has found that these are the only regulations dealing with this type of program. Therefore, the proposed regulations do not present any inconsistencies or incompatibilities with existing state regulations.

Anticipated Benefits of Proposed Regulations

Please see “Results of Economic Impact Assessment,” item “d,” for a description of benefits.

The amended Regulations are summarized below. The reader is referred to the Initial Statement of Reasons for a detailed explanation regarding the necessity of each amendment.

Section 10179 (“Maximum Award”):

The amended Section sets forth revised language within subdivision (a)(1) that makes explicit that the calculation of the “Maximum Award” shall be based on current–year cost data, when available, and only default to prior–year cost data, when current–year data is not available.

The amended Section adds a new subdivision (c), which sets forth the specific methodology for the calculation of the “Maximum Award” when an Applicant is deemed eligible under both the Program and SB 740 based on eligible lease costs, and where \$750 per student is less than 75% of eligible lease costs. This provision is intended to address the federal supplant/supplement requirement when a potential award is based on eligible lease costs.

The amended Section adds a new subdivision (d), which sets forth that, if an Applicant is deemed eligible for both the Program and SB 740 based on renovation costs for a specific school site, no Program award shall be issued. This provision is intended to address the federal supplant/supplement requirement when a potential award is based on eligible renovation costs.

Section 10180 (“Application Submission”):

The amended Section sets forth revisions to subdivision (b) such that the previous February 1 deadline for the posting of the Application and submission deadline on the Authority’s website is replaced by the Authority having to post the Application and submission deadline at least 30 days prior to the Application submission deadline for any specific funding round.

Section 10181 (“Content of Application”):

The amended Section adds language to the introductory Paragraph, indicating that an Applicant may submit an Application and supporting documents through an online system upon the development of such a system.

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

No other matters prescribed by statute are applicable to CSFA or to any specific Regulation or class of Regulations pursuant to Section 11346.5(a)(4) of the California Government Code pertaining to the proposed Regulations or CSFA.

**MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**

CSFA has determined that the Regulations do not impose a mandate on local agencies or school districts.

FISCAL IMPACT

CSFA has determined that the Regulations do not impose any additional cost or savings to any state agency, any costs to any local agency or school district requiring reimbursement under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code, any other non–discretionary cost or savings to any local agency, or any cost or savings in federal funding to the State.

While CSFA will incur additional expenses in implementing and administering the Grant, the U.S. Department of Education provides that CSFA may charge such additional expenses for CSFA’s administrative costs against the Grant, up to five percent. Therefore, there is no fiscal impact on the State’s General Fund or requirement of additional appropriations by the Legislature. There will be no cost or savings to any State Agency

pursuant to Government Code Sections 11346.1(b) or 11346.5(a)(6).

INITIAL DETERMINATION REGARDING ANY
SIGNIFICANT, STATEWIDE ADVERSE
ECONOMIC IMPACT DIRECTLY
AFFECTING BUSINESS

CSFA has made an initial determination that the Regulations will not have any significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

EFFECT ON SMALL BUSINESSES

CSFA has determined that the adoption of the Regulations will not affect small business. The Program is a voluntary grant program available to charter schools to assist in the costs of charter school facilities.

COST IMPACTS

CSFA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT ON JOBS AND
BUSINESS EXPANSION, ELIMINATION
OR CREATION

Adoption of these regulations will not: (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.

COST IMPACT ON HOUSING

The Regulations will not have any effect on housing costs.

RESULTS OF ECONOMIC
IMPACT ASSESSMENT

- a. The proposed regulations will unlikely have an impact on the creation or elimination of jobs within the State of California. In addition, the Authority is unaware of any reason providing grant funds to awardees would result in the elimination of jobs. The purpose of the proposed regulations is to set forth administrative criteria and requirements for administering a federal grant program that will disburse funds to existing charter schools in need across the State of California for per pupil facilities funding. There are no provisions within the proposed regulations which place additional burdens, obligations, or expenses on existing businesses such that jobs would be created or eliminated as a result.
- b. The proposed regulations will unlikely have an impact on the creation or elimination of new businesses within the State of California. As noted above, the purpose of the proposed regulations is to set forth administrative criteria and requirements for administering a federal grant program that provides per pupil facilities funding to existing charter schools in need. There are no provisions within the proposed regulations which place additional burdens, obligations, or expenses on existing businesses such that businesses would be created or eliminated as a result.
- c. The proposed regulations will unlikely have an impact on the expansion of businesses currently doing business within the State of California. The purpose of the proposed regulations is to set forth administrative criteria and requirements for administering a federal grant program that will provide per pupil facilities funding to existing charter schools.
- d. The proposed regulations are intended to provide per pupil facilities funding to existing charter schools in need, especially serving communities with low-income households. As such, to the extent that the awards benefit the long-term viability of charter schools, the Program and its proposed regulations have the potential to directly benefit economically vulnerable populations and communities throughout the State.

REASONABLE ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), CSFA must determine that no reasonable alternative to the Regulations considered by CSFA or that has otherwise been identified and brought to the attention of CSFA would be more effective in carrying

out the purpose for which the Regulations are proposed or would be as effective and less burdensome to affected private persons than the Regulations, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

CSFA invites interested persons to present statements with respect to alternatives to the Regulations during the written comment period.

AGENCY CONTACT PERSON(S)

Written comments, inquiries, and any questions regarding the substance of the Regulations shall be submitted or directed to:

Katrina Johantgen, Executive Director
California School Finance Authority

at:

300 South Spring St., Suite 8500
Los Angeles, CA 90013
(213) 620-4467

or

915 Capitol Mall, Room 101
Sacramento, CA 95814
(916) 651-7710

or

kjohantgen@treasurer.ca.gov

or

csfa@treasurer.ca.gov

The following person is designated as a backup Contact Person for inquiries only regarding the Regulations:

Mark Paxson, General Counsel
State Treasurer's Office
915 Capitol Mall, Room 110
Sacramento, CA 95814
(916) 653-2995

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the Regulations to CSFA. The written comment period on the Regulations will end at 5:00 p.m. on Monday, December 21, 2015. All comments to be considered by CSFA must be submitted in writing to the Agency Contact Person identified in this Notice by that time. In the event that changes are made to the Regulations during the written comment period, CSFA will also accept additional written comments limited to any changed or modified Regulations for 15 calendar days after the date on which such Regulations, as changed or modified are

made available to the public pursuant to Title 1, Chapter 1, Section 44 of the California Code of Regulations. Such additional written comments should be addressed to the Agency Contact Person identified in this Notice.

AVAILABILITY OF INITIAL STATEMENT OF REASONS, RULEMAKING FILE AND EXPRESS TERMS OF PROPOSED REGULATIONS

CSFA has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at CSFA's office at 915 Capitol Mall, Sacramento, California, during normal business hours. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the Initial Statement of Reasons, and the proposed text of the Regulations. Copies of these items are available upon request, from the Agency Contact Person designated in this Notice. The Sacramento address will also be the location for inspection of the rulemaking file and any other public records, including reports, documentation and other materials related to this proposed regulatory action. In addition, the rulemaking file, including the Initial Statement of Reasons and the proposed text, may be viewed on CSFA's Web site at www.treasurer.ca.gov/csfa.

PUBLIC HEARING

No public hearing regarding the Regulations has been scheduled. Anyone wishing a public hearing must submit a request in writing, pursuant to Section 11346.8 of the Government Code, to CSFA at least 15 days before the end of the written comment period. Such request should be addressed to the Agency Contact Person identified in this Notice and should specify the Regulations for which the hearing is being requested.

15-DAY AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the written comment period ends and following a public hearing, if any is requested, CSFA may adopt the Regulations substantially as described in this Notice, without further notice. If CSFA makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public (including through CSFA's Web site described above) for at least fifteen (15) calendar days before CSFA adopts the proposed Regulations, as modified. Inquiries about and requests for written copies of any changed or modified regulations should be addressed to the Agency Contact Person identified in this Notice.

AVAILABILITY OF FINAL STATEMENT
OF REASONS

CSFA is required to prepare a Final Statement of Reasons pursuant to Government Code Section 11346.9. Once CSFA has prepared a Final Statement of Reasons, a copy will be made available to anyone who requests a copy and will be available on CSFA's Web site described above. Written requests for copies should be addressed to the Agency Contact Person identified in this Notice.

**TITLE 8. DEPARTMENT OF
INDUSTRIAL RELATIONS**

**Workers' Compensation — Self-Insurance
(Title 8, California Code of Regulations, Sections
15201, 15203, 15203.2, 15203.3, 15203.5, 15203.6,
15203.7, 15203.10, 15204, 15205, 15209, 15210,
15210.1, 15210.2, 15211.1, 15211.2, 15216, 15220,
15220.2, 15230, 15251, 15353, 15405, 15422, 15426,
15431.1, 15471, 15472, 15475.2, 15475.3, 15476,
15479, 15480, 15481, 15482, 15482.1, 15482.2,
15483, 15484, 15486, 15486.1, 15487, 15491, 15496
and 15497)**

NOTICE IS HEREBY GIVEN that the Director ("Director") of the Department of Industrial Relations ("Department") proposes to amend sections 15201, 15203, 15203.2, 15203.3, 15203.5–15203.7, 15203.10, 15204, 15205, 15209, 15210, 15210.1, 15210.2, 15211.1, 15211.2, 15216, 15220, 15220.2, 15230, 15251, 15353, 15405, 15422, 15426, 15431.1, 15471, 15472, 15475.2, 15475.3, 15476, 15479, 15480, 15481, 15482, 15482.1, 15482.2, 15483, 15484, 15486, 15486.1, 15487, 15491, 15496 and 15497 of Subchapter 2, Chapter 8, Division 1, Title 8, California Code of Regulations to streamline Office of Self-Insurance Plans ("OSIP") regulations for self-insureds by clarifying existing requirements, updating and renumbering forms and creating an online platform for submission of annual forms, as described below, after considering all comments, objections and recommendations regarding the proposed action.

PUBLIC HEARING

The Department will hold a public hearing at 10:00 a.m. on December 21, 2015, at 11050 Olson Drive, Suite 230, Rancho Cordova, California. The hearing room is wheelchair accessible. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the

Informative Digest. The Department requests, but does not require, that persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department. The written comment period closes at 5:00 p.m. on December 21, 2015. The Department will only consider comments received at the Office of Self Insurance Plans ("OSIP") by that time. Submit comments to:

Jon Wroten, Chief
Office of Self Insurance Plans
11050 Olson Drive, Suite 230
Rancho Cordova, CA 95670

Comments may also be submitted prior to the close of the written comment period by e-mail to OSIPRulemaking@dir.ca.gov or by facsimile, to the attention of Jon Wroten, at (916) 464-7007.

AUTHORITY AND REFERENCE

Labor Code sections 55 and 3702.10 authorize the Director to adopt, amend, and repeal regulations reasonably necessary to implement and make specific the provisions of Chapter 2 of Division 1 of the California Labor Code and to carry out the purposes of Article 1 (commencing with section 3700), Article 2 (commencing with section 3710), and Article 2.5 (commencing with section 3740) of the California Labor Code. The proposed regulations implement, interpret and make specific the provisions of sections 3701 through 3702.9 of the California Labor Code.

**INFORMATIVE DIGEST AND POLICY
STATEMENT OVERVIEW**

The objective of the proposed rulemaking action is to streamline OSIP regulations for self insureds by clarifying existing requirements, updating and renumbering forms and creating an online platform for submission of annual forms. The proposed amendments eliminate certain financial and reporting requirements which have been determined to be unnecessary and unduly burdensome. Existing application and reporting forms are simplified or replaced, further streamlining the forms completion process and simplifying existing requirements for both the application and renewal processes.

Labor Code section 3700 requires every employer in California, except the State, to secure the payment of workers' compensation either by being insured against

liability to pay compensation by one or more insurers duly authorized to write workers' compensation insurance in this state, or by securing from the Department a certificate of consent to self-insure. A certificate of consent to self-insure may be secured either as an individual employer, or as one employer in a group of employers, upon furnishing proof satisfactory to the Director of ability to self-insure and to pay any compensation that may become due to its employees. Labor Code section 3701 requires private self-insuring employers, including groups of self-insuring employers, to post security deposits with the Department and specifies how those deposits are to be calculated.

Labor Code sections 3701.3 through 3705, along with section 3701, establish the requirements for approval and administrative oversight of self-insurance plans by the Director. Labor Code sections 55 and 3702.10 authorize the Director to adopt, amend, and repeal regulations reasonably necessary to implement and make specific the provisions of Chapter 2 of Division 1 of the California Labor Code and to carry out the purposes of Article 1 (commencing with section 3700), Article 2 (commencing with section 3710), and Article 2.5 (commencing with section 3740) of the California Labor Code. OSIP manages the self-insurance programs on behalf of the Director.

The amendments proposed in this rulemaking action function primarily to update and clarify existing regulations. Several proposed amendments make substantive changes to clarify and simplify the documentation and evaluation of the financial qualifications of self-insureds and to simplify and streamline procedural requirements. Existing requirements pertaining to claims loss history and evaluation of illness prevention program are eliminated as no longer necessary. The rulemaking also updates existing forms, implements new forms in some cases and provides for an online platform for submission of annual forms by self-insureds. The proposed rulemaking does not implement any new reporting requirements.

The proposed regulations will benefit the health and welfare of California residents and workers employed by private self-insuring employers and employers who are part of a group of self-insuring employers by helping to ensure the viability and integrity of the Department's self-insurance program so that eligible employers have the option to self-insure for workers' compensation and injured workers are covered for claims.

Inconsistency or Incompatibility with Existing State Regulations:

None. The proposed amendments are designed to streamline OSIP regulations for self-insureds by clarifying existing requirements, updating and renumbering forms, creating an online platform for submission of

annual forms, and insuring consistency among all regulations governing Workers' Compensation self-insurance. The amendments eliminate certain financial and reporting requirements which have been determined to be unnecessary and unduly burdensome. Existing application and reporting forms are simplified or replaced, further streamlining the forms completion process and simplifying existing requirements for both the application and renewal processes.

The proposed amendments correct problems where current regulations and forms require and collect unnecessary and redundant information that is not utilized by OSIP. Overall, the proposed amendments to the regulations simplify the procedures to become and remain self-insured, creating a more business friendly environment while maintaining the necessary protections for the public and regulatory process. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

Comparable Federal Statutes and Regulations:

None.

Technical, Theoretical or Empirical Studies, Reports or Documents:

The Department did not rely on any technical, theoretical or empirical studies, reports or documents in proposing this regulatory action.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Costs or Savings to State Agencies:

No costs or savings to state agencies will result as a consequence of the proposed action.

