

PRELIMINARY COMMENTS

on the Draft California Green Building Standards Code

Submitted by the

U.S. Green Building Council of Northern California

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Section 101.1

Modify title to "California Building Environmental Standards Code". Eliminate the phrase "Green Building" from code title to eliminate risk of greenwash.

Section 101.2

Modify purpose statement to include reducing negative impacts of buildings in addition to having positive environmental impacts as follows:

101.2 Purpose. The purpose of this code is to improve public health, safety and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative, or positive environmental impact and encouraging sustainable construction practices in the following categories:

1. Planning and design
2. Energy efficiency
3. Water efficiency and conservation
4. Material conservation and resource efficiency
5. Environmental air quality

Section 101.3

This section makes a good effort to clarify the use of the code and to prevent possible greenwash, but it should be clarified and strengthened. Section 101.7 includes explanation that this code is a minimum standard - this should be included and expanded on here. Recommended language:

101.3 Scope. This code is a minimum standard for buildings with respect to the categories listed above, and as such, should not be construed in whole or part as a standard or definition for "green" or "sustainable" buildings. It is not the intent of the California Building Standards Commission that this code substitute or be identified as meeting the certification requirements of any green building program that is not established and adopted by the California Building Standards Commission. Building projects seeking distinction as "green" or "sustainable" should seek third party validated certification in addition to meeting the minimum requirements of this code.

Section 101.7

This section contains encouraging language to protect the authority of local governments to establish green building policies that exceed the requirements of this code. However, there is some conflicting language relating to the requirement of local entities to justify the filings based on "climatic, topographical or geological conditions". These categories must be broadened to include supporting long term local health and prosperity. We should clarify that climatic conditions should include meeting local targets for greenhouse gas emission reduction and water conservation based on regional, state, and global climate issues. The precautionary principle should be considered as adequate justification of green building measures related to occupant and community health.

Section 303

We strongly recommend that the voluntary standards section of the code be eliminated in its entirety. This section would create a voluntary standard for green building above the code minimum in direct competition with established 3rd party-certified green building programs. California does not need a new voluntary standard for green buildings - it needs more stringent minimum standards applied to more buildings.

This code section would result in significant market confusion within the building community and with the general public.

The questions that this section brings up are numerous: Who would verify claims to Tier 1 and Tier 2 performance? Why are all voluntary measures given equal weight even though they may have significantly different environmental impact or cost? How does this compare to other green building standards?

While we agree that buildings should be encouraged to pursue best practices beyond the code requirements, and exceed energy standards, we think this measure will do more damage than good to the cause of green buildings in California.

Section 5.303

Standards should include direction on the use of composting toilets. Reasonable standards must be met to balance the benefits of reduced potable water consumption, reduced sewage treatment, energy conservation and nutrient cycling against health concerns. Separate requirements should be provided for single family residences and other buildings. Standards should include both requirements for composting toilet performance as well as direction on how compost should be used and handled.

Non-flush urinals meeting national standards for performance by national standards bodies should be approved for use in California when installed per manufacturer's requirements.

Section 5.303.2

Indoor water efficiency requirements should be based on the amount of water required for the function of the fixture - the value should be aggressive, yet commercially available. The across-the-board values for water use reduction of 20% is typically not aggressive enough. The following max water consumption rates are recommended: Shower: 1.5 GPF, Lavatory 0.5 GPM, Urinals 0.5 GPM. Note research indicates that metering faucets and sensor faucets use more water than simple manual controls and should be discouraged. A time table should be provided indicating a time frame for requirement of higher levels of water efficiency, i.e:
2015- toilet max consumption = 1 GPF, Showers 1.0 GPM

Section A5.105.1.1

Exceptions #1 and #2 are consistent with good building practices. However, exception #3 undermines the intent of this code section to maintain at least 75% of existing building structure based on surface area. We therefore recommend that it be eliminated.

Section A5.105.1.3

The reuse of inefficient fixtures or fixtures that do not meet code should be avoided. We therefore recommend that the following language be added: "Salvaged fixtures should conform to code."

Section A5.106.5

We recommend that a minimum amount of bicycle storage and changing/shower facilities be provided corresponding to occupancy.

Division A5.2

The code sections under Division A5.2 relate to voluntary measures for energy efficiency. In general, USGBC-NCC recommends these energy issues be addressed in the California Energy Code. We are encouraged to see that in the most recent draft of the Green Building Standards Code, mandatory energy requirements have been removed and replaced with a reference to the Energy Code. For voluntary measures, we support the State in encouraging enhanced commissioning, on-site renewables, improved elevator

controls, and better detailing of steel framed assemblies. We recommend that these be integrated into the energy code, and be considered for mandatory requirement. We believe that the Energy Commission is well equipped to support the building industry in executing these measures.

A5.204.4

It appears that there is a typo under #5 and #6. Specifically, #5 should read “Functional Performance Testing” and thus #6 “Testing” should be deleted.

A5.213.1

Exterior rigid insulation is recognized as the preferred technique for avoiding thermal bridging in the envelope. We therefore recommend that the following language be inserted after the first sentence: “Install exterior rigid insulation whenever feasible. If not, other . . .” and then delete #3.