

**INITIAL STATEMENT OF REASONS
FOR PROPOSED BUILDING STANDARDS
OF THE CALIFORNIA DEPARTMENT OF HOUSING COMMUNITY DEVELOPMENT
REGARDING THE 2025 CALIFORNIA PLUMBING CODE
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5
(HCD XX/XX)**

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, PROBLEM, RATIONALE and BENEFITS

Government Code Section 11346.2(b)(1) requires a statement of specific purpose of each adoption, amendment, or repeal and the problem the agency intends to address and the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.

California Health and Safety Code (HSC), section 17921(a), directs the Department of Housing and Community Development (HCD) to propose adoption, amendment, or repeal of building standards for the protection and benefit of public health, safety, and general welfare. HCD has determined the proposed amendments herein, impacting the 2025 California Plumbing Code (CPC) within the California Code of Regulations (CCR), title 24, part 5, are necessary to meet HCD's mandate in HSC, section 17922(a).

The 2025 CPC is based on the 2024 Uniform Plumbing Code (UPC), which will be effective on January 1, 2026. Specific rationale for this proposed rulemaking is provided within the respective items herein.

ITEM 1

Chapter 1, Administration, Division I, California Administration

HCD proposes to bring forward existing California amendments in Chapter 1, Division I, from the 2022 CPC for adoption into the 2025 CPC with modification as follows:

1.1.1 Title.

Rationale: The proposed amendments to the applicable model code by updating reference from the 2021 Uniform Plumbing Code (UPC) to the 2024 UPC to comply with HCD's mandate in HSC, section 17922(a).

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 2

Chapter 1, Division II, Administration

HCD proposes to adopt Chapter 1, Division II, section 104.2, only from the 2024 UPC into the 2025 CPC without amendment.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 3

Chapter 2, Definitions

HCD proposes to adopt Chapter 2 from the 2024 UPC (except definitions of Diverter Valve, Gray Water”, “Diverter Valve, On-Site Treated Nonpotable Water”, and “Diverter Valve, Rainwater”) and bring forward California amendments from 2022 CPC into the 2025 CPC without modification.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 4

Chapter 3, General Regulations

HCD proposes to adopt Chapter 3 of the 2024 UPC (except Sections 301.3.1, 301.3.1.1, and 301.3.1.2) and bring forward California amendments from the 2022 CPC into the 2025 CPC with the following modification:

301.8 [formerly section 301.6] One- and Two-Family Dwellings.

Rationale: HCD proposes to renumber this existing California amendment due to 2024 UPC renumbering. This existing California amendment was in section 301.6 of the 2022 CPC and is proposed to be renumbered to section 301.8 in the 2025 CPC. There is no intended change in regulatory effect.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 5

Chapter 4, Plumbing Fixtures and Fixture Fittings

HCD proposes to adopt Chapter 4 from the 2024 UPC (except Sections 422.2, 422.4, and

422.5) and bring forward California amendments from the 2022 CPC into the 2025 CPC with the following modifications:

408.3 [formerly section 408.2] Water Consumption.

Rationale: HCD proposes to relocate this existing California amendment due to 2024 UPC renumbering. This existing California amendment was in section 408.2 of the 2022 CPC and was renumbered to section 408.3 in the 2024 UPC. HCD is also proposing to amend the UPC flow rate for “body sprays” from 2.5 gallons per minute (gpm) to 1.8 gallons per minute (gpm) to align with existing California amendments for flow rates for showerheads and add the metric equivalent information for consistency with the existing amendment. HCD is also proposing an amendment to this section to clarify that body sprays shall meet the CALGreen requirements for showerheads located in Division 4.3 of the California Green Building Standards Code (CALGreen). This amendment aligns with CCR, title 20, Appliance Efficiency Regulations, adopted by the California Energy Commission (CEC). There is no intended change in regulatory effect, as these requirements already exist in CALGreen and CEC Appliance Efficiency Regulations.

