

**FINAL STATEMENT OF REASONS
FOR PROPOSED BUILDING STANDARDS
OF THE CALIFORNIA BUILDING STANDARDS COMMISSION
REGARDING THE 2025 CALIFORNIA PLUMBING CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5
(BSC 02/24)**

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 the 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.

The California Building Standards Commission (BSC) has not added any data (including technical, theoretical, or empirical studies, reports, or similar documents relied upon) that would necessitate an update of the information contained 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).

BSC has determined that the proposed regulatory action **WOULD NOT** impose a mandate on local agencies or school districts.

BSC does not have authority to adopt regulations applicable to school districts. While the proposed building standard regulations are applicable to—and required to be enforced by—local agencies (i.e., city and county building departments), the regulations within this proposal make clarifying changes to existing standards with no intended change in regulatory effect. The proposal also includes an exception to the requirement for separate restroom facilities, which is only an option not a requirement.

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 an 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 text with proposed changes was made available to the public for a 45-day comment period from May 17, 2024, until July 1, 2024. BSC received one comment, summarized below, during the public comment period. This comment is not related to regulations proposed for change at this time.

ITEM: Not applicable
Chapter 9 Vents, Section 906.1.1

Comment not related to any of the code change proposals.

BSC's proposal is to adopt Chapter 9 of the 2024 Uniform Plumbing Code (UPC), as required by HSC Section 18928, into the 2025 CPC without amendments.

Commenter and Recommendation:

William E. Koffel, Koffel Associates

Section 906.1.1 Roof Termination When Protected – The commenter suggests to add this new section to the code for roof vents termination when solar panels or other rooftop equipment are present. This proposal seeks to clarify the required clearances when a rooftop obstruction occurs above a plumbing vent termination.

Agency Response:

BSC would like to thank the commenter for their support and recommendations. BSC is proposing no further changes to the Express Terms for the 2025 California Plumbing Code in response to this comment at this time. BSC may review and consider this proposal in the future rulemaking code cycles.

BSC also notes that BSC's authority to propose amendments to the model code (2024 UPC) is limited; BSC amendments are applicable to state buildings and buildings constructed by the University of California and California State Universities only. To make the language proposed by the commenter applicable to all buildings in California, BSC recommends the commenter to work with International Association of Plumbing & Mechanical Officials (IAPMO) to have it included in the next edition of UPC.

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.

BSC has determined that no alternative considered would be more effective in carrying out the purpose for which the regulations is proposed or would be as effective and less

burdensome to affected private person than the adopted regulations 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).

Not applicable— BSC has determined that this regulatory action would not have a significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states. The amendments are to provide clarifications and eliminate conflicts with existing building standards.