June 6, 2023

To: Kevin Day, Interim Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA. 95833

From: California Building Industry Association
California Business Properties Association
Building Owners & Managers Association of California
California Apartment Association

Re: **BSC Part 11 (California Green Building Standards)**
Chapter 5, Section 5.409 Life Cycle Assessment
Request for Further Study or Placement in the Appendix

The groups cited above respectfully request the Building Standards Commission consider Further Study or placement in the Cal Green Appendix of BSC Part 11 Items #11 & #12. While industry recognizes the Legislature and the Administration want to establish a program for measuring and reducing carbon emissions related to the processing, manufacturing, transport, installation, and demolition of building materials, the current BSC proposal still has some issues to be resolved before a statewide mandate can be effectively implemented.

Industry raised several issues during the development workshops and again at the Code Advisory Committee, which still need to be resolved or answered. Industry looks forward to working with BSC Staff and other interested parties in resolving these concerns, which include the following:

Items #11 and #12:
5.409 Life Cycle Assessment

- **Steep Learning Curve:** Is it reasonable to expect product suppliers, the building industry, and especially code-enforcement officials to learn all this and effectively comply/enforce by July 1, 2024?
- **Cradle-to-Grave vs. Cradle-to-Gate:** Many designers and building owners have no idea who will be renting space and for what purpose. This could easily impact the life of the structure and impact the "grave" portion of the analysis. Is this reasonable? Isn't cradle to gate more reasonable?
- Do all construction materials (**and variations thereof**) have easily accessible and certified carbon content data?
- What governmental entity certifies that this information is accurate?
- Many building materials and products are mined, processed, fabricated, assembled in foreign countries, and shipped to the US for distribution. How do we know these foreign entities are accurate in reporting carbon impact?
- What does a typical report cost?
- How long does a report take to assemble and what is the typical cost? Benefit?
- How does a building official know if the info in the document is accurate?
- Is there a conflict with last year's bill AB 2446 (Holden)?

For background, a summary of AB 2446 follows:

AB 2446 (Holden) (2022): Embodied Carbon Emissions – Construction Materials

- By **July 1, 2025**, CARB must develop a framework for measuring and reducing carbon emissions associated with new building construction.
- CARB is required to work with BSC, HCD, and the CEC.
- The framework must include a comprehensive strategy to achieve a 40% net reduction in the carbon intensity of construction and materials used in new construction as soon as possible but no later than **December 31, 2035**.
- It must also establish an interim target of reducing the carbon intensity of construction materials by 20% by December 31, 2030.
- Requires CARB to assess the feasibility and cost impact of meeting the 2030 interim goal. A "significant" cost is an increase of > 5%.
- **CARB's framework must include a specified life-cycle analysis to determine the carbon intensity of residential and non-residential building construction.** The specified LCA analysis tool is the *International Organization for Standardization (ISO) Standard 14025.*
- **Carbon intensity reduction targets shall not apply sooner than January 1, 2027.**
- CARB is required to establish a technical advisory committee comprised of representatives from various sectors of the building industry.