



California  
Business  
Properties  
Association

California Energy Commission

**DOCKETED**

**14-AAER-1**

TN 73150

JUN 06 2014

In the matter of: )  
)  
California Energy Commission )  
Appliance Efficiency )  
Pre-Rulemaking )  
RE: Water Conservation )

**Docket No. 14-AAER-1**

California Energy Commission  
Dockets Office, MS-4  
1516 Ninth Street  
Sacramento, CA 95814-5512

Comments submitted on behalf of:

**California Building Industry Association**  
1215 K Street, Suite 1200  
Sacramento, California 95814

**California Business Properties Association**  
1121 L Street, Suite 809  
Sacramento, CA 95814

Date: June 6, 2014

## **Introduction:**

The California Building Industry Association (CBIA) is a statewide trade association representing over 3,000 member-companies involved in residential and light-commercial construction. CBIA member-companies account for approximately 90% of the new homes built in California each year.

With over 10,000 member-companies, the California Business Properties Association (CBPA) represents California's commercial, industrial, and retail real estate industry.

The California Building Industry Association (CBIA) and the California Business Properties Association (CBPA), hereafter referred to as "Industry", welcome the opportunity to provide these comments to the California Energy Commission.

## **Comments:**

Industry strongly concurs with the two separate sets of comments submitted to the CEC by the Plumbing Manufacturers Institute (PMI). Both of PMI's submittals are dated June 5, 2014.

In general, Industry supports the CEC's recommendations outlined in the "Staff Analysis of Toilets, Urinals, and Faucets" to the extent these are based on, or are consistent with, the building standards as published in the 2013 Edition of the California Green Building Standards Code (CCR Title 24, Part 11) and are consistent with the provisions established by AB 715, the legislative measure signed into law in 2007.

Specifically, the three recommendations for toilets, urinals and faucets are as follows:

- All toilets, except those designed for prisons or mental health facilities, shall have a maximum consumption, or effective flush volume for dual-flush toilets, of 1.28 gpf, and shall have a 350 gram performance threshold.
- All urinals, except trough-type and those designed for prisons or mental health facilities, shall not consume more than 0.5 gpf.
- All residential lavatory faucets shall not exceed a flow rate of 1.5 gpm at 60 psi and shall have a minimum flow rate of 0.8 gpm at 20 psi.

Industry also concurs with the editorial changes to the Staff Analysis being proposed by the Plumbing Manufacturers Institute. For the most part, these editorial changes seek to insure the reference of the appropriate and most recent national standards and to insure consistency with the building standards found in Title 24.

Industry opposes several of the suggested changes being proposed by the Investor Owned Utilities and the National Resources Defense Council. As outlined by PMI, we take exception with the proposed recommendations which would establish:

- A maximum flush volume of 1.28 gpf for dual-flush toilets
- A minimum 600 gram extraction requirement for all toilets
- A maximum flush volume of 0.125 gpf for urinals
- A maximum flow rate of 1.0 gpm at 80 psi for residential lavatory faucets

Adopting these four proposals would create a serious conflict with the mandatory green building standards established by the Department of Housing and Community Development for residential occupancies and the Building Standards Commission for commercial occupancies. We are especially concerned with the proposal to establish a maximum of 1.28 gpf for dual-flush toilets as this would be inconsistent with both AB 715 and CALGreen and would serve to stifle the product innovation that has already been recognized by the Legislature and numerous state agencies.

Lastly, it should be noted that the Building Standards Commission will be adopting updated building standards (including those associated with the California Plumbing and Green Building Codes) at their July 22<sup>nd</sup> Business Meeting. These updated building standards will take effect throughout California on July 1, 2015. None of the four items being proposed by the IOU's and NRDC (cited above) are included in the packages pending before the BSC for adoption. Nor were these items proposed for consideration during the regulatory proceedings conducted by HCD and the BSC over the past 12 months.

Industry looks forward to working with the California Energy Commission and the various stakeholders as this appliance efficiency proceeding moves forward. To insure that there will be no conflicts with existing building standards, we would respectfully request the CEC to work closely with staff from the Department of Housing and Community Development and the Building Standards Commission. In addition, we would also request that an effort be made to reach out to the California Building Officials (CALBO) to insure the ongoing review and input by California's local code-enforcement community.