



October 15, 2012

Chester A. Widom, FAIA
California State Architect
1102 Q Street, Suite 5100
Sacramento, CA 95811

Dear Mr. Widom:

On behalf of the Collaborative for High Performance Schools (CHPS) thank you for the opportunity to participate and comment during the formal 45-day public comment period of the triennial update of the California Green Building Code (CALGreen). As we have discussed CHPS is committed to harmonize the requirements of CALGreen, the California CHPS Criteria (CA-CHPS Criteria), and future state high performance school funding criteria.

Thank you for accepting most of our previous comments. We offer minor clarification on how to reference the CA-CHPS Criteria and CHPS High Performance Product Database and continue to request that the Voluntary Tiers not be included for schools.

5.5.04.4.4 Carpet Systems: Approve if amended as follows:

“...5. Compliant with the California Collaborative for High Performance Schools (CA-CHPS) Criteria Interpretation for EQ 2.2 dated July 2012 and listed in the CDPH CHPS High Performance Product Database.

There was an important credit interpretation released by the CHPS National Technical Committee in July 2012 www.chps.net/dev/Drupal/self-certified-low-emitting-products. This credit interpretation delineates which products “count” toward the CA-CHPS Criteria EQ 2.2. These products include those that have been third-party certified, tested by an independent laboratory, or now self-certified against a laboratory tested compliant product subject to audit by CHPS.

5.504.4.6 Resilient flooring systems: Approve if amended as follows:

“...3. ~~Defined in~~ Compliant with the 2009 California Collaborative for High Performance Schools (CA-CHPS) Criteria Interpretation for EQ 2.2 dated July 2012 and listed in the CHPS High Performance Database.”

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It is imperative that these two CALGreen sections reference the July 2012 date of the EQ 2.2 credit interpretation rather than the 2009 CA-CHPS Criteria because as you know the CA-CHPS Criteria will be updated on the heels of CALGreen. It is anticipated that the revisions to CALGreen and CA-CHPS Criteria will go into effect at the same time of January 1, 2014. Therefore referencing the 2009 CA-CHPS Criteria would render any such CALGreen references obsolete from the outset.

Voluntary Tiers 306.1.2: Hold for further study.

~~30206.1.2 The optional provisions of Appendix A5, Division A5.6, outlines voluntary tiers to develop a sustainably designed facility utilizing the voluntary measures in Division A5.1 through A5.5.~~

K-12 schools are very different than the other building types covered by CALGreen. Unlike cities and counties which approve private building projects as a third party within their jurisdiction, it is unclear who would be expected to adopt or enforce the tiers for K-12 schools. While as you know the Division of the State Architect (DSA) reviews for CALGreen as part of their intake process, it is highly unlikely that DSA has the authority to actually adopt a tier themselves nor would they review projects for compliance with locally adopted tiers. Nor would cities or counties have the authority to adopt tiers that would apply to schools. This leaves the school districts themselves to adopt the tiers. With over 1,000 school districts in California it is likely that few if any districts will adopt a CALGreen tier. The CA-CHPS Criteria is a voluntary, consensus standard for healthy, high performance green schools in California. The CA-CHPS Criteria does and will comply with the mandatory CALGreen mandatory measures and provides a flexible framework for the construction and modernization of schools. Over 40 California school districts have already adopted a CHPS district resolution www.chps.net/dev/Drupal/node/356 including many of the larger districts that might consider adopting a tier system under CALGreen. The state has not demonstrated the necessity of establishing the voluntary tiers as guidance in regulation. In fact, the adoption of the voluntary tiers for K-12 schools may be a set-back to the furtherance of healthy, high performance, green schools in California.

Please let me know if you would like to discuss any of our comments further.

Best,



William R. Orr, Executive Director

cc: Bob Chase, DSA
Theresa Townsend, DSA
Jim McGowan, CA-BSC
Enrique Rodriguez, CA-BSC
CHPS Board of Directors