Determination of Mandate:

The Director has determined that the proposed regulations do not impose a mandate on local agencies or school districts or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code because the proposed regulations will not require local agencies or school districts to incur additional costs in complying with the proposal. Furthermore, these regulations do not constitute a "new program or higher level of service of an existing program within the meaning of Section 6 of Article XIII B of the California constitution."

Cost or Savings to Local Agencies or School Districts Required to be Reimbursed:

No costs to local agencies or schools are required to be reimbursed in accordance with Government Code Sections 17500 through 17630.

Other Non–discretionary Costs or Savings Imposed on Local Agencies or School Districts:

This proposal does not impose non–discretionary costs or savings imposed on local agencies or school districts.

Costs or Savings in Federal Funding to the State:

This proposal will not result in costs or savings in federal funding to the state.

Impact on Housing Costs:

The Department has made an initial determination that the amendment of these regulations will not have a significant effect on housing costs.

Cost Impact on Representative Private Persons or Businesses:

The Department 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 amendments to the existing procedural regulations are specifically aimed at eliminating duplicative requirements and streamlining the application procedure for employers who wish to obtain a certificate of consent to self–insure from the Department. No new requirements are implemented by the proposed amendments. Any cost savings resulting from reductions in the time needed to file an application and submit reports as a result of the streamlined and simplified application and annual reporting requirements implemented by the proposed amendments are likely to be minimal.

Impact on Business:

The Department has made an initial determination that the proposed regulations will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Results of Economic Impact Assessment:

The Department has made an assessment that the proposed regulations will not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

Benefits of the Proposed Action: The proposed regulations will benefit the health and welfare of California residents and workers by helping to ensure the viability and integrity of the Department’s self–insurance program so that eligible employers have the option to self–insure for workers’ compensation and injured workers are covered for claims.

Business Reporting Requirement:

The proposed regulations streamline and simply existing annual reporting requirements for self–insured

employers without imposing any additional reporting requirements upon California businesses that are not already required by statute or existing regulations.

Small Business Impact:

The Department has determined that the proposed regulations will have no adverse impact on small business because most, if not all, self–insured employers and members of self–insured groups are not small businesses. To the extent that any small businesses are members of self–insured groups, they will experience minimal reductions in the time needed to file an application and submit reports as a result of the streamlined and simplified application and annual reporting requirements implemented by the proposed amendments.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Director must determine that no reasonable alternative that has been considered by the Department or that has otherwise been identified and brought to the Department’s attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective as 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. To date, no reasonable alternative has been brought to the attention of the Director that would be as effective as and less burdensome to affected persons than the proposed action.

The Department invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

AVAILABILITY OF INITIAL STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, RULEMAKING FILE AND DOCUMENTS SUPPORTING THE RULEMAKING FILE/INTERNET ACCESS

An Initial Statement of Reasons and the text of the proposed regulations in plain English have been prepared and are available from the Regulations Coordinator named in this notice. The entire rulemaking file will be made available for inspection and copying at the address indicated below.

As of the date of this Notice, the rulemaking file consists of this Notice, the Initial Statement of Reasons, the Form 399 and the proposed text of the regulations.

Any interested person may inspect a copy or direct questions about the proposed regulations and any supplemental information contained in the rulemaking file.

The rulemaking file will be available for inspection at the Department of Industrial Relations, Office of Self Insurance Plans, 11050 Olson Drive, Suite 230, Rancho Cordova, CA 95670, between 8:00 a.m. and 5:00 p.m., Monday through Friday. Copies of the proposed regulations, Initial Statement of Reasons and any information contained in the rulemaking file may be requested in writing to the Regulations Coordinator.

In addition, the Notice, Initial Statement of Reasons and proposed text of the regulations being proposed may be accessed and downloaded from the Department's website at <http://www.dir.ca.gov/osip/>. To access them, click on the "Proposed Regulations — Rulemaking" link.

CONTACT PERSON FOR GENERAL QUESTIONS

Non-substantive inquiries concerning this action, such as requests to be added to the mailing list for rulemaking notices, requests for copies of the text of the proposed regulations, the Initial Statement of Reasons, and any supplemental information contained in the rulemaking file may be requested in writing at the same address.

The contact person is:

Janna Toy
Staff Services Analyst/Regulations Coordinator
Department of Industrial Relations
Office of Self Insurance Plans
11050 Olson Drive, Suite 230
Rancho Cordova, CA 95670
E-mail: OSIPRulemaking@dir.ca.gov

The telephone number of the contact person is (916) 464-7079.

CONTACT PERSON FOR SUBSTANTIVE QUESTIONS

In the event the contact person above is unavailable, or for questions regarding the substance of the proposed regulations, inquiries should be directed to:

Jon Wroten, Chief
Department of Industrial Relations
Office of Self Insurance Plans
11050 Olson Drive, Suite 230
Rancho Cordova, CA 95670
E-mail: OSIPRulemaking@dir.ca.gov

The telephone number of this contact person is (916) 464-7105.

AUTOMATIC MAILING

A copy of this Notice, the Initial Statement of Reasons and the text of the regulations, will automatically be sent to those interested persons on the Director's mailing list. If adopted, the regulations with any final amendments will appear in Title 8 of the California Code of Regulations, commencing with section 1. The text of the final regulations also may be available through the website of the Office of Administrative Law at www.oal.ca.gov.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the close of the forty-five (45) day public comment period, the Director may adopt the proposed regulations. As a result of public comments, either oral or written, that are received by the Director regarding this proposal, the Director may determine that changes to the proposed regulation are appropriate. If the Director makes substantive modifications which are sufficiently related to the originally proposed text, the Department will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Director adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Janna Toy at the above address. The Department will accept further written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF FINAL STATEMENT OF REASONS

The Department is required to prepare a Final Statement of Reasons. Once the Department has prepared a Final Statement of Reasons, a copy will be made available to anyone who requests it. Requests for copies should be addressed to the Department Contact Person identified in this Notice.

DEPARTMENT INTERNET WEBSITE

The Department maintains an Internet website for the electronic publication and distribution of written material. Copies of this Notice of Proposed Rulemaking, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through our website at <http://dir.ca.gov/osip/>.

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabi-

litigation (CDCR) proposes to amend Section 3349 and adopt new Sections 3349.1 through 3349.9 under Subchapter 4, Article 7.5 in the California Code of Regulations, Title 15, concerning administration of the death penalty by lethal injection, pursuant to the authority granted by Government Code Section 12838.5 and Penal Code (PC) Section 5055, and the rulemaking authority granted by PC Section 5058, in order to implement, interpret and make specific PC Sections 3600 through 3607, inclusive, and 5054.

Joshua Jugum
Regulation and Policy Management Branch
Telephone (916) 445-2228

PUBLIC HEARING

Date and Time: **January 22, 2016 — 10:00 a.m. to 3:00 p.m.**
 Place: Department of Health Care Services
 East End Complex —
 The Auditorium
 1500 Capitol Avenue
 Sacramento, CA 95814
 Purpose: To receive comments about this action.

Pursuant to Government Code Section 11346.8(a), CDCR may impose reasonable limitations on oral presentations at this hearing.

PUBLIC COMMENT PERIOD

The public comment period will close **January 22, 2016, at 5:00 p.m.** Any person may submit public comments in writing (by mail, by fax, or by e-mail) regarding the proposed changes. To be considered by the Department, comments must be submitted to the CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001; by fax at (916) 324-6075; or e-mail at LI.comments@cdcr.ca.gov before the close of the comment period.

CONTACT PERSON

Please direct any inquiries regarding this action to:

Timothy M. Lockwood, Chief
Regulation and Policy Management Branch
Department of Corrections and Rehabilitation
P.O. Box 942883
Sacramento, CA 94283-0001
Telephone (916) 445-2269

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

AUTHORITY AND REFERENCE

Penal Code (PC) Section 5000 provides that commencing July 1, 2005, any reference to the Department of Corrections in this or any code, refers to the CDCR, Division of Adult Operations.

PC Section 5050 provides that commencing July 1, 2005, any reference to the Director of Corrections, in this or any other code, refers to the Secretary of the CDCR. As of that date, the office of the Director of Corrections is abolished.

PC Section 5054 provides that commencing July 1, 2005, the supervision, management, and control of the state prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR.

PC Section 5058 authorizes the Director to prescribe and amend regulations for the administration of prisons.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

California Penal Code Sections 3600-3607 provide for capital punishment by lethal injection or lethal gas at San Quentin State Prison. Under these statutes, CDCR is responsible for developing procedures to carry out executions.

The last execution in California took place in January 2006. Since that time, various legal challenges have prevented further executions.

In the December 2006 *Morales v. Tilton* ruling, the court found that CDCR operational procedures (OP 770) created an impermissible risk of an Eighth Amendment violation. In response, CDCR issued revised procedures (also designated OP 770) in May 2007.

In October 2007, the Marin County Superior Court determined that the operational procedures were required to be promulgated as regulations pursuant to the Administrative Procedure Act, and invalidated the procedures.

In 2010, CDCR promulgated regulations which used a three-drug protocol to carry out executions. After these regulations were adopted, the Marin County Superior Court, in *Sims v. CDCR*, invalidated these regulations. CDCR repealed the invalidated regulations in 2015.

This rulemaking action will adopt a one-drug protocol to carry out executions by lethal injection. The pro-

posed regulations shall promulgate lethal injection execution protocols as regulations pursuant to the Administrative Procedure Act and include safeguards to ensure the execution comports with the Eighth Amendment of the United States Constitution.

This action will:

- Amend Section 3349 and adopt new Sections 3349.1 through 3349.9 governing the Administration of the Death Penalty in California, as authorized by Article I, Section 27 of the California Constitution, and mandated by Penal Code Section 3604.
- Establish a lethal injection protocol commensurate with the *Morales v. Tilton* ruling, to ensure California’s execution protocols comport with the Eighth Amendment, and the *Sims v. CDCR* ruling, to satisfy the procedural requirements of the Administrative Procedure Act.
- Adopt definitions, specific to this Article, of terms to be used in the lethal injection process.
- Establish criteria for the selection and recruitment of Lethal Injection Team members.
- Establish training requirements for the Lethal Injection Team members.
- Establish procedures to guarantee the security of the Lethal Injection Facility.
- Establish the responsibilities of CDCR staff upon receipt of the Execution Warrant.
- Establish procedures and timeframes for the movement and observation of condemned inmates once the execution warrant has been served to the inmate.
- Establish procedures and timeframes to move condemned inmates housed at institutions other than San Quentin to San Quentin.
- Establish procedures to assess the condemned inmate’s sanity pursuant to Penal Code 3701.
- Establish a one-drug protocol as the method for administering capital punishment by lethal injection.
- Establish that any one of four barbiturates listed in the regulations, in a 7.5 gram dose, may be selected as the chemical which will be used in the execution.
- Establish procedures for the administration of the Lethal Injection Chemical through a pre-selected primary infusion site, and, if necessary, through pre-selected backup and alternate backup infusion sites.

- Establish post execution procedures for CDCR staff.
- Establish record keeping procedures to ensure thorough documentation of all steps of the process.
- Amend and/or adopt forms used in the execution process that are incorporated by reference into the regulation text.

FORMS INCORPORATED BY REFERENCE

- CDC Form 128–B (Rev. 4/74) General Chrono.
- CDCR Form 1801 (Rev. 10/15) Notification of Execution Date and Choice of Execution Method.
- CDCR Form 1801–A (Rev. 10/15) Choice of Execution Method.
- CDCR Form 1801–B (Rev. 10/15) Service of Execution Warrant, Warden’s Initial Interview.
- CDCR Form 1801–C (10/15) Request For Approval of Witness.
- CDCR Form 1801–D (10/15) Last Meal Request.
- CDCR Form 1801–E (10/15) Disposition of Personal Property.
- CDCR Form 1801–F (10/15) Release of Remains and Burial Arrangements.
- CDCR Form 2173 (10/15) 20 Day Pre–Execution Report.
- CDCR Form 2174 (10/15) Notification By Warden To District Attorney Concerning Sanity of Condemned Inmate.
- CDCR Form 2175 (10/15) 7 Day Pre–Execution Report.
- CDCR Form 2176 (10/15) Lethal Injection Chain of Custody — San Quentin State Prison.
- CDCR Form 2177 (10/15) San Quentin State Prison Lethal Injection Infusion Sub–Team Execution Log.
- CDCR Form 2178 (10/15) Return on Execution Warrant.
- CDCR Form 2179 (10/15) San Quentin State Prison Lethal Injection Intravenous Sub–Team Execution Log.
- CDCR Form 2181 (10/15) San Quentin State Prison Lethal Injection Team Administrator/Team Supervisor Execution Log.
- CDCR 2182 (10/15) San Quentin State Prison Team Supervisor Execution Report.
- CDCR 2183 (10/15) San Quentin State Prison Team Member Execution Report.

SPECIFIC BENEFITS ANTICIPATED BY THE PROPOSED REGULATIONS

The proposed regulatory action will enable CDCR to carry out its statutory duty to execute inmates who have been sentenced to death by a court of law, and includes safeguards to ensure the execution comports with the Eighth Amendment.

EVALUATION OF CONSISTENCY/COMPATIBILITY WITH EXISTING LAWS AND REGULATIONS

Pursuant to Government Code 11346.5(a)(3)(D), the Department has determined the proposed regulations are not inconsistent or incompatible with existing regulations. After conducting a review, the Department has concluded these are the only regulations that concern lethal injection within the California Code of Regulations.

LOCAL MANDATES

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement of costs or savings pursuant to Government Code Sections 17500–17630.

FISCAL IMPACT STATEMENT

- Cost or savings to any state agency: Potential future costs if an execution is scheduled:

CDCR projects the following cost estimates:

Total Combined Costs of a Single Scheduled Execution: \$186,886

This combined cost consists of:

1. CDCR Training, Staff, and Ancillary Costs: Total: \$85,200
2. Cost of Lethal Injection Chemical (based on a previous purchase of Thiopental): Total: \$4193
3. Contracts with Outside Law Enforcement Agencies (California Highway Patrol and Marin County Sheriff) to provide crowd control outside of San Quentin State Prison (based on the cost of these contracts in 2005): Total: \$97,492

Total Annual Training Cost for Lethal Injection Team members: \$ 66,740

- Cost to any local agency or school district that is required to be reimbursed: *None.*
- Other nondiscretionary cost or savings imposed on local agencies: *None.*
- Cost or savings in federal funding to the state: *None.*

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will have no significant effect on housing costs.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS

The Department has made an initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, because the proposed regulations relate strictly to internal management of state prisons.

