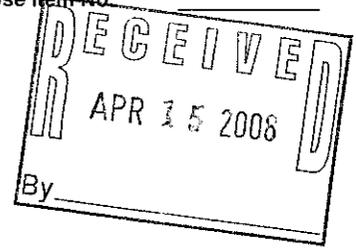
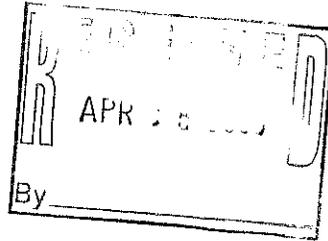


STATE OF CALIFORNIA
STATE AND CONSUMER SERVICES AGENCY
CALIFORNIA BUILDING STANDARDS COMMISSION
2525 NATOMAS PARK DR., SUITE 130
SACRAMENTO, CA 95833
(916) 263-0916 Phone
(916) 263-0959 Fax
Email: BSC@dgs.ca.gov

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 13, 2008

From: John "Jay" Marlette
Name (Print or type)

Individual

Agency, jurisdiction, chapter, company, association, individual, etc.

717 Evelyn Avenue Albany CA 94706
Street City State Zip

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

The Agency proposed modifications As Submitted on Section No. **603.2, 705.2, 710.1**

and request that this section or reference provision be recommended:

Approved Disapproved Held for Further Study Approved as Amended

by the proposing state agency.

Suggested Revisions to the Text of the Regulations:

Suggested Revisions to the Test of the Regulations:

603.2 20% Savings

In addition to items 1 and 2, add:

3. The number of showerheads shall be limited to one per limited allowable floor area required by the California Building Code (CBC).

705.2 Bio-based materials.

Strikeout "Solid Wood". Solid wood is not a sustainable material.

710.1 Recycling by occupants

We recommend composting be considered in this regulation. It can read as follows:

710.1 Recycling by occupants. Provide readily accessible areas that serve the entire building and are identified for depositing, storage, collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastic and metals, and depositing non-hazardous composting materials including (at a minimum) food preparation waste such as vegetables.

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.]

All of the proposed amendments are to put forth are, in my opinion, required to meet the public interest (which is the third criteria in section 18930 of the Health and Safety Code):

603.2 20% Savings: The number of shower heads need to be limited for the 2.5 gallon requirement to be effective. Luxury homes enjoy several shower heads in a single shower and the way this code is written, would be allowed.

705.2 Bio-based material: Solid lumber is a bio-based material but is it not a sustainable material. If solid wood must be in this sections, then consideration should be made that it is approved by organizations like the FSC (Forestry Stewardship Council).

710.1 Composting is an effective waste diversion method that should be considered.

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.