

California Air and Climate: CA Solar Building Requirements; Updates from California Air Resources Board (CARB) on AB 617 Implementation

August 2018

California's New Solar Building Requirements

On May 9, 2018, the California Energy Commission adopted revisions to the State's Building Energy Efficiency Standards ("2019 Standards"). There are two basic options for compliance: (1) demonstrating compliance with performance standards, which require a building to meet specified energy budgets while providing flexibility in selecting the features to meet those energy budgets ("performance approach"); and (2) installing a set of prescriptive measures, which offers simplicity but less flexibility ("prescriptive approach"). Notably, the 2019 Standards modify the prescriptive approach by adding the requirement that, with certain exceptions, all new single-family and low-rise multi-family (three or fewer habitable stories) buildings, must be constructed with solar photovoltaic (PV) systems. In addition, this new PV prescriptive requirement will set the standard "design budget" for the performance compliance method. The 2019 Standards will become effective January 1, 2020 if they are adopted by the California Building Standards Commission, which would likely occur in late 2018 or early 2019. Once adopted, the standards will be found in California Code of Regulations, Title 24, Part 6, and associated administrative regulations in Part 1. The proposed 2019 Standards, along with draft Compliance Manuals currently available for public review and comment, are [available here](#).

California Air Resources Board (CARB) Progresses with AB 617 Implementation

In our last California Air and Climate report, we discussed actions at several of the major California Air Districts to implement the requirements of AB 617, the community air pollution monitoring and reduction program adopted last year as a companion to the bill re-authorizing the cap-and-trade program. In this issue we discuss CARB's progress including publishing a draft "blueprint" and proposed regulations for criteria and toxic air emissions reporting.

CARB Publishes Draft AB 617 Blueprint. CARB recently released a draft paper titled "[Draft Community Air Protection Blueprint](#)" that

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provides a roadmap of CARB's plans to implement AB 617. The Blueprint includes several measures requiring identification of disadvantaged communities with a high-burden of air pollution and creating statewide strategies to reduce pollution in these communities. The Blueprint proposes selecting up to 10 communities in the first year of the program for implementation of community monitoring and emissions reductions programs. The emission reductions programs will include new regulations, focused incentive investments, and engagement with local land use authorities to reduce emissions and exposure to air pollution. CARB expects to adopt the Blueprint at its October 1, 2018 meeting.

CARB Proposes New Emission Reporting Rules. On July 27, 2018, CARB released preliminary draft regulations for its Criteria and Toxics Emission Reporting Regulation ("CTR"). The goal of the CTR is to support CARB's efforts under AB 617 and to increase public availability of emissions data. CARB has indicated that the new reporting requirements will be applicable to stationary facilities that fit into one or more of four categories:

- Sources subject to CARB's greenhouse gas Mandatory Reporting Regulation;
- Sources authorized to emit 250 tons per year or more of a nonattainment criteria pollutant;
- Sources that are "high priority" under an air districts Air Toxic Hotspots Program;
- All sources located in high-burden communities identified by CARB through the AB 617 program.

CARB proposes that, initially, sources will report emissions to the air districts, but in the future CARB may develop an electronic reporting tool for all affected sources.

Comments on this preliminary draft of the regulations are due August 23. The draft regulations are [available here](#).