420.2.2. Kitchen Faucets. [HCD 1]

Rationale: HCD proposes to adopt the above referenced existing California amendment with modification. The modification adds a metric equivalent for 60 psi to maintain consistency with other building standards.

420.3.1 Pre-Rinse Spray Valves. [HCD 1 & HCD 2]

Rationale: HCD proposes to adopt the above referenced existing California amendment with modification. The modification adds the term “Commercial Pre-Rinse Spray Valves” for clarity; updates the referenced section in CCR, title 20, Appliance Efficiency Regulations; and adds the minimum spray force. HCD also proposes to repeal the references to title 20 under “For Reference Only”, including Table H-2, as this information is now in model code section 420.3 and Table 420.3. This amendment will avoid duplication with specific sections in the 2024 UPC and the 2025 CPC.

TABLE 422.1 MINIMUM PLUMBING FACILITIES.

Rationale: HCD proposes to adopt the above referenced Table with existing California amendments with a modification. The modification renumbers the existing California amendment Note 6 to Note 8 due to the addition of 2024 UPC notes 6 and 7. There is no intended change in regulatory effect.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 6

Chapter 5, Water Heaters

HCD proposes to adopt Chapter 5 from the 2024 UPC and bring forward California amendments from the 2022 CPC into the 2025 CPC without modification.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 7

Chapter 6, Water Supply and Distribution

HCD proposes to adopt Chapter 6 (except Section 609.11) from the 2024 UPC and bring forward California amendments from the 2022 CPC into the 2025 CPC without modification.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 8

Chapter 7, Sanitary Drainage

HCD proposes to adopt Chapter 7 from the 2024 UPC and bring forward California amendments from the 2022 CPC into the 2025 CPC with the following modifications:

701.2 Drainage Piping.

Rationale: HCD proposes to repeal the existing California amendment in section 701.2 (2) (a). This amendment restricts the use of ABS and PVC in sanitary drainage to not more than two stories of areas of residential accommodation. HCD is mandated to adopt building standards that impose substantially the same requirements as are contained in the most recent version of the model codes (e.g., Uniform Plumbing Code), pursuant to California Health and Safety Code, section 17922(a), and believes this outdated California amendment is costly and unnecessary. This California amendment that restricts the use of ABS and PVC in sanitary drainage to not more than two stories of areas of residential accommodation does not exist in the current version of the model code, nor has it been in the model plumbing code since the 1979 edition of the UPC. HCD is proposing to repeal this California amendment that conflicts with model code and violates the Nine-point Criteria in California Health and Safety Code, section 18930. Furthermore, HCD is not aware of any other state law that provides HCD the authority or direction to continue to adopt this California amendment. This proposed change allows the use of ABS and PVC in residential buildings more than two stories in height.

Table 707.2 Cleanout Materials for Drain, Waste, and Vent.

Rationale: HCD proposes to repeal the existing California amendment in Table 707.2. This amendment restricts the use of ABS and PVC in sanitary drainage to not more than two stories of areas of residential accommodation. HCD is mandated to adopt building standards that impose substantially the same requirements as are contained in the most recent version of the model codes (e.g., Uniform Plumbing Code), pursuant to California

Health and Safety Code, section 17922(a), and believes this outdated California amendment is costly and unnecessary. This California amendment that restricts the use of ABS and PVC in sanitary drainage to not more than two stories of areas of residential accommodation does not exist in the current version of the model code, nor has it been in the model plumbing code since the 1979 edition of the UPC. HCD is proposing to repeal this California amendment that conflicts with model code and violates the Nine-point Criteria in California Health and Safety Code, section 18930. Furthermore, HCD is not aware of any other state law that provides HCD the authority or direction to continue to adopt this California amendment. This proposed change allows the use of ABS and PVC in residential buildings more than two stories in height.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 9

Chapter 8, Indirect Wastes

HCD proposes to adopt Chapter 8 from the 2024 UPC into the 2025 CPC without amendment.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 10

