

State of California  
State and Consumer Services Agency  
California Building Standards Commission  
2525 Natomas Park Dr., Suite 130  
Sacramento, CA 95833  
(916) 263-0916 Phone  
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April 28, 2008

**Re: TITLE 24, CCR, PART 11, CALIFORNIA GREEN BUILDING STANDARDS CODE**

Not long ago, our Governor proclaimed his commitment to providing for a “greener” and “cleaner” California. In some respects, this code is a step in the right direction. But in several critical areas, rather than “greener” and “cleaner”, this code continues to support practices which have been proven to be harmful to the environment and people.

In effect, this code treats all wood products the same. For example, it treats clear cut harvested timber used for construction in the same manner as timber which is harvested under a sustainable model. It also treats all timber in the same manner as products made from agricultural waste.

Using life cycle assessment techniques, the proposed code allows petroleum-based building and other harmful products to be treated in the same manner as other environmentally safe products. For example, we know that vinyl products are harmful because they emit toxins. Yet under this code, vinyl products can be treated as friendly to the environment and to people as are other environmentally safe products.

As a result, the code does not provide an incentive to change harmful practices by adopting “greener” and “cleaner” alternatives. Instead, the code continues the same standards in California by promoting the use of harmful products as if they are “greener” and “cleaner”.

We believe that the comments provided by William Buchholz, AIA and others like him are serious comments. He and others like him are in the best position to know the implications and the practical aspects of this code to the lives of the average citizen in California. We support his comments and join in his efforts to avoid the detrimental effects of this code.

Thank-you for considering my concerns.

Sincerely,



James Feichtl  
2036 Lyon Avenue  
Belmont CA 94002

CALIFORNIA BUILDING STANDARDS COMMISSION

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Attn: Thomas L. Morrison, Deputy Executive Director

Office Use Item No. \_\_\_\_\_

**PARTICIPATION COMMENTS FOR THE NOTICE DATED MARCH 18, 2008  
TITLE 24, CCR, PART 11, CALIFORNIA GREEN BUILDING STANDARDS CODE**

**WRITTEN COMMENT DEADLINE: MAY 12, 2008**

Date: April 24, 2008

From:  
William Buchholz, AIA, CCS, LEED-AP  
Specifications Consultants  
1935 Alameda de las Pulgas, Redwood City, CA 94061  
On Behalf Of: Redwood City Cool Cities, Citizen Action Committee

**Item 1:**

I/We **do not** agree with the Agency proposed modifications As Submitted on Section No. **705.2 - Bio-Based materials, and 705.2.1 - Certified wood products**, and request that this section or reference provision be recommended **Approved as Amended** by the proposing state agency.

**Suggested Revisions to the Text of the Regulations:**

**"705.2 Bio-based materials."** Delete Paragraph in its entirety.

**"705.2.1 Certified wood products.** Employ wood-based materials and products which are certified in accordance with Forest Stewardship Council (FSC) Principles and Criteria."

Delete the percentage requirement and the other standards organizations 2. through 5.

**Reason:**

Health & Safety Code Section 18930 (a) (3): **Not** in the public interest, as written.

**705.2 Bio-based materials:** The word "bio-based" is not defined in the Environmental Protection Agency "Terminology Reference System", the US Green Building Council "LEED" rating system, the Build It Green "GreenPoint Rated" system, or The Construction Specifications Institute "GreenFormat" sustainable product reporting form. According to Wikipedia, a bio-based material is simply an engineered material made from substances derived from living matter. There is no consensus on its meaning in the sustainable design community and leaves the door open to misinterpretation and misrepresentations.

**705.2.1 Certified wood products:**

The percentages of certified wood in a product varies with different products and with availability.

Numerous cities and at least one county in California have already implemented ordinances requiring construction that meets the USGBC "LEED" rating system or the Build It Green "GreenPoint Rated"

system. Both of these rating systems only recognize FSC certified wood. At this time, only FSC certification assures that the forest from which the wood was harvested is managed in an environmentally, economically and socially responsible manner, and maintains chain-of-custody certification throughout the cutting, milling, and final delivery of products.

The likely consequence of including multiple and variable-quality certification systems will be to undermine the industry and market transformation to sustainable wood products. The Sustainable Forestry Initiative (SFI), Canadian Standards Association (CSA), and Programme for the Endorsement of Forest Certification Schemes (PEFC) promote some of the most environmentally destructive forest management practices, including widespread clearcutting, logging in imperiled species' habitats, endangered forests and wilderness, conversion of natural forests to industrial plantations, conversion of forests to non-forest land uses, and inattention to sustaining and restoring attributes necessary for healthy forest ecosystem and habitat function.

**Item 2:**

I/We **do not** agree with the Agency proposed modifications As Submitted on Section No.709 - **Life Cycle Assessment**, and request that this section or reference provision be recommended **Held for Further Study** by the proposing state agency.

**Suggested Revisions to the Text of the Regulations:**

Delete entire Section 709.1 - "Materials and system assemblies".

**Reason:**

Health & Safety Code Section 18930 (a) (6): The proposed building standard **is unnecessarily ambiguous and vague**, in whole or in part. Also, Section 18930 (a) (3): It is **not** in the public interest, and can, in fact, be dangerous to public health and safety when used to justify use of an unsafe product based on an LCA.

Life cycle assessment (LCA) of building materials is a complex process having too many variables to provide meaningful design decisions at this time. For assemblies, as required by this standard, it is practically meaningless. LCAs are being used by manufacturers as marketing tools to sell their products, and have very little credibility or usefulness at this time. For example, vinyl flooring manufacturers use LCA to claim their product is "greenest" because it has the lowest embodied energy to manufacture while ignoring longevity, maintenance costs, and toxics in the product making it difficult to recycle. At the same time, the ceramic tile industry uses LCA to claim their flooring has the lowest embodied energy if measured over a 50 year time frame to justify the high embodied energy to manufacture. Until there is better industry consensus on what parameters to use in a LCA, this is a meaningless