



Community College Facility Coalition

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Officers

Willard Lewallen
Chair
Hartnell CCD
(831) 755-6700

Pablo Manzo
Vice Chair
Los Rios CCD
(916) 856-3442

Praful Kulkarni
Secretary/Treasurer
gkkworks
(940) 250-1500

Directors

Mansour Aliabadi
Global Construction
Consulting LLC
(916) 749-2100

Fred Diamond
Citrus CCD
(626) 914-8691

William H. Duncan, IV
Sierra CCD
(916) 660-7000

Felix Hernandez
Allan Hancock Jt. CCD
(805) 922-6966

Ed Maduli
West Valley Mission CCD
(408) 741-2011

Jerry Marchbank
Coast CCD
(714) 438-4731

Eric Mittlestead
Kern CCD
(661) 336-5095

Karen Powell
San Mateo CCD
(650) 574-6577

Dave Umstot
Umstot Project &
Facilities Solutions, Inc.
(619) 201-8483

Sherman Wong
Public Agency Law Group
(310) 410-8600

Legislative Advocate

Murdoch, Walrath & Holmes
Suite 210
1130 K Street
Sacramento, CA 95814

Rebekah Cearley
TEL (916) 446-3042
FAX (916) 441-3893
www.cacfc.org

Ms. Marybel Batjer
Chair, California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

**Subject: DSA Proposed Emergency Regulations - DSA-SS EF-02/15 and DSA-SS EF-03/15
Outdoor Water Use and Irrigation Efficiency**

The Community College Facility Coalition (CCFC) appreciates the opportunity to provide comments regarding the 2015 emergency building standards proposed by the Division of the State Architect (DSA) for outdoor water use and irrigation efficiency (DSA-SS EF-02/15 and DSA-SS EF-03/15), to be acted on by the California Building Standards Commission on July 21, 2015. On behalf of CCFC, I participated in the stakeholder input process that informed the development of the proposed regulations. We appreciate DSA's willingness to engage with stakeholders and to modify their proposal based on our feedback, especially given this expansion of DSA's role in the construction of school facilities, which has typically focused on structural safety, fire and life safety, and accessibility.

In recognition of the historic drought in California, community college districts are doing their part to actively reduce their water usage. Governor Brown issued Executive Order B-29-15 on April 1, 2015, which established a statewide goal for urban water suppliers to reduce water use by 25% from 2013 usage. Each water supplier has its own unique conservation standard between 8% and 36%, based on per capita use from summer 2014. Community college districts are customers of these water agencies, and it is important to recognize the steps that they are taking to immediately reduce their water consumption in concert with the varying water agency goals. Some community college districts are customers of multiple water agencies, which creates complexity and inhibits a uniform response to the goals.

The new DSA irrigation efficiency regulations create a new unfunded state mandate that will increase costs and complexity for new capital outlay projects, and as such we urge you to give consideration to the work that is already being done by community college districts to immediately reduce their water use. We offer the following additional comments for your consideration.

Self-Certification – We appreciate DSA's proposed use of the self-certification process, which requires the design professional to self-certify compliance with the new water efficiency regulations. This approach will limit DSA review costs and places responsibility for compliance where it ultimately belongs, with the district and its design professional.

Project Scope and Landscape Area Footprint – We appreciate that the regulations now apply to new construction only, and that alterations (i.e. modernization) have been removed. The regulations propose that landscape project area equates to 75% of the new building footprint,



down from 100% in prior versions of the proposal. We appreciate DSA's recognition of the landscape area being displaced, and the outdoor water use that is ultimately reduced, by this new construction.

Review Before Finalizing – We urge you to do a full review of the outcome of the emergency regulations before making them permanent. Landscape is new territory for DSA, and the full costs of this proposal are still unknown. The transition from emergency regulations to permanent building code would occur within 180 days, and this seems an appropriate amount of time to allow for an assessment of the impacts of the emergency regulations. We urge you to build time into this process for a comprehensive review.

For example, the new regulations will require rehabilitation of existing landscape area for many projects in order to meet the new Model Water Efficiency Landscape Ordinance (MWELo). Removing existing, established plants and replacing them with new plants in order to meet the MWELo may temporarily increase water use, as new plants require additional water until they are well established. DSA and the Building Standards Commission should fully review the effects of the new regulations on potable water use, evaluating whether they are achieving the goals of the Executive Order to save potable water in the short-term. This detailed review will allow the agencies to perform a more in-depth cost-benefit analysis, taking into account the associated state and local costs for non-potable and potable water in relation to the potable water savings. The regulations may need to be adjusted before being finalized in order to incorporate changes made by others, including the Department of Water Resources, which is currently reviewing and updating the MWELo upon which the DSA regulations rely. Additionally, a detailed review will provide the opportunity to account for the potable water conservation outcomes that districts have achieved in response to the Executive Order and in furtherance of individual water agency goals.

Like many other California residents, community college districts are working to save potable water and respond to the drought. We understand that the choices that are made today, in recognition of our current crisis, set the state on a path for more sustainable water use in the future. It is exactly for this reason that we urge a thoughtful evaluation of these regulations before making them permanent, when outcomes and costs are better known. We appreciate DSA's herculean effort in a short amount of time, and we hope you will continue to use CCFC as a resource in the implementation and evaluation of the new requirements.

Regards,

A handwritten signature in cursive script that reads 'Rebekah Cearley'.

Rebekah Cearley
Legislative Advocate, Community College Facility Coalition

cc: Members, Building Standards Commission
Chester A. Widom, State Architect, Division of the State Architect
Theresa Townsend, Supervising Architect, High Performance Section, Division of the State Architect
Susan Yeager, Director, Facilities Planning & Utilization, California Community Colleges
Chancellor's Office