

**FINAL STATEMENT OF REASONS
FOR
PROPOSED BUILDING STANDARDS
OF THE
CALIFORNIA BUILDING STANDARDS COMMISSION (CBSC)**

**REGARDING THE ADOPTION OF THE 2015 UNIFORM MECHANICAL CODE (UMC)
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4
2016 CALIFORNIA MECHANICAL CODE**

[**Note to agencies:** Directions below, which, like this note, are not intended to be shown in your submittal, have been updated to reflect requirements of SB 617 effective January 1, 2012. New directions are shown in underline.]

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:

UPDATES TO THE INITIAL STATEMENT OF REASONS:

(Government Code Section 11346.9(a)(1) requires an update of the information contained in the initial statement of reasons. If update identifies any data or any technical, theoretical or empirical study, report, or similar document on which the state agency is relying that was not identified in the initial statement of reasons, the state agency shall comply with Government Code Section 11347.1)

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

(Pursuant to Government Code Section 11346.9(a)(2), if the determination as to whether the proposed action would impose a mandate, the agency shall state whether the mandate is reimbursable pursuant to Part 7 of Division 4. If the agency finds that the mandate is not reimbursable, it shall state the reasons for the finding(s))

The California Building Standards Commission has determined that the proposed regulatory action would impose a mandate on local agencies or school districts. (If the determination as to whether the proposed regulation would impose a local mandate, the agency shall state whether the mandate is reimbursable pursuant to Government Code Part 7 (commencing with Section 17500) of Division 4. If the agency finds that the mandate is not reimbursable, it shall state the reasons for the findings)

The California Building Standards Commission finds that the mandate is not reimbursable.

OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S).

(Government Code Section 11346.9(a)(3)) requires a summary of EACH objection or recommendation regarding the specific adoption, amendment, or repeal proposed, and explanation of how the proposed action was changed to accommodate each objection or recommendation, or the reasons for making no change. This requirement applies only to objections or recommendations specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action, or reasons for making no change. Irrelevant or repetitive comments may be aggregated and summarized as a group.

The CBSC received objections or recommendations regarding the proposed regulations.

45 DAY COMMENTS

COMMENTER: Craig Ristow, ACCO, Hwakong Cheng, Jeff Stein, Lance Brown from Taylor Engineering

Section 220.0 The commenters recommend amendments to the Rainwater, Stormwater, and Rainwater Catchment System definitions.

Section 1601.1 The commenter recommends adding

RESPONSE:

Section 220.0 CBSC declines to accept the recommendation to modify “Rainwater” and add “Stormwater”. BSC does agree with Ms. Kraai’s recommendation to edit “Rainwater Catchment System and has made changes to align with HCD.

1. **S. Taylor**, Principal, Taylor Engineering LLC, Recommend: **Approved as Amended**

Response: CBSC reviewed the comment on 11/23/15 and has decided to not accept the comment as it is proposing to amend a model code chapter that is not being proposed for amendment in this rulemaking cycle.

2. **Craig Ristow**, ACCO, **Hwakong Cheng**, **Jeff Stein**, **Lance Brown** from Taylor Engineering, Recommend: **Disapproved**

Response: CBSC reviewed the comments on 11/20/15 and has decided to not accept the comments as they are proposing to amend a model code chapter that is not being proposed for amendment in this rulemaking cycle.

3. **B. Rifenburg**, **I. Millich**, **S. Ishaya**, **S. Myers**, **G. Creighton**, **C. Shinneman II**, **S. Taylor**, **R. Bryan**, **K. Peterson**, **C. Cady**, **D. Heinzerling**, **A. Daly**, **J. Harris**, **C. Barker**, **S. Humason** , Recommend: **Disapproved**

Response: CBSC reviewed the comments on 11/23/15 and has decided to not accept the comments as they are proposing to amend a model code chapter that is not being proposed for amendment in this rulemaking cycle.

DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS

(Government Code Section 11346.9(a)(4)) requires a determination with supporting information that no alternative considered 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, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

The CBSC has determined that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC

IMPACT ON SMALL BUSINESSES: (Government Code Section 11346.9(a)(5)) requires an explanation setting forth the reasons for rejecting any proposed alternatives that would lessen the adverse economic impact on small businesses, including the benefits of the proposed regulation per 11346.5(a)(3).

There were no proposed alternatives. The CBSC has determined that the proposed regulations will have no adverse impact on small businesses.