



California Building Industry Association

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In the matter of:)
)
Rulemaking –)
2016 California Green Building)
Standards Code)
CCR, Title 24 Part 11)
(California Green Building Code))

DOCKET No. 15-CALG-01

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Comments submitted on behalf of:

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Date: March 20, 2015

A4.201.1 Scope:

CBIA supports the inclusion of the new language which further clarifies the administrative responsibilities of a local jurisdiction desiring to adopt the CEC's voluntary provisions as mandatory. If time allows via 15-Day Language, CBIA would request further clarification that this administrative responsibility includes (1) the development of a cost-effectiveness analysis and (2) an analysis showing the proposed mandate will achieve energy efficiency savings equal to or greater than those minimum efficiency standards required by the state.

A4.203.1.1.3.1: Lighting:

Question was raised at the March 3 workshop regarding whether it was reasonable for "all" permanently installed interior lighting to be controlled by a vacancy sensor. Has the CEC insured that there is adequate supply of this product on a statewide basis and also insured that it is indeed reasonable (cost effective) for ALL permanently installed lighting to be controlled by vacancy sensors?

A4.203.1.1.3.4: Lighting:

Regarding the proposed requirement for all outdoor lighting for residential parking lots to be high efficacy; has the CEC adopted a related definition for what constitutes a residential "parking lot"?

A4.203.1.2.1 Tier 1 and A4.203.1.2.2 Tier 2:

At the March 3rd Workshop, CEC Staff indicated a strong desire to move away from citing a "percentage increase" of +15% and +30% for Tier 1 and Tier 2 respectively and instead use an Energy Design Rating (EDR) similar to that proposed for use with the Tier 3 proposal. While CBIA has very limited experience with the use of the Energy Design Rating compliance calculation tool, we generally support this staff proposal. CBIA expresses concern that ratings vary by orientation and home configuration thus making a single EDR an arbitrary reference for energy efficiency. Until the market understands the EDR CBIA suggests that both "percentage increase" and EDR be pathways for the 2016 California Green Code.

It is our understanding that using the EDR for Tier 1 and Tier 2 would allow for compliance credit for rooftop solar in a way consistent with and similar to that proposed for Tier 3. In addition, using EDR for Tier 1 and Tier 2 would clearly provide designers, builders and building officials with an opportunity to familiarize themselves with the effective application of this compliance tool well in advance of the regulations that will take effect in 2020.

CBIA looks forward to working with staff to gain a better understanding of the EDR compliance tool in the very near future.

General Comment:

In the Initial Statement of Reasons (ISOR) and the Economic Impact Statement associated with the Part 11 proposal, staff indicates that "*The energy efficiency provisions of the CALGreen Code are voluntary and therefore have no definable impact.*" CBIA disagrees with this assertion and would respectfully suggest CEC Staff note the passage of recent

legislation in 2012 (AB 1612) and 2013 (SB 401) which requires agencies proposing the adoption of building standards to include in the ISOR and the Notice an "estimated cost of compliance". Neither of these bills include a limitation of this administrative requirement to apply only those building standards which are "mandatory". This issue was raised as both of these measures worked their way through the legislative process and it was clearly understood that this administrative requirement would apply to all proposed building standards, including both mandatory and voluntary measures.

As such, it would seem appropriate for the CEC to include, at a minimum, an estimated cost of compliance for Tier 3. Given the CEC's access to extensive compliance cost data, this would seem to be a relatively simple process and one that CBIA would offer staff some assistance with if desired. For example, CBIA would suggest taking a common base-case design for a single-family home (such as those we have been using to estimate compliance costs with the proposed minimum standards). Using the new energy design rating compliance (EDR) tool, we would increase the energy efficiency level slightly above that being proposed in the 2016 RES and then add an adequate amount of rooftop solar to bring the EDR score to "zero". This could easily serve as the "estimated cost of compliance" which is now required by the Government Code.

