

AMENDED IN ASSEMBLY MARCH 24, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 2153

Introduced by Assembly Member Krekorian

February 20, 2008

~~An act relating to energy.~~ *An act to add Section 25405.7 to the Public Resources Code, relating to building standards.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2153, as amended, Krekorian. ~~Energy: energy and~~ *Building standards: water conservation.*

The Warren-Alquist State Energy Resources Conservation and Development Act requires the State Energy Resources Conservation and Development Commission to prescribe, by regulation, energy and water conservation design standards for new residential and new nonresidential buildings.

~~This bill would state an intent of the Legislature to enact legislation regarding energy and water efficiency and conservation in new developments.~~

This bill would require the commission to adopt, on or before January 1, 2012, regulations requiring a residential or nonresidential construction project commenced on or after January 1, 2014, to minimize, in a cost-effective manner, and to offset the projected water usage of the residential and nonresidential construction project. The regulations would establish guidelines for programs to offset the projected water usage of the regulated construction. The regulations would establish a water usage calculator to determine the projected water usage of the regulated construction project and a water savings calculator to determine the projected water savings expected from the

specified programs. The bill would exempt defined public buildings and educational facilities from these requirements. The commission would be required to consult with specified parties and to hold one or more public hearings before adopting the regulations.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 25405.7 is added to the Public Resources
2 Code, to read:

3 25405.7. (a) *On or before January 1, 2012, the commission*
4 *shall adopt regulations requiring a residential or nonresidential*
5 *construction project commenced on or after January 1, 2014, to*
6 *minimize, in a cost-effective manner, and to offset the projected*
7 *water usage of the residential and nonresidential construction.*

8 *The regulations shall do all of the following:*

9 (1) *Specify water efficiency measures to minimize the water*
10 *usage of the regulated construction.*

11 (2) *Establish a water usage calculator to determine the projected*
12 *water usage of the regulated construction.*

13 (3) *Establish a water savings calculator to determine the*
14 *projected water savings expected from an offset program.*

15 (4) *Require a regulated construction project to offset its*
16 *projected water usage as determined by the water usage calculator*
17 *established pursuant to paragraph (3).*

18 (5) *Establish guidelines for an offset program allowing the*
19 *builder to offset the regulated construction project’s projected*
20 *water usage. The guidelines shall do all of the following:*

21 (A) *Prioritize programs that reduce water usage of existing*
22 *buildings by maximizing water-use efficiency in existing buildings*
23 *within the same hydrologic region of the regulated construction.*

24 (B) *Prioritize programs for the development of new water*
25 *supplies that are cost effective, climate change resilient, the least*
26 *carbon intensive, and maximize regional water self-sufficiency.*

27 (C) *Provide opportunities for the builders to partner with*
28 *governmental and nongovernmental entities to comply with the*
29 *offset requirements.*

30 (6) *Ensure that 40 percent of the projects used to offset the water*
31 *usage of the new residential or nonresidential building are*

1 *implemented in disadvantaged communities within the same*
2 *hydrologic region of the regulated construction. Eligible projects*
3 *may include, but are not limited to, infrastructure rehabilitation.*

4 (7) *Require verification by the commission that the offset*
5 *programs meet the guidelines established pursuant to paragraph*
6 *(5).*

7 (8) *Require the offset to be real, permanent, quantifiable, and*
8 *verifiable and to equal or exceed the water usage of the regulated*
9 *construction as determined by the water usage calculator*
10 *established pursuant to paragraph (2).*

11 (9) *Require periodic reporting from the builder to verify and*
12 *enforce compliance with the requirements of paragraph (5). The*
13 *report shall include a rigorous and consistent accounting of the*
14 *calculated water usage of the regulated construction, a listing of*
15 *the measures used to offset the usage, and a rigorous and consistent*
16 *accounting of the calculated water savings for the listed measures.*

17 (b) *In adopting the regulations pursuant to subdivision (a), the*
18 *commission shall consult with parties who would be subject to the*
19 *proposed regulations and other interested and affected parties*
20 *and hold one or more public hearings regarding the proposed*
21 *regulations. All potentially affected parties shall be provided with*
22 *advance notice of the public meeting and given an opportunity to*
23 *provide written or oral comments. In developing the regulations,*
24 *the commission shall consider all comments provided by interested*
25 *parties.*

26 (c) (1) *The commission shall review and update the guidelines*
27 *developed pursuant to paragraph (5) of subdivision (a).*

28 (2) *The commission shall publish the updated guidelines on its*
29 *Internet Web site.*

30 (d) (1) *For the purposes of this section, nonresidential*
31 *construction does not include a public building as defined in*
32 *Section 15802 of the Government Code or a building that is in*
33 *Occupancy Group E as defined in the State Building Standards*
34 *Code (Title 24 of the California Code of Regulations).*

35 (2) *For the purposes of this section, the following terms shall*
36 *have the following definitions:*

37 (A) *“Disadvantaged community” has the same meaning as that*
38 *set forth in Section 75005.*

1 (B) "Hydrologic region" has the same meaning as set forth in
2 the California Water Plan developed pursuant to Part 1.5
3 (commencing with Section 10004) of Division 6 of the Water Code.
4 SECTION 1. ~~It is the intent of the Legislature to enact~~
5 ~~legislation regarding energy and water efficiency and conservation~~
6 ~~in new developments.~~

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