EFFECT ON SMALL BUSINESSES

The Department has determined that the proposed regulations will not affect small businesses. This action has no significant adverse economic impact on small business because they are not affected by the internal management of state prisons.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The Department has determined that the proposed regulation will have no effect on the creation of new, or the elimination of existing, jobs or businesses within California, or effect the expansion of businesses currently doing business in California. The Department has determined that the proposed regulations will have no effect on the health and welfare of California residents, worker safety, or the state’s environment, because they relate strictly to carrying out lawful executions, which is part of the internal management of CDCR institutions.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department 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 regulatory action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. Interested persons are invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

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

The Department has prepared and will make available the text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the Department's contact person. The proposed text, ISOR, and Notice of Proposed Action will also be made available on the Department's website: www.cdcr.ca.gov.

**AVAILABILITY OF THE FINAL STATEMENT
OF REASONS**

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the Department's contact person.

**AVAILABILITY OF CHANGES TO
PROPOSED TEXT**

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this Notice. If the Department 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 the Department adopts, amends or repeals the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The Department will accept written comments on the modified regulations for at least 15 days after the date on which they are made available.

**TITLE 24. BUILDING STANDARDS
COMMISSION**

**NOTICE OF PROPOSED ACTION
TO BUILDING STANDARDS OF THE
CALIFORNIA BUILDING STANDARDS
COMMISSION**

**REGARDING THE CALIFORNIA GREEN
BUILDING STANDARDS CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 11**

BSC-EF-03-15

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

PUBLIC COMMENT PERIOD

(Government Code Section 11346.5(a)(17))

A public hearing has not been scheduled; however, written comments will be accepted from **November 6, 2015, until 5:00 p.m. on December 21, 2015**. Please address your comments to:

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Attention: Michael L. Nearman, Acting Executive
Director

Written Comments may be E-mailed to
CBSC@dgs.ca.gov.

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

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

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

(Government Code Section 11346.5(a)(18)),
(Government Code Section 11346.8(c))

Following the public comment period, the CBSC may adopt the proposed building standards substantial-

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

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

AUTHORITY AND REFERENCE
(Government Code Section 11346.5(a)(2))

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Sections 18930.5, 18937, 18938, and 18940.5; Government Code Section 11346.1, and Section 30, Governor’s Executive Order No. B–29–15 (April 1, 2015). The purpose of these building standards is to implement interpret, and make specific the provisions of Health and Safety Code Sections 18930.5, 18937, 18938, and 18940.5; Government Code Section 11346.1.

INFORMATIVE DIGEST
(Government Code Section 11346.5(a)(3))

An informative digest drafted in plain English in a format similar to the Legislative Counsel’s Digest shall include the following:

Summary of Existing Laws

H&SC 18930.5 grants CBSC the authority, if no state agency has the authority or expertise to propose green building standards applicable to a particular occupancy, to adopt, approve, codify, update, and publish green building standards for those occupancies.

H&SC 18934.5 sets forth that, where no state agency has the authority to adopt building standards applicable to state buildings, the commission shall adopt, approve, codify, and publish building standards providing the minimum standards for the design and construction of state buildings.

H&SC 18937 provides that the commissioners shall act on emergency standards within 30 days, and they must act on the merit of the emergency finding as well as on the proposed standards.

H&SC 18938 requires the filing of emergency standards with the Secretary of State by CBSC only after they have been approved by the commissioners. It requires that the standards become effective when filed with the Secretary of State or at a later date specified in the standards, and that they be published in Title 24.

H&SC 18940.5 requires that agencies that propose green building standards for inclusion in Part 11 of Title 24 of the California Code of Regulations shall, to the extent that it is feasible, reference or reprint the green building standards in other relevant portions of Part 2, 2.5, 3, 4, 5, or 6 of Title 24 of the California Code of Regulations. For purposes of compliance with this section, the republication of the provisions of Part 11 of Title 24 of the California Code of Regulations in other parts of Title 24 of the California Code of Regulations shall not be considered duplication in violation of paragraph (1) of subdivision (a) of Section 18930.

GC Section 11346.1(e) states that no regulation, amendment, or order of repeal initially adopted as an emergency regulatory action shall remain in effect more than 180 days unless the adopting agency has complied with Sections 11346.2 to 11347.3, inclusive, either before adopting an emergency regulation or within the 180-day period. The adopting agency, prior to the expiration of the 180-day period, shall transmit to the office for filing with the Secretary of State the adopted regulation, amendment, or order of repeal, the rulemaking file, and a certification that Sections 11346.2 to 11347.3, inclusive, were complied with either before the emergency regulation was adopted or within the 180-day period.

Summary of Existing Regulations

The California Green Building Standards Code (Part 11, Title 24, California Code of Regulations) contains mandatory flow rates for urinals in nonresidential occupancies, which are also specified in Title 20 of the California Code of Regulations (as adopted by the Energy Commission).

Summary of Effect

This proposed action will make permanent, upon approval by the commissioners, emergency modifications to the California Plumbing Code that reference appropriate CALGreen standards for buildings within CBSC authority, were approved by the commission on October 21, 2015, and have a delayed effective date of January 1, 2016, to align with similar emergency Appliance Efficiency Regulations adopted by the California Energy Commission in Title 20, California Code of Regulations. These emergency building standards necessitated immediate action to avoid serious harm to the public peace, health, safety, and general welfare in response to ongoing drought conditions and the subsequent State of Emergency proclamations and Executive Order No. B–29–15 issued by the Governor.

Comparable Federal Statute or Regulations

These regulations seek to align with similar Title 20 Appliance Efficiency Regulations adopted by the California Energy Commission. Both the Title 20 and Title 24 regulations align with, and in some cases are

more stringent than the WaterSense standards relative to plumbing fixture flow rates developed by the U.S. Environmental Protection Association.

Policy Statement Overview

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

Evaluation of consistency

The proposed action is not incompatible or inconsistent with existing regulations. This proposed action will align specified regulations in Title 24 with those in Title 20 and prevent incompatible/ inconsistent regulations.

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

(Government Code Section 11346.5(a)(4))

The California Energy Commission develops and maintains the Appliance Efficiency Regulations contained within Sections 1601–1609 of Title 20, California Code of Regulations, which prohibit the sale or offer for sale of specified noncompliant plumbing fixtures, effective January 1, 2016. One particular type of plumbing fixture regulated by this section of Title 20 is currently allowed for installation by the California Plumbing and Green Building Standards Codes (Parts 5 and 11 of Title 24, California Code of Regulations). Specifically, the Title 20 regulations prohibit the sale of wall-mounted urinals with a maximum flow rate of greater than .125 gallons-per-flush (GPF) in nonresidential construction. Additionally, the California Energy Code (Part 6, Title 24, California Code of Regulations) states that any appliance regulated by the Appliance Efficiency Regulations, Title 20 California Code of Regulations, Section 1601 et seq., may be installed only if the appliance fully complies with Section 1608(a) of those regulations. CBSC has determined that, pursuant to the recently adopted Title 20 emergency regulations as well as existing regulations within the California Energy Code, wall-mounted urinals with a maximum flow rate of greater than .125 GPF may not be installed on or after January 1, 2016. Therefore, in order to prevent a conflict between Title 20 and Title 24, CBSC is proposing the permanent adoption of this emergency building standard regulation that will align the installation requirements for wall-mounted urinals in nonresidential construction to those recently adopted by the CEC in Title 20.

**MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**
(Government Code Section 11346.5(a)(5))

CBSC has determined that projects following this regulation would not impose a mandate on local agencies or school districts because the requirements are already mandatory, as adopted by the California Energy Commission into Title 20 of the California Code of Regulations.

ESTIMATE OF COST OR SAVINGS
(Government Code Section 11346.5(a)(6))

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district. Provide a copy of the “Economic and Fiscal Impact Statement” (Form 399).

- A. Cost or Savings to any state agency: **NO**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**
- E. Cost or savings in federal funding to the state: **NO**
Estimate: **NONE**

**INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES**
(Government Code Section 11346.5(a)(8))

If the agency makes an initial determination that the adoption/amendment/ repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

The CBSC has made an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states.

DECLARATION OF EVIDENCE
(Government Code Section 11346.5(a)(8))

The declaration the agency shall provide in the record of facts, evidence, documents, testimony, or other evi-

dence that the agency relies upon to support its initial determination of no effect.

The CBSC affirms that the rulemaking action complies with the mandates set forth by the Health & Safety Code, Sections 18928, & 18934.5. Therefore, the CBSC's initial determination of no significant, state-wide adverse economic impact directly affecting business in California and their ability to compete with businesses in other states does not require any additional evidence, documents or other evidence to support this action.

**FINDING OF NECESSITY FOR THE PUBLIC'S
HEALTH, SAFETY, OR WELFARE
(Government Code Section 11346.3(d))**

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

The CBSC has made an assessment of the proposed code changes and has determined that these changes do not require a report.

**COST IMPACT ON REPRESENTATIVE PRIVATE
PERSON OR BUSINESS
(Government Code Section 11346.5(a)(9))**

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

The CBSC is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**ASSESSMENT OF EFFECT OF REGULATIONS
UPON JOBS AND BUSINESS EXPANSION,
ELIMINATION OR CREATION
(Government Code Section 11346.5(a)(10),
Government Code Section 11346.3(b)(1))**

The CBSC has assessed whether or not and to what extent this proposal will affect the following:

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

These regulations will not affect the creation or elimination of businesses within the State.

- The expansion of businesses currently doing business with the State of California.
These regulations will not affect the expansion of businesses currently doing business within the State.
- The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.
This regulation may help alleviate the negative impacts of ongoing drought conditions by promoting the conservation and efficient use of water, preventing water waste, and preserving the state's severely depleted water supplies (drinking water, agricultural production, etc.).

**ESTIMATED COST OF COMPLIANCE OF
STANDARDS THAT WOULD IMPACT HOUSING
(Government Code Section 11346.5(a)(12))**

Requires that an action that would impact housing shall include the estimated cost of compliance and potential benefits of a building standard, if any, that were included in the initial statement of reasons. In addition, the agency officers shall make available to the public, upon request the agency's evaluation, if any, of the effect of the proposed regulatory action on housing costs.

The CBSC has made an initial determination that this proposal would not have a significant effect on housing costs.

**CONSIDERATION OF ALTERNATIVES
(Government Code Section 11346.5(a)(13))**

The CBSC has determined that no reasonable alternative considered by the state 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 or 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 provisions of law.

**AVAILABILITY OF
RULEMAKING DOCUMENTS
(Government Code Section 11346.5(a)(20)),
(Government Code Section 11346.5(a)(19))**

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the

person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that CBSC shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON FOR PROCEDURAL
AND ADMINISTRATIVE QUESTIONS
(Government Code Section 11346.5(a)(14))**

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

Michael L. Nearman, Acting Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone No.: (916) 263-0916
Michael.Nearman@dgs.ca.gov

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

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

Kevin Day, Staff Services Manager I (Specialist)
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone No.: (916) 263-0355
kevin.day@dgs.ca.gov

Back-up:

Enrique M. Rodriguez, Associate Construction Analyst
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone No.: (916) 263-0916
enrique.rodriguez@dgs.ca.gov

**TITLE 24. BUILDING STANDARDS
COMMISSION**

**NOTICE OF PROPOSED ACTION
TO BUILDING STANDARDS OF THE
DIVISION OF THE STATE ARCHITECT —
STRUCTURAL SAFETY**

**REGARDING THE CALIFORNIA GREEN
BUILDING STANDARDS CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 11**

DSA-EF-05-15

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Division of the State Architect (DSA) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 11. The DSA is proposing building standards related to reduction of indoor water use.

**PUBLIC COMMENT PERIOD
(Government Code Section 11346.5(a)(17))**

A public hearing has not been scheduled; however, written comments will be accepted from **November 6, 2015, until 5:00 p.m. on December 21, 2015**. Please address your comments to:

California Building Standards Commission (CBSC)
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Attention: Michael L. Nearman, Acting Executive Director

Written Comments may be E-mailed to CBSC@dgs.ca.gov.

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

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be

conducted by the California Building Standards Commission to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

POST-HEARING MODIFICATIONS TO THE
TEXT OF THE REGULATIONS
(Government Code Section 11346.5(a)(18)),
(Government Code Section 11346.8(c))

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

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

AUTHORITY AND REFERENCE
(Government Code Section 11346.5(a)(2))

DSA proposes, in coordination with the CBSC, to adopt these building standards under the authority granted by Health and Safety Code Sections 16022, 18937, 18938, and 18940.5; Government Code Section 11346.1, and Section 30 of the Governor’s Executive Order No. B-29-15 (April 1, 2015). The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code Sections 16022, 18937, 18938, and 18940.5; Government Code Section 11346.1.

INFORMATIVE DIGEST
(Government Code Section 11346.5(a)(3))

An informative digest drafted in plain English in a format similar to the Legislative Counsel’s Digest shall include the following:

Summary of Existing Laws

H&SC 16022 authorizes the State Architect to establish building standards for the design, construction and inspection of building systems for state-owned or state-leased essential services buildings. Sections 17310, 81142 and 81053 of the Education Code authorize the State Architect to establish building standards

for the design, construction and inspection of building systems for public elementary and secondary schools, and community colleges.

H&SC 18937 provides that the commissioners shall act on emergency standards within 30 days, and they must act on the merit of the emergency finding as well as on the proposed standards.

H&SC 18938 requires the filing of emergency standards with the Secretary of State by CBSC only after they have been approved by the commissioners. It requires that the standards become effective when filed with the Secretary of State or at a later date specified in the standards, and that they be published in Title 24.

H&SC 18940.5 requires that agencies that propose green building standards for inclusion in Part 11 of Title 24 of the California Code of Regulations shall, to the extent that it is feasible, reference or reprint the green building standards in other relevant portions of Part 2, 2.5, 3, 4, 5, or 6 of Title 24 of the California Code of Regulations. For purposes of compliance with this section, the republication of the provisions of Part 11 of Title 24 of the California Code of Regulations in other parts of Title 24 of the California Code of Regulations shall not be considered duplication in violation of paragraph (1) of subdivision (a) of Section 18930.

GC Section 11346.1(e) states that no regulation, amendment, or order of repeal initially adopted as an emergency regulatory action shall remain in effect more than 180 days unless the adopting agency has complied with Sections 11346.2 to 11347.3, inclusive, either before adopting an emergency regulation or within the 180-day period. The adopting agency, prior to the expiration of the 180-day period, shall transmit to the office for filing with the Secretary of State the adopted regulation, amendment, or order of repeal, the rulemaking file, and a certification that Sections 11346.2 to 11347.3, inclusive, were complied with either before the emergency regulation was adopted or within the 180-day period.