Chapter 9, Vents

HCD proposes to adopt Chapter 9 from the 2024 UPC and bring forward California amendments from the 2022 CPC into the 2025 CPC with the following modifications:

903.1 Applicable Standards.

903.1.1 [HCD1 & HCD 2]

Rationale: HCD proposes to repeal the existing California amendment in section 903.1.1. This amendment restricts the use of ABS and PVC in vents to not more than two stories of areas of residential accommodation. HCD is mandated to adopt building standards that impose substantially the same requirements as are contained in the most recent version of the model codes (e.g., Uniform Plumbing Code), pursuant to California Health and Safety Code, section 17922(a), and believes this outdated California amendment is costly and unnecessary. This California amendment that restricts the use of ABS and PVC in vents to not more than two stories of areas of residential accommodation does not exist in the current version of the model code, nor has it been in the model plumbing code since the 1979 edition of the UPC. HCD is proposing to repeal this California amendment that conflicts with model code and violates the Nine-point Criteria in California Health and

Safety Code, section 18930. Furthermore, HCD is not aware of any other state law that provides HCD the authority or direction to continue to adopt this California amendment. This proposed change allows the use of ABS and PVC in residential buildings more than two stories in height.

903.1.1 [HCD 1 & HCD 2].

Rationale: HCD proposes to renumber the existing California amendment in section 903.1.2 to section 903.1.1 due to the proposed repeal of the existing California amendment limiting the use of ABS and PVC in section 903.1.1.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 11

Chapter 10, Traps and Interceptors

HCD proposes to adopt Chapter 10 from the 2024 UPC and bring forward California amendments from the 2022 CPC into the 2025 CPC without modification.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 12

Chapter 11, Storm Drainage

HCD proposes to adopt Chapter 10 from the 2024 UPC and bring forward California amendments from the 2022 CPC into the 2025 CPC without modification.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 13

Chapter 12, Fuel Gas Piping

HCD proposes to adopt Chapter 12 from the 2024 UPC into the 2025 CPC without amendment.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 14

Chapter 13, Health Care Facilities and Medical Gas and Medical Vacuum Systems

HCD proposes to not adopt Chapter 13 from the 2024 UPC.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 15

Chapter 14, Firestop Protection

HCD proposes to not adopt Chapter 14 from the 2024 UPC.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 16

Chapter 15, Alternate Water Sources for Nonpotable Applications

HCD proposes to adopt Chapter 15 of the 2024 UPC (except sections 1501.5.2; 1502.3.4; 1503.9.3-1503.9.7; 1505; and Table 1501.5.) and bring forward California amendments from the 2022 CPC into the 2025 CPC with the following modifications:

1501.7 Minimum Water Quality Requirements [HCD 1].

Rationale: HCD proposes to bring forward the existing California amendment with modification due to 2024 UPC renumbering and relocation of design and installation requirements for onsite treated nonpotable systems. The modification renumbers referenced section 1506.9.2 to section 1506.10.2 in the 2025 CPC to align with new model code numbering. There is no intended change in regulatory effect.

1506.10 Design and Installation.

Rationale: HCD proposes to bring forward the existing California amendment with modification due to 2024 UPC renumbering. This existing California amendment was in section 1506.9 of the 2022 CPC and is proposed to be renumbered to section 1506.10 in the 2025 CPC. There is no intended change in regulatory effect.

1506.10.6 Disinfection.

Rationale: HCD proposes to bring forward the existing California amendment with modification due to 2024 UPC renumbering. This existing California amendment was in section 1506.9.6 of the 2022 CPC and is proposed to be renumbered to section 1506.10.6

in the 2025 CPC. There is no intended change in regulatory effect.

