

DOCKETED

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Comment Received From: Kyle Krause

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Re. Docket No. 15-IEPR-05

Additional submitted attachment is included below.

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF CODES AND STANDARDS**

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April 21, 2015

VIA electronic commenting system
California Energy Commission
1516 Ninth Street, MS-4
Sacramento, CA 95814

Re: Docket No. 15-IEPR-05

The Department of Housing and Community Development's (HCD) State Housing Law (SHL) Program, in part, oversee the application of state laws, regulations, and code enforcement by local jurisdictions. The SHL develops statewide building standards for residential construction.

The SHL Program has reviewed the Energy Commission's California's Existing Buildings Energy Efficiency Action Plan (Plan) and has the following comments.

1. Page 10. Challenges. Opaque Value Proposition.
The Plan notes that costs and savings of deep energy efficiency improvements can be highly variable; and that consumers may not re-coup the value of a deep retrofit project during the 5-8 years they reside in the home.

HCD agrees that the Building Efficiency Standards would need to be reviewed for cost effectiveness as noted in Strategy 1.2 (1.5.2). In addition, consumers would need incentives (financial, property appreciation, tax breaks, etc.) to justify investment in more costly energy efficiency upgrades.

2. Summary of Relevant Legislation and Policies.
Page 34 provides a description of the California Green Building Standards Code (CALGreen) and includes the following sentence: "CalGreen utilizes three tiers for the Standards, which include a mandatory tier and two levels of voluntary measures that can be used by more progressive communities and builders."

This sentence should be corrected to show that CALGreen includes both mandatory and voluntary measures. The voluntary measures are separated into two tiers, Tier 1 and Tier 2 which include a prescribed number of prerequisite measures and selected choice of a number of elective measures. Tier 1 and Tier 2 levels are adopted by local jurisdictions as "enhanced" levels of green building beyond the standard statewide mandatory measures.

(The Energy Commission has proposed a Tier 3 level for the 2016 CALGreen Code. See HCD comments to the California Energy Commissions 2016 CALGreen proposal, Docket 15-CALG-01)

3. Summary of Relevant Legislation and Policies.

This section should include a brief summary of the State Housing Law (Health and Safety Code Sections 17910 *et seq.*) which specifically permits the replacement, retention and extension of original materials and methods of construction as long as the structure does not become or remain substandard but does not apply to additions or alterations which increase the area, size or volume of the existing buildings; or to new foundations for moved residential structures.

Section 17958.8. Local ordinances or regulations governing alterations and repair of existing buildings. Local ordinances or regulations governing alterations and repair of existing buildings shall permit the replacement, retention, and extension of original materials and the use of original methods of construction for any building or accessory structure subject to this part, including a hotel, lodginghouse, motel, apartment house, or dwelling, or portions thereof, as long as the portion of the building and structure subject to the replacement, retention, or extension of original materials and the use of original methods of construction complies with the building code provisions governing that portion of the building or accessory structure at the time of construction, and the other rules and regulations of the department or alternative local standards governing that portion at the time of its construction and adopted pursuant to Section 13143.2 and the building or accessory structure does not become or continue to be a substandard building.

The Department of Housing and Community Development would like to thank the Energy Commission for the opportunity to comment on the proposed California's Existing Buildings Energy Efficiency Action Plan.

If you have any questions regarding HCD's comments, please contact Kyle Krause, Codes & Standards Administrator I at (916) 263-4719 or kyle.krause@hcd.ca.gov or Emily Withers, Codes & Standards Administrator II at (916) 263-2998 or Emily.withers@hcd.ca.gov.

Sincerely,



Shawn Huff
Assistant Deputy Director

Cc: Kyle Krause
Emily Withers