

## INITIAL STATEMENT OF REASONS

### **Section 1859.2. Definitions.**

#### **Specific Purpose of the Regulation**

To provide the meaning of specific words and terms that are essential to these regulations.

#### **Need for the Regulation**

It was necessary to amend the definition of “Most Vulnerable Category 2 Buildings” to promote broader participation by school districts in the Seismic Mitigation Program. This program was established by Assembly Bill 127, Chapter 35, Statutes of 2006 (Perata/Nunez), for the seismic repair, reconstruction, or replacement of “the most vulnerable” school facilities. It became law on May 20, 2006 and was funded in the amount of \$199.5 million by Proposition 1D approved by the voters at the November 7, 2006 General Election.

The purpose of the Program is to save lives and prevent damage in the most vulnerable school facilities during a seismic event. However, only one seismic mitigation project has been approved by the SAB to date, representing State funds in the amount of \$3.7 million. In order to increase program applications and disburse the remaining \$195.8 million of State funding for this vital purpose, the SAB found it necessary to reduce the 1.70 g ground shaking threshold (short period spectral acceleration) to 1.68 g for program eligibility.

The Board also added four more building component types as eligible for funding:

- Building types already eligible:
  - C1 . . . Concrete Moment Frame,
  - PC1A . . Precast/Tilt-up Concrete Shear Wall with Flexible Roof,
  - PC2 . . . Precast Concrete Frame and Roofs with Concrete Shear Walls, and
  - URM . . . Unreinforced Masonry Bearing Wall Buildings.
  
- Building types added:
  - C1B . . . Reinforced Concrete Cantilever Columns with Wood Roofs,
  - PC1 . . . Precast/Tilt-up Concrete Shear Wall with Concrete Floor and Roof Diaphragms,
  - PC2A . . Precast Concrete Frame without Concrete Shear Walls and with Rigid Floor and Roof Diaphragms, and
  - C3A . . . Concrete Frame with Infill Masonry Shear Walls and Flexible Floor and Roof Diaphragms.

The amendments increase the estimated number of potentially eligible school facilities from 25 to 48 totaling approximately \$167.2 million, but not exceeding the bond covenant of \$199.5 million authorized for the Program.

#### **Technical Documents Relied Upon**

The State Allocation Board’s Action item, dated August 26, 2009, entitled “Seismic Mitigation Program.”

### **Alternatives to the Proposed Regulatory Action that would be as Effective and Less Burdensome to Private Persons**

The SAB finds that no alternatives it has considered would be more effective in carrying out the purpose of the proposed regulation or would be as effective and less burdensome to affected private persons than the proposed regulation.

### **Alternatives to the Proposed Regulatory Action that would Lessen any Adverse Economic Impact on Small Business**

The SAB has determined that the proposed regulation does not affect small businesses.

### **Finding of Significant Adverse Economic Impact on Businesses**

The SAB has determined that the adoption of the regulation will not affect businesses, including small businesses, because they are not required to comply with or enforce the regulation, nor will they benefit from or be disadvantaged by the regulation.

### **Impact on Local Agencies or School Districts**

The SAB has determined that the proposed regulation does not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies or school districts to incur additional costs in order to comply with the proposed regulation.