

October 5, 2012

Deputy Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Re: Avoiding Invasive Plants in CALGreen

Dear Deputy Executive Director Michael L. Nearman,

Please accept our comments for the 45-day public comment period pertaining to code changes intended for the 2013 California Building Standards Code. Our comments apply to the proposed 2013 edition of the California Green Building Standards Code (CGBC), Title 24 Part 11, also known as CALGreen. Our comments are in reference to both the Residential and Non-Residential new construction and additions/alterations portions of the code.

StopWaste.Org is the Alameda County Waste Management Authority and Recycling Board, a joint-powers authority of Alameda County, representing 14 cities, two sanitary districts and the county itself on waste-related issues. Our county is at the forefront of many policies surrounding green building, sustainable landscaping, waste prevention, recycling, construction and demolition debris, and other programs and policies for the built environment. We strongly support the green building code and are working to ensure that implementation at the local level is successful.

Our agency is generally supportive of the proposed code changes in the 45-day Express Terms documents. However, during earlier rounds of public comments, we submitted a recommendation for the **avoidance of invasive plants** within CALGreen as a mandatory measure. We do not see proposed in the Express Terms documents any mention of invasive plants except in the voluntary portions of the code (i.e. Tiers), nor have we been given reasons why our comments were not incorporated into the current draft. *Once again, we strongly urge the CBSC, HCD and other adopting code bodies to include a new mandatory code provision to avoid invasive plants for permitted construction projects covered by CALGreen code.*

There are compelling reasons to avoid invasive plants in the mandatory section of the code.

- **Invasive plants produce greater amounts of waste.** Invasive plants tend to grow faster, spread beyond their original planting areas, and result in greater amounts of green waste than non-invasive species. Additionally, effective eradication of invasive plants often requires the use of herbicides which are classified as hazardous waste and must be disposed of properly at end of life. Avoiding invasive plants is a waste prevention measure for California's cities and counties who regulate and operate hazardous waste facilities and landfills.
- **Invasive plants have serious environmental impacts throughout the state,** including increased frequency and intensity of fire regimes in California, altered soil composition, lack of dissolved oxygen in waterways, changes to natural hydrologic cycles, and threaten wildlife. While the effects of invasive plants are most severely felt in the rural areas and wildlands of California, evidence is that most invasive plants currently causing havoc in California started as horticultural plantings in urban areas. Therefore, land development in urban and suburban California has a direct correlation with invasive plant exposure throughout the state.



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- **Management of invasive plants is expensive.** In California, the cost of control, monitoring, and outreach is conservatively estimated to be \$82 million a year (not including indirect costs associated with lost agricultural yields, increased severity of wildfires and floods, loss of productive range and timber lands, reduced land values, damage to infrastructure, and degraded recreational opportunities).
- **Avoiding invasive plants via the building code is effective and low-cost.** Experts agree that prevention is the most effective and resource-efficient way to combat the spread of invasive plants. By requiring construction projects to avoid invasive plant species, demand for invasive plants from nurseries and suppliers will diminish over time. Further, a wide variety of alternatives to invasive plants is easily available with no cost difference, resulting in no cost increase for the design and construction industry.
- **There is precedent for avoiding invasive plants in building codes.** A similar provision is provided in the International Green Construction Code (IgCC) and its compliance option, ASHRAE standard 189.1.

To effectively avoid invasive plants from becoming established or spreading in California, the building code can include a Mandatory Measure that does not allow the planting of invasive species. Though several listings of invasive plants are available, we recommend the industry-leading California Invasive Plant Inventory Database, which is hosted and maintained by the California Invasive Plant Council (Cal-IPC). The Invasive Plant Inventory Database is developed by Cal-IPC (a 501c3 tax-exempt nonprofit educational charity) with input from leading experts from academia, scientists, California State Parks, the US Geological Survey, and environmental nonprofits. The Cal-IPC Inventory Database includes approximately 200 of the state's most problematic invasive plant species and is free and publicly available on the Cal-IPC website: www.cal-ipc.org

Our request to add a mandatory provision for the avoidance of invasive plant species in CALGreen fits within the scope statement of CalGreen Sections 4.101 and 5.101: "...to protect, restore and enhance the environmental quality of the site and respect the integrity of adjacent properties." Further, our request to prevent the spread of invasive plants and to lessen impacts and remediation costs via the CALGreen code meets Criterion #3 of the Health and Safety Code, "The public interest requires the adoption of building standards."

We believe invasive plants should be avoided for all newly constructed landscape areas. The building code, and particularly the Green Build Standards portion of the code, is the correct place to avoid invasive plants for newly permitted projects. By making the avoidance of invasive plant species a mandatory measure, California can prevent waste, lessen environmental degradation, and lower costs for invasive plant remediation.

Best regards,

CAGWIN & DORWARD



Aaron Majors
Owner & Department Manager | Construction



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