

**FINAL STATEMENT OF REASONS
TO
BUILDING STANDARDS
OF THE
STATE HISTORICAL BUILDING SAFETY BOARD
REGARDING THE
CALIFORNIA HISTORICAL BUILDING CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 8**

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)

No data or any technical, theoretical or empirical study, report or similar document on which DSA is relying has been added to the rulemaking file that was not identified in the Initial Statement of Reasons.

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 State Historical Building Safety Board 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). (Government Code Section 11346.9(a)(3))

No comments were received regarding the adoption of the 2013 State Historical Code.

DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS
(Government Code Section 11346.9(a)(4))

The State Historical Building Safety Board has determined that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective as and less burdensome to affected private persons than the adopted regulation

REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES: (Government Code Section 11346.9(a)(5))

The regulations do not cause an adverse impact on small businesses.

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

(Government Code Section 11346.2(b)(2) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).)

The State Historical Building Safety Board relied on applicable provisions of the International

Existing Building Code (IEBC) 2012.

CONSIDERATION OF REASONABLE ALTERNATIVES

(Government Code Section 11346.2(b)(3)(A) requires a description of reasonable alternatives to the regulation and the agency's reason for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate.)

The California Historical Building Code is an alternative to the regular code applicable for use in the preservation, restoration, rehabilitation relocation or reconstruction of buildings or properties designated as qualified historical buildings or properties. Other alternatives may be considered for use in the preservation, restoration, rehabilitation relocation or reconstruction of buildings or properties designated as qualified historical buildings or properties if they meet the intent and purpose of the CHBC.

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

(Government Code Section 11346.2(b)(3)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business. Include facts, evidence, documents, testimony, or other evidence upon which the agency relies to support an initial determination that the action will not have a significant adverse impact on business.)

The California Historical Building Code (CHBC) is an alternative to the regular code applicable for use in the preservation, restoration, rehabilitation relocation or reconstruction of buildings or properties designated as qualified historical buildings or properties. The use of the CHBC is an alternative to small businesses when utilizing qualified historical buildings or properties.

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

(Government Code Section 11346.2(B)(4) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies in to support an initial determination that the action will not have a significant adverse economic impact on business)

The California Historical Building Code (CHBC) is an alternative to the regular code applicable for use in the preservation, restoration, rehabilitation relocation or reconstruction of buildings or properties designated as qualified historical buildings or properties. The use of the CHBC is an alternative to small businesses when utilizing qualified historical buildings or properties.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS (Government Code Section 11346.2(b)(5) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment. It is not the intent of this paragraph to require the agency to artificially construct alternatives or to justify why it has not identified alternatives)

There are no federal regulations applicable to qualified historical buildings or properties.