Recommendation:

TBD

Agency Response:

TBD

ITEM 17

Chapter 16, Nonpotable Rainwater Catchment Systems

HCD proposes to adopt Chapter 16 of the 2024 UPC (except Sections 1601.5.2, 1605.3.4, and Table 1601.5) and bring forward California amendments from the 2022 CPC into the 2025 CPC with the following modifications:

1601.7 Minimum Water Quality Requirements.

Rationale: HCD proposes to bring forward the existing California amendment with modification due to 2024 UPC renumbering. This existing California amendment was identified as Table 1603.5 in the 2022 CPC and is proposed to be renumbered to Table 1603.4 in the 2025 CPC. There is no intended change in regulatory effect.

1603.4.1 [formerly section 1603.5.2] Disinfection.

Rationale: HCD proposes to bring forward existing California amendment with modifications due to 2024 UPC renumbering. This existing California amendment was identified as section 1603.5.2 in the 2022 CPC and is proposed to be renumbered to section 1603.4.1 in the 2025 CPC. There is no intended change in regulatory effect.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 18

Chapter 17, Referenced Standards

HCD proposes to adopt Chapter 17 from the 2024 UPC and bring forward California amendments from the 2022 CPC into the 2025 CPC with the following modifications:

Table 1701.1

Rationale: HCD proposes to bring forward the existing California amendment with modification due to 2024 UPC renumbering. The existing California amendment identified referenced sections 1506.9.6 and 1605.5.2 in the 2022 CPC and are proposed to be renumbered to sections 1506.10.6 and 1603.4.1, respectively, in the 2025 CPC. There is no intended change in regulatory effect.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 19

Appendix A, Recommended Rules for Sizing the Water Supply System

HCD proposes to adopt Appendix A from the 2024 UPC into the 2025 CPC without amendment.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 20

Appendix B, Explanatory Notes on Combination Waste and Vent Systems

HCD proposes to not adopt Appendix B from the 2024 UPC.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 21

Appendix C, Alternate Plumbing Systems

HCD proposes to not adopt Appendix C from the 2024 UPC.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 22

Appendix D, Sizing Storm Water Drainage Systems

HCD proposes to adopt Appendix D from the 2024 UPC into the 2025 CPC without amendment.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 23**Appendix E, Manufactured/Mobile Home Parks and Recreational Vehicle Parks**

HCD proposes to not adopt Appendix E from the 2024 UPC.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 24**Appendix F, Firefighter Breathing Air Replenishment Systems**

HCD proposes to not adopt Appendix F from the 2024 UPC.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 25**Appendix G, Sizing of Venting Systems**

HCD proposes to not adopt Appendix G from the 2024 UPC.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 26**Appendix H, Private Sewage Disposal Systems**

HCD proposes to adopt Appendix H from the 2024 UPC into the 2025 CPC without amendment.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 27**Appendix I, Installation Standards**

HCD proposes to adopt only IAPMO IS 31-2022, Installation Standard for PEX Tubing Systems for Hot- and Cold-water Distribution, formerly IAPMO IS 31-2014, of Appendix I from the 2024 UPC into the 2025 CPC without amendment.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 28

**Appendix J, Combination of Indoor and Outdoor Combustion and Ventilation
Opening Design**

HCD proposes to not adopt Appendix J from the 2024 UPC.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 29

Appendix K, Potable Rainwater Catchment Systems

HCD proposes to not adopt Appendix K from the 2024.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 30

Appendix L, Sustainable Practices

HCD proposes to not adopt Appendix L from the 2024 UPC.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 31

Appendix M, Peak Water Demand Calculator

HCD proposes to adopt Appendix M from the 2024 UPC into the 2025 CPC without amendment.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 32

Appendix N, Impact of Water Temperature on the Potential for Scalding and Legionella Growth

HCD proposes to not adopt Appendix N from the 2024 UPC.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 33

Appendix O, Non-Sewered Sanitation Systems.

HCD proposes to not adopt Appendix O into the 2025 CPC.

Rationale: Appendix O is specific to non-sewered sanitation systems, which is outside HCD's scope of authority.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 34

Appendix P, Professional Qualifications

HCD proposes to not adopt Appendix P from the 2024 UPC.

