

**FINAL STATEMENT OF REASONS  
FOR  
PROPOSED BUILDING STANDARDS  
OF THE  
DIVISION OF THE STATE ARCHITECT – STRUCTURAL SAFETY (DSA-SS)**

**REGARDING ADOPTION OF AMENDMENTS TO THE 2013 CALIFORNIA ADMINISTRATIVE  
CODE, CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 24, PART 1**

**(DSA-SS 03/15)**

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**

DSA-SS finds that revisions have been made which warrant changes to the initial statement of reasons for the following sections as proposed for public comment based on comments received:

- **SECTION 4-509:** DSA-SS removed the requirements for the energy code to simplify the implementation of the self-certification process specific to outdoor water use.
- **Other sections:** Corrections or edits to clarify or to align with change made to Section 4-509.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

Because the scoping requirements and outdoor water use regulations of the green building standards proposed contains mandatory measures, DSA has determined that the proposed regulatory action imposes a mandate on local agencies or school districts. However, the mandate does not require reimbursement pursuant to Part 7 (commencing with section 17500) of Division 4, Government Code.

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

**Emergency Rulemaking**

**COMMENTER:** Dick Cowan, XL Construction Corporation

**Regarding:** Section 4-509; proposed water conservation language requiring DSA approval prior to construction contracting.

**Comment:** The DSA Alternate Delivery Task Force continues to find a way to get the Field Act changed to make that approval prior to construction, and code changes should follow.

**Recommendation:** Rather than add to the task of future code change, isn't language requiring no construction prior to DSA approval sufficient for this new code language?

**Response:** Language in Section 4-509 revised so that DSA approval is required prior to commencing construction.

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**COMMENTER:** Anna M. Ferrera, Executive Director of School Energy Coalition (SEC)

**Regarding:** Self-certification for plan review of regulations.

**Comment:** SEC supports self-certification process for plan reviewing the outdoor water use regulations.

**Recommendation:** none

**Response:** DSA appreciates support by SEC.

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**COMMENTS:** Rebekah Cearley, Legislative Advocate for the Community College Facility Coalition (CCFC)

**Regarding:** Self-certification for plan review of regulations.

**Comment:** CCFC supports the use of the self-certification process which requires the design professional to self-certify compliance with the new water efficiency (outdoor water use) regulations.

**Recommendation:** None.

**Response:** DSA appreciates support by CCFC.

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#### **45 DAY COMMENTS**

**COMMENTS:** Jon Wreschinsky, Government Affair Liaison, California Council of the American Society of Landscape Architects.

**Regarding:** Part 1, Sections 4-507 and 4-509.

**Comment:** Section 4-507 needs correction as it relates to the reference to landscape architects. They are "licensed" not "registered." Section 4-509 needs correction as it relates to the reference of a landscape architect's stamp as "registration stamp." Commenter believes that the phrase "and any associated buildings" is irrelevant the design, implementation and maintenance of a landscape irrigation project.

**Recommendation:** Remove and correct verbiage as indicated above.

**Response:** Language will be modified as indicated to be "licensed landscape architect" in Section 4-507 and "seal and stamp" in Section 4-509.

The language describing the project in the first sentence of 4-509 will not be modified as suggested because the intent of the language and the policy procedures for all projects is that the entire project cannot begin until the project including any site work is approved by the Division of the State Architect. Therefore, the language "a project" replaced "landscape project and any associated buildings" to avoid confusion whether the project has buildings, or the scope of work is landscape irrigation work only.

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**COMMENTS:** Dennis Corelis, Deputy State Architect, Division of the State Architect

**Regarding:** Updating the proposed Title 24, Part 1, Chapter 4, Group 3 for Sustainable Construction of Public Schools and Community Colleges (Outdoor Water Use).

**Comment:** Various recommended corrections or edits to clarify and align with the upcoming DSA procedures. Additionally, limit Group 3 to outdoor water use to streamline and expedite the implementation of the new regulation in response to the mandates of Executive Order B-29-15.

**Recommendation:** Revise language in the final express terms.

**Response:** All edits incorporated into the 15-day and final express terms.

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#### **15 DAY COMMENTS**

**COMMENTS:** Anna M. Ferrera, Executive Director of School Energy Coalition (SEC).

**Regarding:** Self-certification for plan review of regulations.

**Comment:** SEC supports self-certification process for plan reviewing the outdoor water use regulations.

**Recommendation:** None.

**Response:** DSA appreciates support by SEC.

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**DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS**

This is not applicable to the DSA because DSA's proposed regulations only apply to public schools and community colleges.

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

This is not applicable to the DSA because DSA's proposed regulations only apply to public schools and community colleges.