

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

**REGARDING ADOPTION OF AMENDMENTS TO THE 2010 CALIFORNIA BUILDING STANDARDS  
CODE, TITLE 24, CALIFORNIA CODE OF REGULATIONS (CCR), PARTS 2, 3, 4, 5 and 6 in TITLE 24,  
CCR, PART 11, CALIFORNIA GREEN BUILDING STANDARDS CODE**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

**STATEMENT OF SPECIFIC PURPOSE AND RATIONALE:**

This proposed action by CBSC adopts voluntary green building standards for occupancies within its authority. The proposed actions further build upon a framework of mandatory and voluntary measures adopted by CBSC in 2009 which were the subject of a CBSC Guidebook on the use of the code.

Concurrent with the adoption of the mandatory and voluntary code, local jurisdictions and other code users sought guidance on implementation and enforcement of the provisions, particularly the requirements for commissioning of nonresidential buildings 10,000 and over. The detailed guidelines for commissioning in the Guidebook have become a valuable resource for code users throughout the state.

In order to provide clarity to code users, CBSC proposes to take through the regulatory public process voluntary referenced standards, including those for building commissioning, similar to those found in other parts of Title 24. The process, wherein the public is exposed to the proposals and given the opportunity to comment, ensures that the final product will offer a standard method of compliance. Those referenced standards will be readily accessible to those who choose to use them or officially adopt them but are in no way mandatory as proposed.

**Specific Proposed Regulatory Actions:** CBSC proposes to include these voluntary standards in amendments to the 2010 California Green Building Standards Code (CGBC) being adopted in an intervening supplement. The rationale for each adoption is listed below.

**APPENDIX A6 – REFERENCED STANDARDS**

CBSC is proposing to add this division for voluntary referenced standards, introducing them initially for building commissioning compliance. These proposals are guidance documents that are not to be considered part of the code unless specifically adopted by local jurisdictions in accordance with Health and Safety Code §18941.5.

**Standard A6.1-2011, Part 1 Standards for Compliance with Building Commissioning:**

These are reprinted from the CBSC guidebook to the CALGreen code, where detailed compliance descriptions for commissioning are found. These were seen as facilitating mandatory compliance for many project developers not familiar with the technical process of commissioning. Local jurisdictions report that permit-seekers are utilizing the commissioning guidelines and sample forms for the projects they are bringing to building departments for plan check. Having this standard readily accessible at the rear of the code will provide additional clarity for both the project development team and the enforcing agency. They will also provide standardized information for individuals interested in becoming certified in building commissioning.

**Standard A6.1-2011, Part 2 Commissioning Sample Forms and Templates:**

The forms found in this part are intended to give code users and enforcers verification tools which can be used directly or can serve as examples. They are presently somewhat simplified to assist those code users described above as unfamiliar with what they need to demonstrate compliance with this technical mandate. Credit is given to the City of Los Angeles Department of Building and Safety for providing CBSC with additional compliance forms that it has developed in response to the commissioning requirements in the code. As a jurisdiction with many new projects of at least 10,000, the City has taken the lead in practical means of compliance and enforcement.

**TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS**

CBSC convened a task force of commissioning experts and practitioners and utilized information in the following documents in the development of the proposed standards:

- California Commissioning Guide, New Buildings; 2006, California Commissioning Collaborative
- Building Commissioning Cost Benefit Assessment; 2009, report by the Lawrence Berkeley National Laboratory

**CONSIDERATION OF REASONABLE ALTERNATIVES**

The modifications that CBSC proposes during this rulemaking are intended to provide clarity to the code user by offering voluntary referenced standards, submitted for public review in a rulemaking process. The proposals resulting from the public process are intended to provide standardized methods that may be used for compliance with mandatory building commissioning.

**REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS**

No alternatives were identified to lessen the adverse impact on small business, because the proposed modifications to the code are voluntary.

**FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS**

There is no evidence of significant adverse impact on business, because the proposed modifications to the code are voluntary.

**DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

Federal regulations may be adopted for use in California by those state and local agencies with authority for clean air, clean water, water conservation, energy conservation, and waste management. Those regulations may be cited in the proposed guidelines as they are applied in California.