



February 12, 2008

To: Green Building Code Advisory Committee  
 California Building Standards Commission  
 2525 Natomas Park Drive, Suite 130  
 Sacramento, CA 95833

From: California Business Properties Association  
 Associated General Contractors  
 Building Owners and Managers Association of California  
 California Apartment Association  
 California Association of Realtors  
 California Building Industry Association  
 California Broadcasters Association  
 California Chamber of Commerce  
 California Forestry Association  
 California Manufacturers & Technology Association  
 California Retailers Association  
 Consulting Engineers and Land Surveyors of California  
 International Council of Shopping Centers  
 National Association of Office and Industrial Properties, California Chapters

**Re: Green Building Code Advisory Committee Review of Proposed Codes**

The above listed groups are pleased to submit comments for your consideration as you work towards adoption of amendments to the 2007 California Building Standards Code to integrate the proposed California Green Building Standards Code into Title 24.

We understand that you have a daunting task in front of you and hope our collective comments will provide context, data, and pointed questions that will assist you to adopt a code that makes sense for California and keeps our state at the forefront of success in building resource efficient facilities. Many of our members are “early adopters” of green technology, have practical experience with construction and/or management of sustainable buildings, and are well versed in the economics of building “green.” We hope we can be strong partners with the Green Building Code Advisory Committee as you move forward with these recommended codes.

We want to clearly state that we are supportive of a statewide standard for green building codes and believe that the ongoing Building Standards Commission (BSC) process is the most effective, efficient, and pragmatic way to make such a standard reality. The BSC has served as the lead oversight agency for all building standards adopted in California for the past thirty years, and this highly technical and specialized task has been performed very well. Given that mandatory green building standards must ultimately be incorporated into the provisions of all six of the main state codes (building, fire, plumbing, mechanical, electrical and energy), we believe vetting through the advisory committee process and then by the full commission is the only way to produce a green building code that is safe, economical, and in sync with other sections of the code.

By the same token, we understand that cost efficiencies on green technology will have a point of diminishing return and want to assure that the statewide standard advances the goals of creating resource efficient buildings while not being overly proscriptive and restrictive as to make constructing new buildings only feasible for the largest of companies. We don't want to see a situation created where building costs are forced to increase to the point that some companies may choose not to invest in new commercial development and/or in a manner that would significantly drive-up lease costs. Lack of affordable commercial space would do the most damage to small/independent business that count on affordable rents in desirable locations to thrive. As an example, if all the proposed regulations are applied to private office buildings, the costs would be similar to attaining a "Silver" LEED certification, resulting in an approximately 5 - 10% increase in construction costs.

We understand that many of these proposed codes are currently "optional" for the commercial sector – however, we assume that anything adopted at this time will become mandatory at a later date. Should most of the items listed in these proposed codes become mandatory, business across the board may well be faced with a serious challenge as the cost of real estate will likely increase. In addition, the fixed requirements could further increase construction costs and limit a builder's flexibility in a manner not intended by the committee.

In terms of the specifics of the proposed codes, we think staff has made a good start and through this letter offer comments that we hope will help refine the proposal in a manner consistent with the nine-point criteria mandated in Health and Safety Code Section 18930. To that end, attached please find a consolidated list of issues raised by our members that we hope you find useful.

We do ask that you remove all or most of Chapter 4 of the proposed codes from consideration at this time. Unfortunately, by attempting to incorporate issues related to site selection, development densities, habitat mitigation, etc., Chapter 4 represents an excursion into land use regulation rather than building code and overreaches the charge of the BSC. If some of the items in Chapter 4 are adopted, it would usurp authority from local governments as well as encroach on several other state and federal agencies.

If you have any questions, comments or would like to discuss anything in this letter, on behalf of the coalition please contact Matthew Hargrove, Sr. Vice President of Governmental Affairs, CBPA, at 916-443-4676, or [mhargrove@cbpa.com](mailto:mhargrove@cbpa.com). Thank you for taking our views into consideration.

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