

**FINAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT**

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

Outdoor Irrigation

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

STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS

In response to State of Emergency proclamation issued by Governor Brown in Executive Order B-29-15 issued April 1, 2015, the Office of Statewide Health Planning and Development (OSHPD) proposed an emergency regulation pertaining to the reduction of potable water use for exterior landscape irrigation for specified nonresidential buildings. OSHPD, in coordination with the California Building Standards Commission (CBSC), Department of Water Resources, the Department of Housing and Community Development, the Division of the State Architect, and other stakeholders, developed emergency regulations that amend the 2013 California Green Building Standards Code (Part 11, Title 24, California Code of Regulations, also known as "CALGreen").

The emergency regulations became effective upon the California Building Standards Commission filing with the Secretary of State on June 1, 2015. This rulemaking action represents OSHPD's proposal for the permanent adoption of the following regulation:

Section 301.4 Health Facilities - This new amendment will provide clarification that the non-residential mandatory requirements for reduction of potable water use for exterior landscape irrigation apply to OSHPD health facilities and are enforced by the local agency having jurisdiction. Local approval must be obtained and submitted to OSHPD prior to issuance of OSHPD's plan approval or building permitting.

UPDATES TO THE INITIAL STATEMENT OF REASONS

OSHPD finds that no revisions have been made which would warrant a change to the initial statement of reasons for the proposed actions.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

OSHPD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S)

OSHPD did not receive any objections or recommendations for the proposed actions as noticed during the 45-Day Comment Period of September 11, 2015 through October 26, 2015.

DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS

OSHPD has determined that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the adopted regulation.

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

OSHPD has determined that the proposed regulations will not have an adverse economic impact on small businesses. The proposed regulation is a technical modification that will provide clarification.