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Following are my comments regarding draft recommendations by the CEC:
I am a General Building Contractor who has invested in Green Building training and certification, and I continually educate myself with resources such as Greenbuildingadvisor.com, Fine Homebuilding, Journal of Light Construction, and many books on the subject of "Green" construction. I have done so because I am conservationist. The need for improving building performance and energy efficiency, along with the other defining aspects of Green Building, is obvious to me. I have noticed many of my colleagues and competitors moving in the same direction. The frequency of consumers who want to implement green building practices is also increasing. Surprisingly, in my experience there has been no correlation between one's willingness to pay for going green and one's political affiliation. We all seem to want to waste less, spend less (in the long run), and enjoy a better in-door environment. Making the decision to invest in building performance gives consumers some well deserved pride.
Unfortunately, when those same consumers are FORCED to invest in "going green" rather than go through the process of learning the benefits of particular options and choosing on their own, they feel resentment instead of pride. Especially when the guidelines being imposed have been developed by a committee that acts in the interest of corporate lobbying power, rather than a true desire to help our environment. The California Energy Commissions' draft recommendation: **Achieving energy savings in California buildings - Saving Energy in Existing Buildings and Achieving a Zero Net Energy Future** will of course be marketed as baby-seal-friendly, but the people will never hear a list of the lobby's and special interests behind it.
When a Government with a track record such as California's revokes the consumers' right to choose and writes the shopping list itself there are some unintended consequences:
The most unfortunate is regulating small businesses to the grave. It is not yet illegal in this state for an employer to tell it's employees, "sorry, we can't make a living here so we are moving to Idaho. Your last check is in the mail."
Contributing to the pressure on the diligent few business owners who plod on despite the tidal wave of bureaucratic regulations is the increasing number who turn to the underground economy. This is particularly true in the construction industry, where unlicensed, uninsured, cash/trade/or grass builders thrive. Contractors in full compliance do not stand a chance of competing against their underground adversaries. Consumers are attracted to the much lower prices, avoiding permits and therefore new legislation altogether. Compounding the problem of the underground economy is the lack of enforcement. It seems that the offices in Sacramento are too comfortable to leave often enough to enforce compliance. In response to such accusations, the CSLB may perform a sting every other year, which most of the community seems to resent (and ironically associate with licensed contractors). The threat of fines whose amounts could only have been dreamed up by a committee in total isolation from the real economy serves only to encourage going underground.
Finally, the most disturbing aspect of dysfunctional over-regulation is the end result.
There are simply too many regulations for any building department to enforce. As an example, I was told on the job site recently by my inspector that the CF-1R form, Window Worksheet, Mechanical checklist, Water Use form, Insulation Certificate, Air Sealing Declaration, and the Universal Design Checklist would never be read by anybody and would be placed in a file that nobody will ever review. On the same job there was absolutely no credit or incentive written into the code for the 32 thousand dollar PV system, 19 thousand dollar upgraded insulation, voluntary thermal breaks and advanced framing techniques, Ultra high efficiency mechanical systems, radiant barriers, ultra-low-heat-gain, high reflectance windows, etc. The performance (budget) of the local building departments that end up with the responsibility of enforcing new

codes and regulations depends on the performance of their respective local economies. Read the following list of recent increases in building costs and decide on your own how likely consumers will be to pay for a building permit vs. decide not to build:
Sprinkler Requirement 6-10k up to 15k
Wildland Urban Interface 7-12k
Green Building Code 5-8k
Associated design costs 1k
Lead based Paint for Remodels 4k minimum
Material cost increase due to ARB regs 3k
Utility connections are up due to regulations 15k
That's up to a 58 thousand dollar increase, in addition to 15-20 thousand for permits and fees. Better have a 2.7% per year retirement plan based on your best 3 years to pay for that.
Why are taxpayers unlikely to see their money spent on incentive programs and ad campaigns rather than strict new regulations? Why would the lobbies and special interest groups bother when they can force consumers to buy their products?
I doubt that my voice as a taxpayer will be heard in Sacramento.
Hopefully a California politician will see my tire marks on I-80 at the Nevada border.
Good Day.