Summary of Existing Regulations

The California Plumbing Code (Part 5, Title 24, California Code of Regulations) contains mandatory flow rates for urinals in nonresidential occupancies, which are also specified in Title 20 of the California Code of Regulations (as adopted by the Energy Commission).

Summary of Effect

This proposed action will make permanent, upon approval by the commissioners, emergency modifications to the California Green Building Standards Code for buildings within DSA authority, were approved by the commission on October 21, 2015, and have a delayed effective date of January 1, 2016, to align with similar emergency Appliance Efficiency Regulations adopted

by the California Energy Commission in Title 20, California Code of Regulations. These emergency building standards necessitated immediate action to avoid serious harm to the public peace, health, safety, and general welfare in response to ongoing drought conditions and the subsequent State of Emergency proclamations and Executive Order No. B-29-15 issued by the Governor.

Comparable Federal Statute or Regulations

These regulations seek to align with similar Title 20 Appliance Efficiency Regulations adopted by the California Energy Commission. Both the Title 20 and Title 24 regulations align with, and in some cases are more stringent than the WaterSense standards relative to plumbing fixture flow rates developed by the U.S. Environmental Protection Association.

Policy Statement Overview

DSA is responsible for the development of green building standards for public elementary and secondary schools and community colleges for which no other state agency has authority or expertise.

Evaluation of consistency

The proposed action is not incompatible or inconsistent with existing regulations. This proposed action will align specified regulations in Title 24 with those in Title 20 and prevent incompatible/inconsistent regulations.

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

(Government Code Section 11346.5(a)(4))

The California Energy Commission develops and maintains the Appliance Efficiency Regulations contained within Sections 1601-1609 of Title 20, California Code of Regulations, which prohibit the sale or offer for sale of specified noncompliant plumbing fixtures, effective January 1, 2016. One particular type of plumbing fixture regulated by this section of Title 20 is currently allowed for installation by the California Plumbing and Green Building Standards Codes (Parts 5 and 11 of Title 24, California Code of Regulations). Specifically, the Title 20 regulations prohibit the sale of wall-mounted urinals with a maximum flow rate of greater than .125 gallons-per-flush (GPF) in nonresidential construction. Additionally, the California Energy Code (Part 6, Title 24, California Code of Regulations) states that any appliance regulated by the Appliance Efficiency Regulations, Title 20 California Code of Regulations, Section 1601 et seq., may be installed only if the appliance fully complies with Section 1608(a) of those regulations. DSA has determined,

in coordination with CBSC, that pursuant to the recently adopted Title 20 emergency regulations as well as existing regulations within the California Energy Code, wall-mounted urinals with a maximum flow rate of greater than .125 GPF may not be installed on or after January 1, 2016. Therefore, in order to prevent a conflict between Title 20 and Title 24, DSA is proposing this emergency building standard regulation that will align the installation requirements for wall-mounted urinals in nonresidential construction to those recently adopted by the CEC in Title 20.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS
(Government Code Section 11346.5(a)(5))

DSA has determined, in coordination with CBSC, that projects following this regulation would not impose a mandate on local agencies or school districts because the requirements are already mandatory, as adopted by the California Energy Commission into Title 20 of the California Code of Regulations.

ESTIMATE OF COST OR SAVINGS
(Government Code Section 11346.5(a)(6))

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district. Provide a copy of the "Economic and Fiscal Impact Statement" (Form 399)

- A. Cost or Savings to any state agency: **NO**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**
- E. Cost or savings in federal funding to the state: **NO**
Estimate: **NONE**

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES
(Government Code Section 11346.5(8))

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

The DSA has made an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states.

DECLARATION OF EVIDENCE
(Government Code Section 11346.5(a)(8))

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

DSA's initial determination of no significant, statewide adverse economic impact directly affecting business in California and their ability to compete with businesses in other states does not require any additional evidence, documents or other evidence to support this action because the purpose of the regulations is to align with the Appliance Efficiency Regulations contained within Sections 1601–1609 of Title 20, California Code of Regulations.

FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE
(Government Code Section 11346.3(d))

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

The DSA, in coordination with CBSC, has made an assessment of the proposed code changes and has determined that these changes do not require a report.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS
(Government Code Section 11346.5(a)(9))

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

The DSA, in coordination with CBSC, is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION
(Government Code Section 11346.5(a)(10)),
(Government Code Section 11346.3(b)(1))

The DSA, in coordination with CBSC, has assessed whether or not and to what extent this proposal will affect the following:

- The creation or elimination of jobs within the State of California.
These regulations will not affect the creation or elimination of jobs within the State.
- The creation of new businesses or the elimination of existing businesses within the State of California.
These regulations will not affect the creation or elimination of businesses within the State.
- The expansion of businesses currently doing business with the State of California.
These regulations will not affect the expansion of businesses currently doing business within the State.
- The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.
This regulation may help alleviate the negative impacts of ongoing drought conditions by promoting the conservation and efficient use of water, preventing water waste, and preserving the state's severely depleted water supplies (drinking water, agricultural production, etc.).

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING
(Government Code Section 11346.5(a)(12))

Requires that an action that would impact housing shall include the estimated cost of compliance and potential benefits of a building standard, if any, that were included in the initial statement of reasons. In addition, the agency officers shall make available to the public, upon request, the agency's evaluation, if any, of the effect of the proposed regulatory action on housing costs.

The DSA, in coordination with CBSC, has made an initial determination that this proposal would not have a significant effect on housing costs.

CONSIDERATION OF ALTERNATIVES
(Government Code Section 11346.5(a)(13))

The DSA has determined, in coordination with CBSC, that no reasonable alternative considered by the

state 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 or 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 provisions of law.

**AVAILABILITY OF
RULEMAKING DOCUMENTS**
(Government Code Section 11346.5(a)(20)),
(Government Code Section 11346.5(a)(19))

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that CBSC shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON FOR PROCEDURAL
AND ADMINISTRATIVE QUESTIONS**
(Government Code Section 11346.5(a)(14))

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

Michael Nearman, Acting Executive Director
(916) 263-0916
Michael.Nearman@dgs.ca.gov

Enrique Rodriguez, Assoc. Construction Analyst
(916) 263-0845
Enrique.Rodriguez@dgs.ca.gov

Department of General Services/
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone No.: (916) 263-0916

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

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

Dennis Corelis, Deputy State Architect
(916) 445-4167
Dennis.Corelis@dgs.ca.gov

Theresa Townsend, Supervising Architect
(916) 445-1304
Theresa.Townsend@dgs.ca.gov

Department of General Services/
Division of the State Architect
1102 Q Street, Suite 5100
Sacramento, CA 95811
Telephone No.: (916) 455-8100

**TITLE 24. BUILDING
STANDARDS COMMISSION
NOTICE OF PROPOSED ACTION
TO BUILDING STANDARDS OF THE
CALIFORNIA BUILDING STANDARDS
COMMISSION**

**REGARDING THE CALIFORNIA
PLUMBING CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 5**

BSC-EF-02-15

Notice is hereby given that the California Building Standards Commission (CBSC) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 5. The CBSC is proposing building standards related to reduction of indoor water use.

PUBLIC COMMENT PERIOD
(Government Code Section 11346.5(a)(17))

A public hearing has not been scheduled; however, written comments will be accepted from **November 6,**

2015, until 5:00 p.m. on December 21, 2015. Please address your comments to:

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Attention: Michael L. Nearman, Acting Executive Director

Written Comments may be E-mailed to CBSC@dgs.ca.gov.

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

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

POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

(Government Code Section 11346.5(a)(18)),
(Government Code Section 11346.8(c))

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

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

AUTHORITY AND REFERENCE

(Government Code Section 11346.5(a)(2))

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Sections 18930.5, 18937, 18938, and 18940.5; Government Code Section 11346.1, and Section 30, Governor's Executive Order No. B-29-15 (April 1, 2015). The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code Sections 18930.5, 18937,

18938, and 18940.5; Government Code Section 11346.1.

INFORMATIVE DIGEST

(Government Code Section 11346.5(a)(3))

An informative digest drafted in plain English in a format similar to the Legislative Counsel's Digest shall include the following:

Summary of Existing Laws

H&SC 18930.5 grants CBSC the authority, if no state agency has the authority or expertise to propose green building standards applicable to a particular occupancy, to adopt, approve, codify, update, and publish green building standards for those occupancies.

H&SC 18934.5 sets forth that, where no state agency has the authority to adopt building standards applicable to state buildings, the commission shall adopt, approve, codify, and publish building standards providing the minimum standards for the design and construction of state buildings.

H&SC 18937 provides that the commissioners shall act on emergency standards within 30 days, and they must act on the merit of the emergency finding as well as on the proposed standards.

H&SC 18938 requires the filing of emergency standards with the Secretary of State by CBSC only after they have been approved by the commissioners. It requires that the standards become effective when filed with the Secretary of State or at a later date specified in the standards, and that they be published in Title 24.

H&SC 18940.5 requires agencies that propose green building standards for inclusion in Part 11 of Title 24 of the California Code of Regulations shall, to the extent feasible, reference or reprint the green building standards in other relevant portions of Part 2, 2.5, 3, 4, 5, or 6 of Title 24 of the CCR. For purposes of compliance with this section, the republication of the provisions of Part 11 of Title 24 of the California Code of Regulations in other parts of Title 24 of the California Code of Regulations shall not be considered duplication in violation of paragraph (1) of subdivision (a) of Section 18930.

GC Section 11346.1(e) states that no regulation, amendment, or order of repeal initially adopted as an emergency regulatory action shall remain in effect more than 180 days unless the adopting agency has complied with Sections 11346.2 to 11347.3, inclusive, either before adopting an emergency regulation or within the 180-day period. The adopting agency, prior to the expiration of the 180-day period, shall transmit to the office for filing with the Secretary of State the adopted regulation, amendment, or order of repeal, the rulemaking file, and a certification that Sections 11346.2 to 11347.3, inclusive, were complied with either before

the emergency regulation was adopted or within the 180-day period.

Summary of Existing Regulations

The California Green Building Standards Code (Part 11, Title 24, California Code of Regulations) contains mandatory flow rates for urinals in nonresidential occupancies, which are also specified in Title 20 of the California Code of Regulations (as adopted by the Energy Commission).

Summary of Effect

This proposed action will make permanent, upon approval by the commissioners, emergency modifications to the California Plumbing Code that reference appropriate CALGreen standards for buildings within CBSC authority, were approved by the commission on October 21, 2015, and have a delayed effective date of January 1, 2016, to align with similar emergency Appliance Efficiency Regulations adopted by the California Energy Commission in Title 20, California Code of Regulations. These emergency building standards necessitated immediate action to avoid serious harm to the public peace, health, safety, and general welfare in response to ongoing drought conditions and the subsequent State of Emergency proclamations and Executive Order No. 8-29-15 issued by the Governor.

Comparable Federal Statute or Regulations

These regulations seek to align with similar Title 20 Appliance Efficiency Regulations adopted by the California Energy Commission. Both the Title 20 and Title 24 regulations align with and in some cases are more stringent than the WaterSense standards relative to plumbing fixture flow rates developed by the U.S. Environmental Protection Association.

Policy Statement Overview

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

Evaluation of consistency

The proposed action is not incompatible or inconsistent with existing regulations. This proposed action will align specified regulations in Title 24 with those in Title 20 and prevent incompatible/inconsistent regulations.

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

(Government Code Section 11346.5(a)(4))

The California Energy Commission develops and maintains the Appliance Efficiency Regulations contained within Sections 1601-1609 of Title 20, California Code of Regulations, which prohibit the sale or offer

for sale of specified noncompliant plumbing fixtures, effective January 1, 2016. One particular type of plumbing fixture regulated by this section of Title 20 is currently allowed for installation by the California Plumbing and Green Building Standards Codes (Parts 5 and 11 of Title 24, California Code of Regulations). Specifically, the Title 20 regulations prohibit the sale of wall-mounted urinals with a maximum flow rate of greater than .125 gallons-per-flush (GPF) in nonresidential construction. Additionally, the California Energy Code (Part 6, Title 24, California Code of Regulations) states that any appliance regulated by the Appliance Efficiency Regulations, Title 20 California Code of Regulations, Section 1601 et seq., may be installed only if the appliance fully complies with Section 1608(a) of those regulations. CBSC has determined that, pursuant to the recently adopted Title 20 emergency regulations as well as existing regulations within the California Energy Code, wall-mounted urinals with a maximum flow rate of greater than .125 GPF may not be installed on or after January 1, 2016. Therefore, in order to prevent a conflict between Title 20 and Title 24, CBSC is proposing the permanent adoption of this emergency building standard regulation that will align the installation requirements for wall-mounted urinals in nonresidential construction to those recently adopted by the CEC in Title 20.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS
(Government Code Section 11346.5(a)(5))

CBSC has determined that projects following this regulation would not impose a mandate on local agencies or school districts because the requirements are already mandatory, as adopted by the California Energy Commission into Title 20 of the California Code of Regulations.

ESTIMATE OF COST OR SAVINGS
(Government Code Section 11346.5(a)(6))

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district. Provide a copy of the "Economic and Fiscal Impact Statement" (Form 399).

- A. Cost or Savings to any state agency: **NO**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**

- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**
- E. Cost or savings in federal funding to the state: **NO**
Estimate: **NONE**

**INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES**
(Government Code Section 11346.5(a)(8))

If the agency makes an initial determination that the adoption/amendment/ repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

The CBSC has made an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states.

DECLARATION OF EVIDENCE
(Government Code Section 11346.5(a)(8))

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

CBSC affirms that the rulemaking action complies with the mandates set forth by the Health & Safety Code, Sections 18928 & 18934.5. Therefore, the CBSC's initial determination of no significant, statewide adverse economic impact directly affecting business in California and their ability to compete with businesses in other states does not require any additional evidence, documents or other evidence to support this action.

**FINDING OF NECESSITY FOR THE PUBLIC'S
HEALTH, SAFETY, OR WELFARE**
(Government Code Section 11346.3(d))

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

The CBSC has made an assessment of the proposed code changes and has determined that these changes do not require a report.

**COST IMPACT ON REPRESENTATIVE PRIVATE
PERSON OR BUSINESS**
(Government Code Section 11346.5(a)(9))

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

The CBSC is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**ASSESSMENT OF EFFECT OF REGULATIONS
UPON JOBS AND BUSINESS EXPANSION,
ELIMINATION OR CREATION**
(Government Code Section 11346.5(a)(10)),
(Government Code Section 11346.3(b)(1))

The CBSC has assessed whether or not and to what extent this proposal will affect the following.

