

STATE OF CALIFORNIA
STATE AND CONSUMER SERVICES AGENCY
CALIFORNIA BUILDING STANDARDS COMMISSION
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Office Use Item No. _____

PARTICIPATION COMMENTS FOR THE NOTICE DATED MARCH 18, 2008
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: MAY 12, 2008

Date: April 1, 2008

From: Josh Gebelein, S.E.
Name (Print or type)

Miyamoto International - Structural Engineers
Agency, jurisdiction, chapter, company, association, individual, etc.

<u>700 South Flower, Suite 1010</u>	<u>Los Angeles</u>	<u>CA</u>	<u>90017</u>
Street	City	State	Zip

I/We (do) (do not) agree with:

The Agency proposed modifications As Submitted on Section No. Title 24 CCR, Part 11, Section 709 and request that this section or reference provision be recommended:

Approved Disapproved Held for Further Study Approved as Amended

to the proposing state agency.

Suggested Revisions to the Text of the Regulations:

709.2 Natural Hazards. Select structural framing and materials assemblies based on a life cycle assessment considering damage due to probable natural hazard events.

Reason: [The reason should be concise. If the request is for "Disapproval," "Further Study," or "Approve As Amend", identify at least one of the 9-point criteria (following) of Health and Safety Code §18930.]

Criteria 18930 (a) 3 - It is in the public interest to consider the impact of natural hazards on life cycle assessment. The procedures noted in 709.1.1 do not account for additional repair or replacement costs associated with damage due to natural hazards. Methodology for this type of assessment due to seismic hazard is currently available from the Federal Emergency Management Agency (FEMA) and discussed in publication FEMA 445 and their software program HAZUS. The Applied Technology Council (ATC) is currently developing a model guideline in publication ATC-58. The result of this measure will be safer buildings with less expected damage from natural hazards, and subsequently lower repair costs and material use. This measure is especially important in California where the potential for severe earthquake damage is high, even in new code-compliant buildings. A well documented case in point would be the one-month-old Olive View Hospital which was completely destroyed by the February 9, 1971 San Fernando earthquake [http://earthquake.usgs.gov/regional/states/events/1971_02_09.php]. This would be an optional Green Building Measure.

HEALTH & SAFETY CODE SECTION 18930

SECTION 18930. APPROVAL OR ADOPTION OF BUILDING STANDARDS; ANALYSIS AND CRITERIA; REVIEW CONSIDERATIONS; FACTUAL DETERMINATIONS

- (a) Any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:
- (1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
 - (2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.
 - (3) The public interest requires the adoption of the building standards.
 - (4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.
 - (5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.
 - (6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.
 - (7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.
 - (A) If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.
 - (B) If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.
 - (8) The format of the proposed building standards is consistent with that adopted by the commission.
 - (9) The proposed building standard, if it promotes fire and panic safety as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.