

**FINAL STATEMENT OF REASONS
FOR PROPOSED BUILDING STANDARDS
OF THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT REGARDING THE 2025 CALIFORNIA MECHANICAL CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 4
(HCD 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 Department of Housing and Community Development (HCD) 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).

HCD 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) 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 during a 45-day comment period from May 17, 2024, until July 1, 2024. A total of two comments were

received during the 45-day public comment period. HCD did not consider comments on proposals by other agencies or comments on proposals not addressed during the specified public comment period. HCD acknowledged all comments and responded to only the comments that pertained to the proposed adoption and/or amendments for the 2024 Triennial Code Adoption Cycle and those received prior to the close of the comment period.

COMMENTS RECEIVED DURING THE 45-DAY PUBLIC COMMENT PERIOD

ITEM 5

Chapter 4 Ventilation Air

HCD proposes to adopt Chapter 4 from the 2024 Uniform Mechanical Code (UMC) and bring forward existing California amendments from the 2022 California Mechanical Code (CMC) into the 2025 CMC without modification.

Commenter(s) and Recommendation:

Hassan Fawaz, Green MEP Engineering

The commenter proposes to add a direct reference that dwelling units can use The American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) 62.1:5.5.1 subsection for ventilation distances in order to prevent conflicts with different localities.

Agency Response:

HCD acknowledges the comment and appreciates the recommendations provided by Green MEP Engineering. Upon review, HCD has decided not to make any amendments. HCD is required to propose for adoption substantially the same requirements as contained in the most recent edition of the model code. The suggested amendment is not codified in the model code and HCD is not provided any statutory direction or authority to make the amendment.

ITEM 6

Chapter 5 Exhaust Systems

HCD proposes to adopt Chapter 5 from the 2024 UMC into the 2025 CMC without amendment.

Commenter(s) and Recommendation:

Hassan Fawaz, Green MEP Engineering

The commenter suggested there is a discrepancy found within HCD's current proposal and additional clarification is needed relating to designs of Class 2 and Class 3 outlets in section 502.2.

Agency Response:

HCD acknowledges the comment and appreciates the recommendations provided by Green MEP Engineering. HCD is proposing to adopt Chapter 5 without amendment and the commenter's recommendations were not discussed with HCD and other

stakeholders. HCD has decided not to propose amendments to Chapter 5 of the 2024 UMC based on this comment.

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.

HCD has determined that there are no reasonable alternatives to be considered or have otherwise been identified and brought to the attention of HCD, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome 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.