- The creation or elimination of jobs within the State of California.
These regulations will not affect the creation or elimination of jobs within the State.
- The creation of new businesses or the elimination of existing businesses within the State of California.
These regulations will not affect the creation or elimination of businesses within the State.
- The expansion of businesses currently doing business with the State of California.
These regulations will not affect the expansion of businesses currently doing business within the State.
- The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.
This regulation may help alleviate the negative impacts of ongoing drought conditions by promoting the conservation and efficient use of water, preventing water waste, and preserving the state's severely depleted water supplies (drinking water, agricultural production, etc.).

**ESTIMATED COST OF COMPLIANCE OF
STANDARDS THAT WOULD IMPACT HOUSING**
(Government Code Section 11346.5(a)(12))

Requires that an action that would impact housing shall include the estimated cost of compliance and potential benefits of a building standard, if any, that were included in the initial statement of reasons. In addition, the agency officers shall make available to the public,

upon request, the agency's evaluation, if any, of the effect of the proposed regulatory action on housing costs.

CBSC has made an initial determination that this proposal would not have a significant effect on housing costs.

CONSIDERATION OF ALTERNATIVES
(Government Code Section 11346.5(a)(13))

The CBSC has determined that no reasonable alternative considered by the state 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 or 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 provisions of law.

**AVAILABILITY OF
RULEMAKING DOCUMENTS**
(Government Code Section 11346.5(a)(20)),
(Government Code Section 11346.5(a)(19))

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that CBSC shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON FOR PROCEDURAL
AND ADMINISTRATIVE QUESTIONS**
(Government Code Section 11346.5(a)(14))

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

Michael L. Nearman, Acting Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone No. (916) 263-0916
Michael.Nearman@dgs.ca.gov

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

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

Kevin Day, Staff Services Manager I (Specialist)
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone No.: (916) 263-0355
kevin.day@dgs.ca.gov

Back-up:

Enrique M. Rodriguez, Associate Construction Analyst
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone No.: (916) 263-0916
enrique.rodriguez@dgs.ca.gov

**TITLE 24. BUILDING STANDARDS
COMMISSION**

**NOTICE OF PROPOSED ACTION
TO BUILDING STANDARDS OF THE
DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT
REGARDING THE 2013 CALIFORNIA
PLUMBING CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 5**

(HCD EF 02/15)

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Department of Housing and Community Development

(HCD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 5. HCD is proposing building standards.

PUBLIC COMMENT PERIOD
(Government Code Section 11346.5(a)(1))

A public hearing has not been scheduled; however, written comments will be accepted from **November 6, 2015, until 5:00 p.m. on December 21, 2015**. Please address your comments to:

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Attention: Michael L. Nearman, Acting
Executive Director

Written Comments may be faxed to (916) 263-0959 or e-mailed to CBSC@dgs.ca.gov.

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

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

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

(Government Code Section 11346.5(a)(18)),
(Government Code Section 11346.8(c))

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

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

AUTHORITY AND REFERENCE
(Government Code Section 11346.5(a)(2))

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code Sections 17000-17060, 17910-17990 and 19960-19997. The Department of Housing and Community Development is proposing this regulatory action based on Health and Safety Code Sections 17921, 17922 and 19990.

The Health and Safety Code (HSC), State Housing Law, Section 17921, provides the Department of Housing and Community Development (HCD) authority to propose the adoption, amendment, or repeal of building standards to the California Building Standards Commission (CBSC) in accordance with the HSC, California Building Standards Law, and provisions for the California Building Standards Code (Section 18935 *et seq.*)

HSC, Employee Housing Act, Section 17040, provides HCD authority to adopt, amend, or repeal rules and regulations for the protection of the public health, safety, and general welfare of employees and the public, governing the erection, construction, enlargement, conversion, alteration, repair, occupancy, use, sanitation, ventilation, and maintenance of all employee housing.

HSC, Factory-Built Housing Law, Section 19990, provides HCD authority to adopt rules and regulations to implement the law. California Code of Regulations, Title 25, Division 1, Chapter 3, Subchapter 1, Article 5, Section 3070, requires design and fabrication of factory-built housing to be in accordance with the applicable building standards in specified parts, including Part 11 CALGreen, and Part 5 California Plumbing Code, of the Building Standards Code.

HSC, State Housing Law, Section 17928 also provides HCD authority to consider proposing as mandatory building standards green building features determined by the HCD to be cost effective and feasible to promote greener construction. The California Building Standards Law also provides for the CBSC to act upon emergency standards if the proposing agency has made the finding of emergency in compliance with Government Code Section 11346.5.

HCD has determined that the adoption of these building standards or order of repeal is necessary for the immediate preservation of the public peace, health and safety, or general welfare, as follows:

HSC, California Building Standards Law, Section 18937 provides that the CBSC commissioners shall act on emergency standards within 30 days, and they must act on the merit of the emergency finding as well as on

the proposed standards. HSC Section 18938 requires the filing of emergency standards with the Secretary of State by CBSC only after they have been approved by the commissioners. It requires that the standards become effective when filed with the Secretary of State or at a later date specified in the standards, and that they be published in Title 24. In this case, the operative date will be January 1, 2016, for urinals and July 1, 2016, for lavatory faucets to be consistent with the California Energy Commission’s Appliance Efficiency Regulations.

INFORMATIVE DIGEST
(Government Code Section 11346.5(a)(3))

Summary of Existing Laws

Section 17921 of the Health and Safety Code and Section 12955.1 of the Government Code require HCD to propose the adoption, amendment, or repeal of building standards by the CBSC.

Section 17922 of the Health and Safety Code requires that the building standards be essentially the same as the most recent editions of the uniform industry codes. The CBSC is authorized to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5.

Health and Safety Code Section 17922 states that the most recent editions of the uniform codes referred to in the section shall be considered to be adopted one year after the date of publication of the uniform codes.

Health and Safety Code Section 17040 requires HCD to adopt building standards for employee housing for “. . . the protection of the public health, safety, and general welfare of employees and the public, governing the erection, construction, enlargement, conversion, alteration, repair, occupancy, use, sanitation, ventilation, and maintenance of all employee housing.”

Health and Safety Code Section 19990 requires HCD to adopt building standards for factory–built housing.

Health and Safety Code Sections 18300 and 18865 require HCD to adopt building standards for mobile-home parks and special occupancy parks.

Summary of Existing Regulations

The 2013 California Plumbing Code, Title 24, Part 5, of the California Code of Regulations (CCR), also known as the California Building Standards Code, became effective on January 1, 2014.

The current requirements in the 2013 California Plumbing Code for urinals and lavatory faucets as revised to this rulemaking action are summarized below:

403.3 Urinals

Effective flush volume cannot exceed 0.5 gallons per flush.

403.7 Residential Lavatory Faucets

Maximum flow rate is 1.5 gallons per minute at 60 psi.

Minimum flow rate cannot be less than 0.8 gallons per minute at 20 psi.

Summary of Effect

HCD proposes to adopt the 2013 edition of the California Plumbing Code (CPC) into Title 24, Part 5 of the California Code of Regulations for the following programs:

a) State Housing Law: relative to residential occupancies, buildings or structures accessory thereto and as provided for through the Federal Fair Housing Amendment Act’s and state law accessibility requirements, except where the application is for public use only.

b) Employee Housing Act: relative to the occupancy of any buildings or structures on the property in accordance with Health and Safety Code Section 17040.

c) Mobilehome Parks and Special Occupancy Parks: relative to the design or construction of permanent buildings and accessory buildings and structures within the park in accordance with Health and Safety Code Sections 18300 and 18865.

d) Factory–Built Housing Law: relative to residential buildings, dwellings or portions thereof, or building components, or manufactured assemblies in accordance with Health and Safety Code Section 19990.

The standards provide consistency with ICC model code format, state and federal laws and regulations, and address unique California conditions. In addition, the regulations provide clarity and specificity, and give direction for the code user.

A discussion of the effect of the regulations may be found in the Initial Statement of Reasons.

This regulatory action provides consistency between the California Building Standards Code which includes the 2013 California Green Building Standards Code (CALGreen) Sections 4.303.1.2 (urinals) and 4.303.1.4.1 (residential lavatory faucets), the 2013 California Plumbing Code Sections 403.3 (urinals) and 403.7 (residential lavatory faucets); and the California Energy Commission’s Appliance Efficiency Regulations. Specifically, these emergency regulations will ensure consistency in water use of urinals and lavatory faucets and in the effective dates for the specified flush volume and flow rate.

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations.

Policy Statement Overview

The proposed regulations will adopt, amend or repeal building standards and establish new building standards, which will affect residential occupancies and buildings or structures accessory thereto, as provided

for by federal and state accessibility requirements; the use of General Design, Structural, and Fire and Life Safety Requirements in housing construction, buildings and structures accessory thereto; permanent buildings in mobilehome parks and special occupancy parks.

The benefits anticipated from the proposed regulatory action include updating building standards, which will result in the protection of public health and safety, worker safety, the environment and general welfare of California residents. Also, providing the most recent methods and applying those building standards on a statewide basis, as required by statute, results in uniformity and promotes affordable costs.

The broad objective of these proposed building standards is to comply with the Governor's Executive Order B-29-15 and prior proclamations related to impact of the drought on California's populace and potential mitigation measures.

Therefore, the specific objectives of these proposed regulations are to:

- Assist with implementation of the provisions of the Governor's Executive Order and prior proclamations including standards improving the efficiency of water appliances.
- Ensure that building standards for urinals and residential lavatory faucets are consistent with the California Energy Commission's Appliance Efficiency Regulations.

Evaluation of Consistency

HCD has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations.

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

(Government Code Section 11346.5(a)(4))

HCD is authorized to adopt buildings standards (Health and Safety Code Section 17922) which may be based on model codes or other rules and regulations. This section also provides for adoption of any additions or deletions made by HCD.

The California Energy Commission is authorized to prescribe standards for minimum operating efficiency for energy and water efficient appliances (Public Resources Code Section 25402(c)). This is part of the authority for adoption of the Appliance Efficiency Regulations.

MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS
(Government Code Section 11346.5(a)(5))

HCD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts; and therefore, does not mandate state reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

ESTIMATE OF COST OR SAVINGS

(Government Code Section 11346.5(a)(6))

- A. Cost or Savings to any state agency: **NONE.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NONE.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NONE.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NONE.**
- E. Cost or savings in federal funding to the state: **NONE.**

Estimate: HCD believes that any additional expenditure resulting from this proposed action will be minimal and will be able to be absorbed within existing budgets and resources.

The proposed regulatory changes related to mandatory requirements in the 2013 CALGreen Code and 2013 California Plumbing Code are not anticipated to result in additional costs. This is due, in part, to the Appliance Efficiency Regulations which will require that only urinals and residential lavatory faucets meeting specific water use criteria be available for sale in California starting on January 1, 2016, for urinals, and July 1, 2016, for lavatory faucets. The proposed regulations require that only those urinals and residential lavatory faucets legally available for sale in California on January 1, 2016, and July 1, 2016, as specified by the California Energy Commission, be permitted to be installed on or after the same date.

The reduced water use resulting from these regulations may result in reduced water utility bill costs and reduced energy use related to costs of treating and transporting water.

INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES
(Government Code Section 11346.5(a)(8))

HCD has made an initial determination that the proposed action will not have a significant statewide ad-

verse economic impact on businesses, including the ability of California businesses to compete with business in other states. (See *Economic Impact of the Proposed California Plumbing Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

DECLARATION OF EVIDENCE
(Government Code Section 11346.5(a)(8))

HCD has determined that there are minimal facts, evidence, documents, testimony, or other evidence upon which the agency relied to support its initial determination of no effect pursuant to Government Code Section 11346.5(a)(8). The public is welcome to submit any information, facts or documents either supporting HCD's initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC'S
HEALTH, SAFETY, OR WELFARE
(Government Code Section 11346.3(d))

HCD has made an assessment of the proposal regarding the economic impact of recordkeeping and reporting requirements and has determined that a report pursuant to Government Code Section 11346.3(c) is not required.

COST IMPACT ON REPRESENTATIVE PRIVATE
PERSON OR BUSINESS
(Government Code Section 11346.5(a)(9))

HCD is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS
UPON JOBS AND BUSINESS EXPANSION,
ELIMINATION OR CREATION
(Government Code Section 11346.5(a)(10))

HCD has assessed whether or not, and to what extent, this proposal will affect the following:

- The creation or elimination of jobs within the State of California.
These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.
- The creation of new businesses or the elimination of existing businesses within the State of California.

These regulations will not affect the creation or the elimination of businesses within the State of California.

- The expansion of businesses currently doing business within the State of California.
These regulations will not affect the expansion of businesses currently doing business within the State of California.
- The benefits of the regulations to the health and welfare of California residents, worker safety and the State's environment.

These regulations will update and improve green building standards, which will provide increased protection of public health and safety, worker safety and the environment.

(See *Economic Impact of the Proposed California Plumbing Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

ESTIMATED COST OF COMPLIANCE OF
STANDARDS THAT WOULD IMPACT HOUSING
(Government Code Section 11346.5(a)(12))

HCD has made an initial determination that this proposal would not have a significant effect on housing costs. The CBSC contact person designated below will make HCD's initial evaluation of the effect of the proposed regulatory action on housing costs available upon request. (See *Economic Impact of the Proposed California Plumbing Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

CONSIDERATION OF ALTERNATIVES
(Government Code Section 11346.5(a)(13))

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

AVAILABILITY OF
RULEMAKING DOCUMENTS
(Government Code Section 11346.5(a)(20)),
(Government Code Section 11346.5(a)(19))

All of the information upon which the proposed regulations are based is contained in the rulemaking file,

which is available for public review, by contacting the person named below. This notice, the express terms and the initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov>

and also will be posted on HCD's website at:
<http://www.hcd.ca.gov/codes/state-housing-law/2015-codeadoptproj.html>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that HCD shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS
 (Government Code Section 11346.5(a)(14))

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

CBSC Contact: Pamela Maeda

CBSC

Back-up: If the contact person is unavailable, please contact Michael Nearman at the phone number (916) 263-5888 or fax number provided below.

