



Proudly Serving the Southern California Masonry Industry Since 1947.

## Top Stories In This Briefing



Who Topped the List as  
MCAC Top Supporters in  
2021?



New Regulation Restricts  
Potable Water Use in  
Construction



UPDATE! CARB Zero  
Emission Forklift Regulation  
Moves Forward



## Who Topped the List as MCAC's Top Supporters in 2021?

Each year MCAC compiles a list of the companies whose contributions rise to the top when evaluating the various ways (exclusive of membership dues) one can support the association including Affinity programs, Mission Partner program, event sponsorships and advertising.

For the third year in a row, **Saint Moore Insurance Agency tops the MCAC Top Supporters list** thanks to the insurance program fees they so generously share with MCAC. Our Mission Partners ORCO Block & Hardscape and PJ's Rebar & Stud Rails round out the Top 3. Please give it up for **ALL** of the companies shown below and remember to support the businesses that support your association with your purchasing power.

You can also see the full lineup of MCAC Top Sponsors 2021 on the MCAC home page [here](#).

*MCAC is committed to be an advocate, information center, and connection point for the masonry industry. The funds provided by our supporters in conjunction with the most amazing loyal members allow us to do what we do.*



1) Saint Moore Insurance Agency



2) ORCO Block & Hardscape



3) PJ's Rebar & Stud Rails



4) Basalite Concrete Products (tie for 4th)



6) Masonry Institute of America (MIA)



8) Winegardner Masonry, Inc. (tie for 8th)



9) Masonry Concepts, Inc. (tie for 9th)



4) Rainguard (tie for 4th)



7) GBC Concrete & Masonry Construction



9) EZ Scaffold (tie for 9th)



**Pacific Bay  
Masonry, Inc.**

10) Pacific Bay Masonry, Inc. (tie for 10th)

5) RCP Block & Brick



8) R&R Masonry, Inc. (tie for 8th)



9) Frank S. Smith Masonry, Inc. (tie for 9th)



10) Thompson Building Materials (tie for 10th)



## New Water Regulation Prohibits Use of Potable Water for Washing Walls or Prepping Construction Sites

At its January 4, 2022 meeting, the California State Water Resources Control Board (SWRCB) passed a statewide emergency water conservation regulation that would prohibit the use of “potable water” for the washing of buildings and construction site preparation.

The State even has a site where tattletales can report abuse ([link below](#)). Fines are up to \$500 per day of violation.

**The new measure became effective January 18, 2022 and will be in effect for one year from the effective date.**

### PROHIBITIONS

*(b)(1) To prevent the unreasonable use of water and to promote water conservation, the use of water is prohibited as identified in this subdivision for the following actions:*

*(C) The use of potable water for **washing sidewalks, driveways, buildings, structures, patios, parking lots, or other hard surfaced areas**, except in cases where health and safety are at risk;*

*(D) The use of potable water for **street cleaning or construction site preparation purposes**, unless no other method can be used or as needed to protect the health and safety of the public;*

*(2) Notwithstanding subdivision (b)(1), the use of water is not prohibited by this section to the extent necessary to address **an immediate health and safety need**. (Think controlling silica dust.)*

*(e) The taking of any action prohibited in subdivision (b), (c) or (d) is*

*an infraction punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.*

The regulation does allow potable water on construction sites for tasks such as mixing concrete and mortar -- *thanks to an amendment requesting this allowance.*

MCAC and our government affairs team at American Subcontractors Association of California (ASAC) are still on the case but, for now, this is the law of the land until, at least January 18, 2023.

**Thank you** to some of MCAC's newest members, **Art Green of Specialized Cleaning Contractors, Inc.** and **Brittney Berkaw-Ford of Rainguard** for their assistance on this issue.

#### RESOURCES

[https://www.waterboards.ca.gov/water\\_issues/programs/conservation\\_portal/regs/emergency\\_regulation.html](https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/regs/emergency_regulation.html)

[Drought Emergency Regulation Text](#)

[Governor's statewide emergency proclamation October 19, 2021](#)

**Tattletale Link**

<https://savewater.ca.gov/>

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## UPDATE! CARB Zero Emission Forklift Regulation Moves Forward



On February 22, 2022 I attended the latest California Air Resources Board (CARB) public workgroup on California's move toward zero emission (ZE) forklifts.

Last August, CARB rolled out its preliminary plan to craft a zero emission forklift rule to prohibit operation of combustion engine forklifts purchased or leased after January 1, 2025.

The rule would apply to forklifts with a lift capacity of 12,000 lbs. or less and would **exclude rough terrain forklifts and lifts with telescoping booms.**

Below is a snapshot of some of the updates since the August 2021 workgroup:

- Effective date changed to January 1, 2026.
  - *Starting January 1, 2026, a fleet operator may not acquire, possess, operate, or allow the operation of, an Affected Forklift in California...*
- January 1, 2026 - No purchase of new Large Spark Ignition (LSI) forklifts permitted.
- January 1, 2026 - Must retire existing LSI forklifts 13 years old and older.
- Diesel forklifts removed from ZE Forklift Measure (since they are already covered by Off-Road Diesel Rule).
- 30 Day Rental Allowance - Each fleet operator is allocated 30 days per calendar year on which the fleet operator may rent one or more Affected Forklifts aka combustion engine forklifts.
- Small business aka "microbusiness" defined as:
  - 25 or fewer employees AND
  - \$5M or less annual gross receipts

The ZE Forklift Measure is still a draft in progress. As CARB continues to gather data and refine the measure, they are asking for **input from end users** on particular points. They are hearing from the associations and manufacturers. They want to hear from YOU.

### **User Input Requested!**

#### WARRANTY

- Should CARB require a warranty for ZE forklifts?

- If so, what should the length of that warranty be?
- What should be covered?

#### REMOTE WORKSITES

- Are there situations where combustion engine forklifts are needed at remote worksites?

**Email your responses to:** [zeforklifts@arb.ca.gov](mailto:zeforklifts@arb.ca.gov) and copy [julie@mca-ca.org](mailto:julie@mca-ca.org).

The next meeting is tentatively slated for Summer 2022 with the CARB board scheduled to vote on the measure some time in 2023. MCAC will continue to monitor this issue.

#### BACKGROUND & RESOURCES

MCAC has been reporting on the ZEV forklift issue since the September 2020 MCAC Newsletter where we announced California Governor Gavin Newsom's [executive order N-79-20](#) which states that sales of all new passenger cars and trucks are to be zero-emission by 2035, commercial trucks and construction equipment are to follow by 2045, and the California Air Resources Board (CARB) will map the mandates to achieve these goals.

CARB February 22, 2022 Zero Emission Forklift Regulation Presentation [here](#)

[MCAC August 2021 News Brief](#) re: CARB ZEV Forklift Rulemaking Public Workgroup Proposal

[MCAC January 2021 News Brief](#) re: CARB Non-Electric Forklifts October 2020 Proposal

[MCAC September 2020 Newsletter](#) re: Governor Newsom executive order N-79-20