Rationale: Appendix P is specific to professional qualification, licensing, and certifications for installers and inspectors for systems and facilities covered in the appendix, which is outside HCD's scope of authority.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 35

Appendix Q, Indoor Horticultural Facilities

HCD proposes to not adopt Appendix Q from the 2024 UPC.

Rationale: Appendix Q is specific to indoor horticulture facilities outside of HCD's scope and authority.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 36

Appendix R, Tiny Houses

HCD proposes to not adopt Appendix R from the 2024 UPC.

Rationale: Appendix R provides specific plumbing provisions that apply to newly constructed “tiny houses” which, as defined in Appendix R, include recreational vehicles (RV) and manufactured homes (MH). The design and construction standards for newly constructed RVs and MHs are outside HCD’s scope of authority and, pursuant to state law, are not subject to building standards.

CAC Recommendation:

TBD

Agency Response:

TBD

ITEM 37

Appendix S, Onsite Stormwater Treatment Systems.

HCD proposes to adopt Appendix S from the 2024 UPC into the 2025 CPC without amendment.

CAC Recommendation:

TBD

Agency Response:

TBD

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

Government Code Section 11346.2(b)(3) 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).

2024 UPC, published by IAPMO.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS

Government Code Section 11346.2(b)(1) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.

HSC section 17922 requires HCD to adopt by reference model building codes, e.g.,

UPC, which contains prescriptive standards. Prescriptive standards provide the following: explicit guidance for certain mandated requirements; consistent application and enforcement of building standards while also establishing clear design parameters; and ensure compliance with minimum health, safety and welfare standards for owners, occupants and guests.

Performance standards are permitted by state law; however, they must be demonstrated to the satisfaction of the proper enforcing agency.

CONSIDERATION OF REASONABLE ALTERNATIVES

Government Code Section 11346.2(b)(4)(A) requires a description of reasonable alternatives to the regulation and the agency's reasons 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. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.

None. There were no alternatives available to HCD. HCD is required by statute to adopt this model code by reference. The proposed amendments are the only reasonable alternative for clarifying the 2025 CPC to accommodate California conditions.

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

Government Code Section 11346.2(b)(4)(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.

HCD is required by statute to adopt this model code by reference, however, HCD also has authority to propose additions and deletions to the model code pursuant to HSC, section 17922(a).

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

Government Code Section 11346.2(b)(5)(A) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.

HCD has determined that this regulatory action would have no significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Government Code Sections 11346.3(b)(1) and 11346.5(a)(10)

HCD has assessed whether or not and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

These regulations will not affect the creation or the elimination of existing businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

These regulations will not affect the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

The adoption of the 2024 UPC by reference with California amendments will provide stakeholders with safe and efficient plumbing installations while allowing for innovation, new technologies, and accommodation of specialized requirements for the State of California. These regulations will also update and improve minimum existing building standards, which will provide increased protection of public health and safety, worker safety, and the environment.

ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS

Government Code Section 11346.2(b)(5)(B)(i) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates.

No increased cost of compliance for those regulations that make only technical and nonsubstantive changes. Government Code, section 11346.2(b)(5)(B)(ii), provides that the model codes adopted pursuant to HSC, section 18928, shall be exempt from the requirements of Government Code, section 11346.2(b)(5)(B), unless upon request as specified. The purpose of this rulemaking is to adopt the 2024 UPC which is a model code setting forth requirements for installation and maintenance of plumbing systems in structures. The potential benefits provide recognition and appropriate use of new technology and materials, clarity for the code users and local enforcement agencies, and may increase business due to the adoption of new building standards. As noted previously, protection of public health and safety, worker safety, and the environment.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

Government Code Section 11346.2(b)(6) 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.

The regulations do not duplicate nor conflict with federal regulations. The State of California has preemptive authority to adopt more restrictive mandatory standards for the construction methods and materials addressed in these regulations.