CBSC

Address: California Building Standards Commission
 2525 Natomas Park Drive,
 Suite 130
 Sacramento, CA 95833

CBSC

Telephone: (916) 274-5872

CBSC Fax: (916) 263-0959

CBSC E-mail: CBSC@dgs.ca.gov

PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE AND/OR TECHNICAL QUESTIONS ON THE PROPOSED BUILDING STANDARDS

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

Kyle Krause, State Housing Law Program Manager
 HCD, Division of Codes and Standards
 Telephone: (916) 445-4719
 Fax: (916) 327-4713
 E-mail: kyle.krause@hcd.ca.gov

Back-up:

Shawn Huff, Assistant Deputy Director
 HCD, Division of Codes and Standards
 Telephone: (916) 263-3124
 Fax: (916) 327-4713
 E-mail: shuff@hcd.ca.gov

TITLE 24. BUILDING STANDARDS COMMISSION

NOTICE OF PROPOSED ACTION TO BUILDING STANDARDS OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT REGARDING THE 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11

(HCD EF 03/15)

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Department of Housing and Community Development (HCD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 11. HCD is proposing green building standards.

PUBLIC COMMENT PERIOD
 (Government Code Section 11346.5(a)(1))

A public hearing has not been scheduled; however, written comments will be accepted from **November 6, 2015, until 5:00 p.m. on December 21, 2015**. Please address your comments to:

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Attention: Michael L. Nearman,
Acting Executive Director

Written Comments may be faxed to (916) 263-0959 or e-mailed to CBSC@dgs.ca.gov.

Pursuant to Government Code Section 11346.5(a)(17), any interested person or his or her duly authorized representative may request, no later than 15 days prior to the close of the written comment period, that a public hearing be held.

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

POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

(Government Code Section 11346.5(a)(18)),
(Government Code Section 11346.8(c))

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

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

AUTHORITY AND REFERENCE

(Government Code Section 11346.5(a)(2))

The California Building Standards Commission proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code Sections 17000-17060, 17910-17990 and 19960-19997. The Department of Housing and Community Development is proposing this regulatory action based on Health and Safety Code Sections 17921, 17922 and 19990.

The Health and Safety Code (HSC), State Housing Law, Section 17921, provides the Department of Housing and Community Development (HCD) authority to propose the adoption, amendment, or repeal of building standards to the California Building Standards Com-

mission (CBSC) in accordance with the HSC, California Building Standards Law, and provisions for the California Building Standards Code (Section 18935 *et seq.*).

HSC, Employee Housing Act, Section 17040, provides HCD authority to adopt, amend, or repeal rules and regulations for the protection of the public health, safety, and general welfare of employees and the public, governing the erection, construction, enlargement, conversion, alteration, repair, occupancy, use, sanitation, ventilation, and maintenance of all employee housing.

HSC, Factory-Built Housing Law, Section 19990, provides HCD authority to adopt rules and regulations to implement the law. California Code of Regulations, Title 25, Division 1, Chapter 3, Subchapter 1, Article 5, Section 3070, requires design and fabrication of factory-built housing to be in accordance with the applicable building standards in specified parts, including Part 11 CALGreen, and Part 5 California Plumbing Code, of the Building Standards Code.

HSC, State Housing Law, Section 17928 also provides HCD authority to consider proposing as mandatory building standards green building features determined by the HCD to be cost effective and feasible to promote greener construction. The California Building Standards Law also provides for the CBSC to act upon emergency standards if the proposing agency has made the finding of emergency in compliance with Government Code Section 11346.5.

HCD has determined that the adoption of these building standards or order of repeal is necessary for the immediate preservation of the public peace, health and safety, or general welfare, as follows:

HSC, California Building Standards Law, Section 18937 provides that the CBSC commissioners shall act on emergency standards within 30 days, and they must act on the merit of the emergency finding as well as on the proposed standards. HSC Section 18938 requires the filing of emergency standards with the Secretary of State by CBSC only after they have been approved by the commissioners. It requires that the standards become effective when filed with the Secretary of State or at a later date specified in the standards, and that they be published in Title 24. In this case, the operative date will be January 1, 2016, for urinals and July 1, 2016, for lavatory faucets to be consistent with the California Energy Commission's Appliance Efficiency Regulations.

INFORMATIVE DIGEST

(Government Code Section 11346.5(a)(3))

Summary of Existing Laws

Section 17921 of the Health and Safety Code and Section 12955.1 of the Government Code require HCD

to propose the adoption, amendment, or repeal of building standards by the CBSC.

Section 17922 of the Health and Safety Code requires that the building standards be essentially the same as the most recent editions of the uniform industry codes. The CBSC is authorized to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5.

Health and Safety Code Section 17922 states that the most recent editions of the uniform codes referred to in the section shall be considered to be adopted one year after the date of publication of the uniform codes.

Health and Safety Code Section 17040 requires HCD to adopt building standards for employee housing for “. . . the protection of the public health, safety, and general welfare of employees and the public, governing the erection, construction, enlargement, conversion, alteration, repair, occupancy, use, sanitation, ventilation, and maintenance of all employee housing.”

Health and Safety Code Section 19990 requires HCD to adopt building standards for factory–built housing.

Summary of Existing Regulations

The 2013 California Green Building Standards Code, Title 24, Part 11, of the California Code of Regulations (CCR), also known as the California Building Standards Code, became effective on January 1, 2014.

The purpose of the California Green Building Standards Code, also known as CALGreen, is to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental air quality. CALGreen also includes standards designed to address unique California conditions.

Existing California Code of Regulations, Title 24, 2013 California Green Building Standards Code (CALGreen), consists of building standards addressing sustainable (green) building methods and materials of construction. CALGreen is not based on a model code, however, similar to other green building programs, CALGreen includes provisions related to water efficiency and conservation. The current mandatory and voluntary provisions in the 2013 CALGreen for indoor water use as related to this rulemaking action are summarized below:

Section 4.303.1.2 Urinals

Effective flush volume cannot exceed 0.5 gallons per flush.

Section 4.303.1.4.1 Residential lavatory faucets

Maximum flow rate is 1.5 gallons per minute at 60 psi.

Minimum flow rate cannot be less than 0.8 gallons per minute at 20 psi.

Summary of Effect

HCD proposes to adopt the 2013 edition of the California Green Building Standards Code (CALGreen) into Title 24, Part 11 of the California Code of Regulations for the following programs:

a) State Housing Law: relative to residential occupancies, buildings or structures accessory thereto.

b) Employee Housing Act: relative to the occupancy of any buildings or structures on the property in accordance with Health and Safety Code Section 17040.

c) Factory–Built Housing Law: relative to residential buildings, dwellings or portions thereof, or building components, or manufactured assemblies in accordance with Health and Safety Code Section 19990.

The standards provide consistency with ICC model code format, state and federal laws and regulations, and address unique California conditions.

A discussion of the effect of the regulations may be found in the Initial Statement of Reasons.

This regulatory action provides consistency between the California Building Standards Code which includes the 2013 California Green Building Standards Code (CALGreen) Sections 4.303.1.2 (urinals) and 4.303.1.4.1 (residential lavatory faucets), the 2013 California Plumbing Code Sections 403.3 (urinals) and 403.7 (residential lavatory faucets); and the California Energy Commission’s Appliance Efficiency Regulations. Specifically, these emergency regulations will ensure consistency in water use of urinals and lavatory faucets and in the effective dates for the specified flush volume and flow rate.

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations.

Policy Statement Overview

The purpose of the adoption of the California Green Building Standards Code is to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in the following categories: planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental air quality.

The proposed regulations will adopt building standards that will affect the following: residential occupancies and buildings or structures accessory thereto, as provided for by federal and state accessibility requirements; and the use of General Design, Structural, and Fire and Life Safety Requirements in housing construction, buildings and structures accessory thereto.

The broad objective of these proposed building standards is to comply with the Governor's Executive Order B-29-15 and prior proclamations related to impact of the drought on California's populace and potential mitigation measures.

Therefore, the specific objectives of these proposed regulations are to:

- Assist with implementation of the provisions of the Governor's Executive Order and prior proclamations including standards improving the efficiency of water appliances.
- Ensure that building standards for urinals and residential lavatory faucets are consistent with the California Energy Commission's Appliance Efficiency Regulations.

Evaluation of consistency

HCD has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations.

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

(Government Code Section 11346.5(a)(4))

HCD is authorized to adopt building standards (Health and Safety Code Section 17922) which may be based on model codes or other rules and regulations. This section also provides for adoption of any additions or deletions made by HCD.

The California Energy Commission is authorized to prescribe standards for minimum operating efficiency for energy and water efficient appliances (Public Resources Code Section 25402(c)). This is part of the authority for adoption of the Appliance Efficiency Regulations.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

(Government Code Section 11346.5(a)(5))

HCD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts; and therefore, does not mandate state reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

ESTIMATE OF COST OR SAVINGS
(Government Code Section 11346.5(a)(6))

- A. Cost or Savings to any state agency: **NONE.**

- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NONE.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NONE.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NONE.**
- E. Cost or savings in federal funding to the state: **NONE.**

Estimate: HCD believes that any additional expenditure resulting from this proposed action will be minimal and will be able to be absorbed within existing budgets and resources.

The proposed regulatory changes related to mandatory requirements in the 2013 CALGreen Code and 2013 California Plumbing Code are not anticipated to result in additional costs. This is due, in part, to the Appliance Efficiency Regulations which will require that only urinals and residential lavatory faucets meeting specific water use criteria be available for sale in California starting on January 1, 2016, for urinals, and July 1, 2016, for lavatory faucets. The proposed regulations require that only those urinals and residential lavatory faucets legally available for sale in California on January 1, 2016, and July 1, 2016, as specified by the California Energy Commission, be permitted to be installed on or after the same date.

The reduced water use resulting from these regulations may result in reduced water utility bill costs and reduced energy use related to costs of treating and transporting water.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES
(Government Code Section 11346.5(a)(8))

HCD has made an initial determination that the proposed action will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states. (See *Economic Impact of the Proposed California Green Building Standards Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file)

DECLARATION OF EVIDENCE
(Government Code Section 11346.5(a)(8))

HCD has determined that there are minimal facts, evidence, documents, testimony, or other evidence upon which the agency relied to support its initial determination of no effect pursuant to Government Code Section

11346.5(a)(8). The public is welcome to submit any information, facts or documents either supporting HCD's initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC'S
HEALTH, SAFETY, OR WELFARE
(Government Code Section 11346.3(d))

HCD has made an assessment of the proposal regarding the economic impact of recordkeeping and reporting requirements and has determined that a report pursuant to Government Code Section 11346.3(c) is not required.

COST IMPACT ON REPRESENTATIVE PRIVATE
PERSON OR BUSINESS
(Government Code Section 11346.5(a)(9))

HCD is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS
UPON JOBS AND BUSINESS EXPANSION,
ELIMINATION OR CREATION
(Government Code Section 11346.5(a)(10),
Government Code Section 11346.3(b)(1))

HCD has assessed whether or not, and to what extent, this proposal will affect the following:

- The creation or elimination of jobs within the State of California.
These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.
- The creation of new businesses or the elimination of existing businesses within the State of California.
These regulations will not affect the creation or the elimination of businesses within the State of California.
- The expansion of businesses currently doing business within the State of California.
These regulations will not affect the expansion of businesses currently doing business within the State of California.
- The benefits of the regulations to the health and welfare of California residents, worker safety and the State's environment.
These regulations will update and improve green building standards, which will provide increased protection of public health and safety, worker safety and the environment.

(See *Economic Impact of the Proposed California Green Building Standards Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

ESTIMATED COST OF COMPLIANCE OF
STANDARDS THAT WOULD IMPACT HOUSING
(Government Code Section 11346.5(a)(12))

HCD has made an initial determination that this proposal would not have a significant effect on housing costs. The CBSC contact person designated below will make HCD's initial evaluation of the effect of the proposed regulatory action on housing costs available upon request. (See *Economic Impact of the Proposed California Green Building Standards Code Regulations on Private Persons and Businesses in the State of California* in the rulemaking file.)

CONSIDERATION OF ALTERNATIVES
(Government Code Section 11346.5(a)(13))

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

AVAILABILITY OF
RULEMAKING DOCUMENTS
(Government Code Section 11346.5(a)(20)),
(Government Code Section 11346.5(a)(19))

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and the initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov>
and also will be posted on HCD's website at:
<http://www.hcd.ca.gov/codes/state-housing-law/2015codeadoptproj.html>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that HCD shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS
(Government Code Section 11346.5(a)(14))

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

CBSC

Contact: Pamela Maeda

CBSC

Back-up: If the contact person is unavailable, please contact Michael Nearman at the phone number (916) 263-5888 or fax number provided below.

CBSC

Address: California Building Standards Commission
2525 Natomas Park Drive,
Suite 130
Sacramento, CA 95833

CBSC

Telephone: (916) 274-5872

CBSC Fax:

(916) 263-0959

CBSC E-mail: CBSC@dgs.ca.gov

PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE AND/OR TECHNICAL QUESTIONS ON THE PROPOSED BUILDING STANDARDS

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

Kyle Krause, State Housing Law Program Manager
HCD, Division of Codes and Standards
Telephone: (916) 445-4719
Fax: (916) 327-4713
E-mail: kyle.krause@hcd.ca.gov

Back-up:

Shawn Huff, Assistant Deputy Director
HCD, Division of Codes and Standards
Telephone: (916) 263-3124
Fax: (916) 327-4713
E-mail: shuff@hcd.ca.gov

TITLE 24. BUILDING STANDARDS COMMISSION

NOTICE OF PROPOSED ACTION TO BUILDING STANDARDS OF THE DIVISION OF THE STATE ARCHITECT — STRUCTURAL SAFETY (DSA-SS AND DSA-SS/CC)

REGARDING THE CALIFORNIA PLUMBING CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5

DSA-SS-EF-04-15

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Division of the State Architect (DSA) proposes to adopt, approve, codify, and, publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 5. The DSA is proposing building standards related to reduction of indoor water use.

PUBLIC COMMENT PERIOD

A public hearing has not been scheduled; however, written comments will be accepted from **November 6, 2015, until 5:00 p.m. on December 21, 2015**. Please address your comments to:

California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Attention: Jim McGowan, Executive Director

Written Comments may be faxed to (916) 263-0959 or e-mailed to CBSC@dgs.ca.gov.

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

The public will have an opportunity to provide both written and/or oral comments regarding the proposed action on building standards at a public meeting to be conducted by the California Building Standards Commission to be scheduled at a date near the end of the cur-

rent adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

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

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

AUTHORITY AND REFERENCE

The Division of the State Architect adopts these building standards and proposes them for adoption by the California Building Standards Commission (CBSC) under the authority granted by Health and Safety Code 18930. The purpose of these building standards is to implement, interpret, and make specific the provisions of Health and Safety Code 18930.5, 18937, 18938 and 18940.5, and Section 30, Governor's Executive Order No. B-29-15 (April 1, 2015). The DSA-SS is proposing this regulatory action based on Education Code Sections 17310, 81142 and 81053, and Health and Safety Code Sections 16022 and 18940.5.

INFORMATIVE DIGEST

An informative digest drafted in plain English in a format similar to the Legislative Counsel's Digest shall include the following:

Summary of Existing Laws

H&SC Section 18930.5 grants CBSC the authority, if no state agency has the authority or expertise to propose green building standards applicable to a particular occupancy, to adopt, approve, codify, update, and publish green building standards for those occupancies.

H&SC Section 18937 provides that the commissioners shall act on emergency standards within 30 days, and they must act on the merit of the emergency finding as well as on the proposed standards.

H&SC Section 18938 requires the filing of emergency standards with the Secretary of State only after they have been approved by the commissioners. It requires that the standards become effective when filed with the Secretary of State or at a later date specified in the standards, and that they be published in Title 24.

H&SC Section 18940.5 requires that agencies that propose green building standards for inclusion in Part 11 of Title 24 of the California Code of Regulations shall, to the extent that it is feasible, reference or reprint the green building standards in other relevant portions of Part 2, 2.5, 3, 4, 5, or 6 of Title 24 of the California Code of Regulations. For purposes of compliance with this section, the republication of the provisions of Part 11 of Title 24 of the California Code of Regulations in other parts of Title 24 of the California Code of Regulations shall not be considered duplication in violation of paragraph (1) of subdivision (a) of Section 18930.

H&SC Section 16022 authorizes the State Architect to establish building standards for the design, construction and inspection of building systems for state-owned or state-leased essential services buildings.

Education Code Sections 17310, 81142 and 81053 authorize the State Architect to establish building standards for the design, construction and inspection of building systems for public elementary and secondary schools, and community colleges.

Summary of Existing Regulations

The California Plumbing Code (Part 5, Title 24, California Code of Regulations) contains mandatory flow rates for urinals in nonresidential occupancies, which are also specified in Title 20 of the California Code of Regulations (as adopted by the California Energy Commission).

Summary of Effect

This proposed action will make effective, upon adoption and approval by the commissioners, emergency modifications to the California Plumbing Code that reference appropriate CALGreen standards for buildings within DSA authority, were approved by the commission on October 21, 2015, and have a delayed effective date of January 1, 2016, to align with similar emergency Appliance Efficiency Regulations adopted by the California Energy Commission in Title 20, California Code of Regulations. These emergency building standards necessitate immediate action to avoid serious harm to the public peace, health, safety, and general welfare in response to ongoing drought conditions and the subsequent State of Emergency proclamations and Executive Order No. B-29-15 issued by the Governor.

Comparable Federal Statute or Regulations

These regulations seek to align with similar Title 20 Appliance Efficiency Regulations adopted by the California Energy Commission. Both the Title 20 and

Title 24 regulations align with, and in some cases are more stringent than the WaterSense standards relative to plumbing fixture flow rates developed by the U.S. Environmental Protection Association.

Policy Statement Overview

DSA is responsible for the development of plumbing building standards for public elementary and secondary schools, community colleges, and state-owned or state-leased essential services buildings for which no other state agency has authority or expertise.

Evaluation of consistency

The proposed action is not incompatible or inconsistent with existing regulations. This proposed action will align specified regulations in Title 24 with those in Title 20 and prevent incompatible/inconsistent regulations.

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

The California Energy Commission develops and maintains the Appliance Efficiency Regulations contained within Sections 1601–1609 of Title 20, California Code of Regulations, which prohibit the sale or offer for sale of specified noncompliant plumbing fixtures, effective January 1, 2016. One particular type of plumbing fixture regulated by this section of Title 20 is currently allowed for installation by the California Plumbing Code (Part 5 of Title 24, California Code of Regulations). Specifically, the Title 20 regulations prohibit the sale of wall-mounted urinals with a maximum flow rate of greater than .125 gallons-per-flush (GPF) in nonresidential construction. Additionally, the California Energy Code (Part 6, Title 24, California Code of Regulations) states that any appliance regulated by the Appliance Efficiency Regulations, Title 20, California Code of Regulations, Section 1601 et seq., may be installed only if the appliance fully complies with Section 1608(a) of those regulations. DSA has determined that, pursuant to the recently adopted Title 20 emergency regulations as well as existing regulations within the California Energy Code, wall-mounted urinals with a maximum flow rate of greater than .125 GPF may not be installed on or after January 1, 2016. Therefore, in order to prevent a conflict between Title 20 and Title 24, DSA is proposing this emergency building standard regulation that will align the installation requirements for wall-mounted urinals in nonresidential construction to those recently adopted by the CEC in Title 20.

**MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**

DSA has determined that projects following this regulation would not impose a mandate on local agencies or school districts because the requirements are already mandatory, as adopted by the California Energy Commission into Title 20 of the California Code of Regulations.

ESTIMATE OF COST OR SAVINGS

- A. Cost or Savings to any state agency: **NO**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**
- E. Cost or savings in federal funding to the state: **NO**
Estimate: **NONE**

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

The DSA has made an initial determination that the adoption/amendment of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states.

DECLARATION OF EVIDENCE

DSA affirms that the rulemaking action complies with the mandates set forth by the Health & Safety Code, Sections 18928 & 18934.5. Therefore, the DSA's initial determination of no significant, statewide adverse economic impact directly affecting business in California and their ability to compete with businesses in other states does not require any additional evidence, documents or other evidence to support this action.

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

The proposed regulatory action does not require a report by any business or agency, so the Division of the State Architect has not made a finding of necessity for public's health, safety or welfare.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The DSA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION
(Government Code Section 11346.5(a)(10), Government Code Section 11346.3(b)(1))

The DSA has assessed whether or not and to what extent this proposal will affect the following:

- The creation or elimination of jobs within the State of California.
These regulations will not affect the creation or elimination of jobs within the State.
- The creation of new businesses or the elimination of existing businesses within the State of California.
These regulations will not affect the creation or elimination of businesses within the State.
- The expansion of businesses currently doing business with the State of California.
These regulations will not affect the expansion of businesses currently doing business within the State.
- The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.
This regulation may help alleviate the negative impacts of ongoing drought conditions by promoting the conservation and efficient use of water, preventing water waste, and preserving the state's severely depleted water supplies (drinking water, agricultural production, etc.).

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING
(Government Code Section 11346.5(a)(12))

Requires that an action that would impact housing shall include the estimated cost of compliance and potential benefits of a building standard, if any, that were included in the initial statement of reasons. In addition, the agency officers shall make available to the public, upon request, the agency's evaluation, if any, of the effect of the proposed regulatory action on housing costs.

DSA has made an initial determination that this proposal would not have a significant effect on housing costs.

CONSIDERATION OF ALTERNATIVES

The DSA has determined that no reasonable alternative considered by the state 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 or 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 provisions of law.

AVAILABILITY OF RULEMAKING DOCUMENTS

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the California Building Standards Commission website:

<http://www.bsc.ca.gov/>

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the California Building Standards Commission website.

Government Code Section 11346.5(a)(21) states that DSA shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law and that providing the description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS
(Government Code Section 11346.5(a)(14))

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

Michael L. Nearman,
Acting Executive Director
(916) 263-0916
Michael.Nearman@dgs.ca.gov

Enrique Rodriguez,
Assoc. Construction Analyst
(916) 263-0845
Enrique.Rodriguez@dgs.ca.gov

Department of General Services/
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone No.: (916) 263-0916

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

Specific questions regarding the substantive and/or
technical aspects of the proposed changes to the build-
ing standards should be addressed to:

James P. Hackett, Principal Structural Engineer
Division of the State Architect
Ph: (916) 322-4699
jim.hackett@dgs.ca.gov
Fax: (916) 445-3521

James J. Gibbons, Construction Supervisor II
Division of the State Architect
Ph. 916-322-2250
james.gibbons@dgs.ca.gov
Fax. 916-323-5589

GENERAL PUBLIC INTEREST

**DEPARTMENT OF TOXIC SUBSTANCES
CONTROL**

**Notice of the Department of Toxic Substances
Control's 2015 Fee Schedule for Metal Shredding
Facilities**

15-Day Public Comment Period:
November 6 through November 20, 2015

WHAT IS BEING PROPOSED: The California Department of Toxic Substances Control (DTSC) is preparing to adopt emergency regulations to impose an annual flat fee on metal shredding facilities. This notice serves to alert the public, the regulated community, and other stakeholders of DTSC's 2015 fee schedule. DTSC will accept comments on its fee schedule from November 6 through November 20, 2015.

BACKGROUND: DTSC is authorized by Health and Safety Code section 25150.84 to adopt emergency regulations to establish and administer a fee to be paid by metal shredding facilities at a rate sufficient to reimburse the department for its costs to implement chapter 6.5 of division 20 of the Health and Safety Code, as applicable to metal shredding facilities. DTSC anticipates adopting emergency regulations to establish and administer the fee in late 2015.

DTSC proposes to calculate the annual flat fee by dividing DTSC's annual projected costs by the total number of metal shredding facilities operating in any portion of the calendar year to which the fee applies. The annual projected cost is anticipated to be defined in the emergency regulation as the Department's reasonable and necessary projected costs during each calendar year to implement sections 25150.82 and 25150.84 of chapter 6.5 of division 20 of the California Health and Safety Code.

DTSC has estimated the annual projected costs for the calendar year January 1, 2015 through December 31, 2015, to be \$290,000, based on activities presented in the following table:

Activities Underway and Planned for Calendar Year 2015	Estimated Costs for Calendar Year 2015
Meetings with Industry and Other Regulatory Agencies	\$49,000
Reviews and Comments on the Treatability Study	\$64,000
Preparation of Annual Fee Regulations	\$48,000
Preparation and Review of Industry Questionnaires	\$45,000
Evaluation of Regulatory Oversight	\$23,000
Identification of Potential Metal Shredding Facilities	\$61,000
Total	\$290,000

Annual Projected Costs for Calendar Year 2015	Number of Applicable Metal Shredding Facilities for Calendar Year 2015	Annual Flat Fee Applied to each Metal Shredding Facility for Calendar Year 2015
\$290,000	6	\$48,333.33

DTSC anticipates sending an invoice to each metal shredding facility subject to the annual flat fee by no later than December 31, 2015. The fee amount is anticipated to be due and payable to DTSC within sixty (60) days.

WHERE TO SEND PUBLIC COMMENTS: Public comments concerning the Projected Annual Fee on Metal Shredding Facilities should include "Projected Annual Fee on Metal Shredding Facilities" in the subject line of your comment e-mail or letter. All comments must be postmarked or e-mailed by November 20, 2015, and must be submitted to the following address:

Department of Toxic Substances Control
 Hazardous Waste Management Program
 1001 I Street, 11th Floor
 P.O. Box 806
 Sacramento, California 95812-0806
 Attn: Mr. Edward Benelli
 E-Mail: Edward.Benelli@dtsc.ca.gov

WHERE TO GET MORE INFORMATION: Additional information is available on the DTSC Web page for Metal Shredding Facilities and Wastes at: <http://www.dtsc.ca.gov/HazardousWaste/MetalShredderPortal.cfm>.

<p>SUMMARY OF REGULATORY ACTIONS</p>

**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# 2015-0916-02
 CALIFORNIA POLLUTION CONTROL
 FINANCING AUTHORITY
 CPCFA — Small Business Assistance Fund (SBAF)
 Fees

This Certification of Compliance action makes permanent amendments to (1) temporarily extend the existing waiver of Small Business Assistance Fund (SBAF) fees for one year to June 30, 2016; and (2) waive half of the fee assessed on applicable bonds on all new financing transactions from July 1, 2016, to December 31, 2016.

Title 4
AMEND: 8035
Filed 10/27/2015
Effective 10/27/2015
Agency Contact: Andrea Gonzalez (916) 651-7284

File# 2015-1015-03
CALIFORNIA SCHOOL FINANCE AUTHORITY
Charter School Facility Grant Program

This is the first readoption by the California School Finance Authority (Authority) of emergency action no. 2015-0417-01E, which implements regulations to govern administration of the Charter School Facility Grant Program, under which the Authority administers approximately \$92,000,000 in general fund assistance to charter schools for facilities rent and lease costs.

Title 4
AMEND: 10170.2, 10170.3, 10170.4, 10170.5, 10170.6, 10170.7, 10170.8, 10170.9, 10170.10, 10170.11
Filed 10/26/2015
Effective 10/26/2015
Agency Contact: Katrina Johantgen (213) 620-2305

File# 2015-0921-05
DEPARTMENT OF FOOD AND AGRICULTURE
Equine Medication Monitoring Program

This rulemaking by the Department of Food and Agriculture amends and adopts sections in Title 3 of the California Code of Regulations, regarding the drugging of horses entered in horse events and sales. This action makes technical changes to existing regulations and adopts a new violations matrix to clarify the penalties and fines for violations of the Equine Medication Monitoring Program. The penalties and fines are in statute.

Title 3
ADOPT: 1280.11 AMEND: 1280, 1280.1, 1280.7, 1280.8
Filed 10/22/2015
Effective 01/01/2016
Agency Contact: Nancy Grillo (916) 900-5033

File# 2015-1014-01
DEPARTMENT OF INDUSTRIAL RELATIONS
Workers' Compensation Revolving Fund Assessments

This regulatory action was submitted by the Department of Industrial Relations to amend definitions and the provision dealing with credit for undercollection concerning the following: Workers' Compensation — Administration Revolving Fund Assessment, Uninsured Employers Benefits Trust Fund Assessment, Subsequent Injuries Benefits Trust Fund Assessment, Labor Enforcement and Compliance Fund Assessment,

Occupational Safety and Health Fund Assessment and Fraud Surcharge. This action is exempt from the rule-making provisions of the Administrative Procedure Act and OAL review pursuant to Labor Code section 62.5.

Title 8
AMEND: 15600, 15609
Filed 10/21/2015
Effective 10/21/2015
Agency Contact: James Robbins (510) 286-0544

File# 2015-1016-07
DEPARTMENT OF INSURANCE
Provider Network Adequacy

The Department of Insurance (DOI) submitted this emergency action to readopt the changes adopted in OAL File Nos. 2015-0120-03E and 2015-0717-04EE, which amended four sections and adopted four sections in title 10 of the California Code of Regulations 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 will participate in a patient's planned care.

Title 10
ADOPT: 2240.15, 2240.16, 2240.6, 2240.7
AMEND: 2240, 2240.1, 2240.4, 2240.5
Filed 10/26/2015
Effective 10/26/2015
Agency Contact:
Sheirin Ghoddoucy (916) 492-3591

File# 2015-0918-03
DEPARTMENT OF JUSTICE
Supervision of Trustees & Fundraisers for Charitable Purposes Act

In this regulatory action, the Department amends and adopts various sections in Title 11 of the California Code of Regulations to specify the grounds for issuance of cease and desist orders and other administrative actions. The regulations also describe the processes for imposing penalties and appealing administrative actions, provide operational restrictions on registrants whose registrations have been suspended or revoked, and describe the process for reinstatement.

Title 11
ADOPT: 313, 314, 315, 316, 999.9, 999.9.1, 999.9.2, 999.9.3, 999.9.4, 999.9.5
AMEND: 999.6, 999.7, 999.8
Filed 10/27/2015
Effective 01/01/2016
Agency Contact: Melan Noble (916) 322-0908

File# 2015-1021-02
 ENVIRONMENTAL PROTECTION AGENCY
 Conflict-of-Interest Code

This is a Conflict-of-Interest Code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

Title 27
 AMEND: 10010
 Filed 10/28/2015
 Effective 11/27/2015
 Agency Contact: Alice Reynolds (916) 323-2514

File# 2015-0917-04
 NEW MOTOR VEHICLE BOARD
 Case Management

This rulemaking action primarily implements California Vehicle Code section 3050.7 to add a formal mechanism for placing before the New Motor Vehicle Board (Board), for consideration at its next meeting, a proposed stipulated decision and order that has been rejected by at least one member of the Board.

Title 13
 ADOPT: 551.22 AMEND: 550, 551.2
 Filed 10/21/2015
 Effective 01/01/2016
 Agency Contact: Robin Parker (916) 323-1536

File# 2015-0917-05
 SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY AND HEARING AID DISPENSERS BOARD
 Non-Substantive Changes

The Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board submitted this action pursuant to title 1, California Code of Regulations, section 100 to make comprehensive nonsubstantive changes to title 16 regulations pertaining to the practice and licensure of hearing aid dispensing services since the merger of the Hearing Aid Dispensers Bureau into the Speech-Language Pathology and Audiology Board in AB 1535 (Stats. 2009, ch. 309) and the movement and renumbering of the provisions of the Hearing Aid Dispensers Law in SB 933 (Stats. 2011, ch. 449), and to make other nonsubstantive changes to title 16 regulations pertaining to the practice and licensure of speech-language pathology and audiology services.

Title 16
 AMEND: 1399.100, 1399.101, 1399.102, 1399.105, 1399.111, 1399.113, 1399.114, 1399.115, 1399.116, 1399.117, 1399.118, 1399.119, 1399.120, 1399.121, 1399.122, 1399.126, 1399.127, 1399.132, 1399.133, 1399.134, 1399.135, 1399.136, 1399.137, 1399.138, 1399.139, 1399.140, 1399.141, 1399.142, 1399.143, 1399.144, 1399.150.1, 1399.150.2, 1399.150.3, 1399.151, 1399.151.1, 1399.152, 1399.152.1, 1399.152.2, 1399.152.3, 1399.153, 1399.153.2, 1399.153.3, 1399.153.4, 1399.153.8, 1399.153.9, 1399.154, 1399.154.1, 1399.154.2, 1399.154.3, 1399.154.4, 1399.154.5, 1399.155, 1399.156, 1399.156.2, 1399.156.3, 1399.156.5, 1399.157.2, 1399.159, 1399.159.01, 1399.159.1, 1399.159.2, 1399.159.3, 1399.160.1, 1399.160.2, 1399.160.3, 1399.160.7, 1399.160.8, 1399.160.9, 1399.160.10, 1399.160.12, 1399.170.15, 1399.170.18, 1399.180, 1399.182
 Filed 10/28/2015
 Agency Contact: Karen Robinson (916) 263-2291

File# 2015-1019-03
 STATE COMPENSATION INSURANCE FUND
 Conflict-of-Interest Code

This is a Conflict-of-Interest Code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

Title 2
 AMEND: 52400
 Filed 10/28/2015
 Effective 11/27/2015
 Agency Contact:
 Joseph Gershaneck (925) 523-5766

File# 2015-1021-01
 STATE WATER RESOURCES CONTROL BOARD
 Emergency Regulation Amending Water Rights Fee Schedule

On September 16, 2015, the State Water Resources Control Board (Board) adopted Resolution 2015-0061 which revised by emergency regulations the water rights fee schedules in sections 1062, 1064, and 1066 of Title 23 of the California Code of Regulations to conform to the Budget Act for Fiscal Year (FY) 2015-16. Under the Water Code and existing regulations, a person filing a water right application, petition, registration, groundwater recordation or other filing must pay a filing fee to the Board. These emergency regulations

adjust the fee schedule in FY 2015–16 to: (1) increase annual water rights fees to conform to amounts appropriated by the Legislature from the Water Rights Fund, and (2) adjust the caps on application and petition filing fees based on the consumer price index. Pursuant to Water Code section 1530(b), this action is deemed to be an emergency for purposes of the Administrative Procedure Act and shall remain in effect until revised by the Board.

Title 23

AMEND: 1062, 1064, 1066

Filed 10/28/2015

Effective 10/28/2015

Agency Contact: Ryan Wilson (916) 341–5135

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN May 27, 2015 TO
October 28, 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 2

- 10/28/15 AMEND: 52400
- 10/19/15 AMEND: 18422
- 10/19/15 AMEND: 18422.5
- 10/12/15 AMEND: 599.500
- 09/24/15 AMEND: 1181.1, 1181.2, 1181.3, 1181.4, 1181.6, 1181.7, 1181.8, 1181.9, 1181.10, 1181.11, 1181.12, 1181.13, 1182.1, 1182.2, 1182.3, 1182.4, 1182.5, 1182.6, 1182.7, 1182.8, 1182.10, 1182.12, 1182.13, 1183.1, 1183.2, 1183.4, 1183.5, 1183.7, 1183.8, 1183.9, 1183.11, 1183.12, 1183.13, 1183.14, 1183.15, 1183.16, 1183.17, 1183.18, 1184.1, 1185.1, 1185.2, 1185.3, 1185.4, 1185.5, 1185.6, 1185.7, 1185.8, 1185.9, 1186.1, 1186.2, 1186.3, 1186.4, 1186.5, 1186.6, 1186.7, 1187.1, 1187.2, 1187.3, 1187.4, 1187.5, 1187.6, 1187.7, 1187.8, 1187.9, 1187.10, 1187.11, 1187.12, 1187.13, 1187.14, 1187.15, 1188.1, 1188.2, 1190.1, 1190.2, 1190.3, 1190.4, 1190.5
- 09/21/15 AMEND: 35101

- 09/16/15 AMEND: 54100
 - 09/14/15 AMEND: 55200
 - 09/10/15 AMEND: 60000, 60010, 60510, 60550, 60560
 - 09/09/15 ADOPT: 59750
 - 09/08/15 AMEND: 560
 - 08/13/15 AMEND: 1859.163.1
 - 08/06/15 AMEND: 18420.1, 18901.1
 - 07/30/15 REPEAL: 547.80, 547.82, 547.83, 547.84, 547.85, 547.86, 547.87
 - 07/30/15 ADOPT: 599.980, 599.981, 599.982, 599.983, 599.984, 599.985, 599.986 AMEND: 599.980 (renumbered to 599.987), 599.981 (renumbered to 599.988), 599.982 (renumbered to 599.989), 599.985 (renumbered to 599.990), 599.986 (renumbered to 599.991), 599.987 (renumbered to 599.992), 599.988 (renumbered to 599.993), 599.990 (renumbered to 599.994), 599.992 (renumbered to 599.995), 599.993 (renumbered to 599.996), 599.994 (renumbered to 599.997), 599.995 (renumbered to 599.998)
 - 07/16/15 AMEND: 548.42, 548.124
 - 07/15/15 AMEND: 59640
 - 07/15/15 AMEND: 18404.2
 - 07/10/15 AMEND: 18700, 18700.1, 18700.3, 18701, 18702, 18702.2, 18702.4, 18747
 - 06/22/15 ADOPT: 18700.3, 18707 AMEND: 18704 REPEAL: 18704.1, 18704.2, 18704.3, 18704.4, 18704.5, 18704.6
 - 06/22/15 AMEND: 18361.7
 - 06/16/15 AMEND: 39000, 39001, 39002
 - 06/02/15 AMEND: 10001, 10002, 10005, 10006, 10007, 10008, 10009, 10011, 10012, 10013, 10015, 10021, 10022, 10024, 10025, 10029, 10030, 10031, 10033, 10035, 10037, 10038, 10039, 10041, 10042, 10046, 10047, 10050, 10053, 10054, 10056, 10057, 10061, 10062, 10063, 10065
 - 05/27/15 ADOPT: 61100, 61101, 61102, 61103, 61104, 61105, 61106, 61107, 61108, 61109, 61120, 61121, 61122, 61130, 61131, 61132, 61140
- Title 3**
- 10/22/15 ADOPT: 1280.11 AMEND: 1280, 1280.1, 1280.7, 1280.8
 - 09/30/15 AMEND: 3435(b)
 - 09/30/15 AMEND: 1380.19, 1430.10, 1430.12, 1430.14, 1430.26, 1430.27, 1430.45
 - 09/16/15 AMEND: 3435(b)

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08/27/15	AMEND: 3435	09/21/15	ADOPT: 9785.2.1, 9785.3.1, 9785.4.1,
08/26/15	AMEND: 6502		AMEND: 9770, 9785, 9785.4, 9792.5.1
08/20/15	AMEND: 3435(b)	09/15/15	AMEND: 3437, 3441, 3664(b)
08/17/15	AMEND: 2100	08/28/15	AMEND: 3411
08/14/15	ADOPT: 450, 450.1, 450.2, 450.3, 450.4,	08/27/15	AMEND: 8397.4
	451, 452	08/27/15	AMEND: 1710
08/10/15	AMEND: 6148, 6148.5, 6170, 6216	08/24/15	AMEND: 9810, 9811, 9812, 9814, 9815,
08/10/15	AMEND: 3435(b)		9881.1, 10139 REPEAL: 9813
08/10/15	AMEND: 3435(b)	08/20/15	AMEND: 14300.2
08/06/15	AMEND: 3435(b)	08/12/15	AMEND: 30, 30.5, 31.1, 100, 104, 105,
08/04/15	AMEND: 3435(b)		106, 109
07/21/15	AMEND: 3439(b)	08/10/15	AMEND: 333, 336
07/08/15	AMEND: 3435(b)	07/30/15	ADOPT: 5184 AMEND: 5185
07/01/15	AMEND: 4603(i)	07/06/15	AMEND: 5530, 5568, 5572, 5574, 5575,
06/24/15	AMEND: 3435(b)		5621, 2540.7, 2540.8
06/24/15	AMEND: 2751(b)		
06/22/15	AMEND: 3435(b)	Title 9	
06/02/15	AMEND: 3591.11(a)	10/07/15	ADOPT: 3200.245, 3200.246, 3510.010,
05/28/15	AMEND: 3435(b)		3560, 3560.010, 3560.020, 3700, 3701,
Title 4			3705, 3706, 3710, 3715, 3720, 3725,
10/27/15	AMEND: 8035		3726, 3730, 3735, 3740, 3745, 3750,
10/26/15	AMEND: 10170.2, 10170.3, 10170.4,		3755, 3755.010
	10170.5, 10170.6, 10170.7, 10170.8,	10/02/15	AMEND: 10701
	10170.9, 10170.10, 10170.11	08/31/15	AMEND: 881
10/05/15	AMEND: 1843.2	08/26/15	AMEND: 513, 524, 530, 541, 553, 620,
09/08/15	ADOPT: 8130, 8131, 8132, 8133, 8134,		620.1, 1900, 1901, 1904, 1913, 1921
	8135, 8136, 8137, 8138	08/24/15	AMEND: 1810.110, 1810.214,
09/08/15	ADOPT: 10091.1, 10091.2, 10091.3,		1810.215, 1810.218, 1810.219,
	10091.4, 10091.5, 10091.6, 10091.7,		1810.223.5, 1810.224, 1810.230,
	10091.8, 10091.9, 10091.10, 10091.11,		1810.236, 1810.237, 1810.239,
	10091.12, 10091.13, 10091.14, 10091.15		1810.246, 1810.252, 1810.355,
08/31/15	AMEND: 1844		1810.380, 1810.425, 1820.110,
08/19/15	AMEND: 1433		1820.115, 1820.200, 1830.115,
07/31/15	ADOPT: 1866.1 AMEND: 1844		1840.100, 1840.210, 1840.302,
07/28/15	AMEND: 10325		1840.312, 1850.210, 1850.213,
07/23/15	AMEND: 1632		1850.505, 1850.515, 1850.520,
07/22/15	AMEND: 400, 401, 402, 403, 404, 405,		1850.530, 1850.535 REPEAL:
	406		1810.214.1
07/15/15	AMEND: 1588	07/16/15	ADOPT: 3200.182, 3200.183, 3200.184,
07/02/15	AMEND: 5205, 5230, 5170		3510.020, 3580, 3580.010, 3580.020,
06/04/15	ADOPT: 1891.1		3900, 3905, 3910, 3910.010, 3910.015,
			3910.020, 3915, 3925, 3930, 3935
Title 5		06/15/15	AMEND: 4210
10/06/15	AMEND: 80225	06/01/15	ADOPT: 4530, 4530.1, 4530.2, 4530.3,
10/05/15	AMEND: 19810		4530.4, 4530.5, 4530.6, 4530.7, 4530.8,
09/10/15	AMEND: 19810		4530.9, 4530.10, 4530.11, 4530.12
07/30/15	ADOPT: 71105, 71105.5, 71410, 71471,	05/27/15	AMEND: 7400
	71775, 71775.5, 74240, 74250, 75140		
	AMEND: 70000, 71400, 71650, 75150	Title 10	
07/20/15	ADOPT: 80054.1 AMEND: 80054	10/26/15	ADOPT: 2240.15, 2240.16, 2240.6,
			2240.7 AMEND: 2240, 2240.1, 2240.4,
			2240.5
Title 8		10/15/15	ADOPT: 5508, 5509, 5510, 5511, 5512,
10/21/15	AMEND: 15600, 15609		5513, 5514, 5515, 5516
09/21/15	ADOPT: 14006.1 AMEND: 14003,		
	14007		

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09/17/15 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, 6622

08/19/15 AMEND: 1422.6.1, 1422.6.3, 1950.122.5.1, 1950.122.5.3

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