

**From:** [Jeff L. Rank](#)  
**To:** [CBSC@DGS](mailto:CBSC@DGS)  
**Cc:** [Maynard, Beth@DGS](mailto:Maynard, Beth@DGS)  
**Subject:** PUBLIC COMMENT on PROPOSED BUILDING STANDARDS  
**Date:** Monday, April 24, 2023 8:53:19 AM

**CAUTION:** This email originated from a NON-State email address. Do not click links or open attachments unless you are certain of the sender's authenticity.

Beth:

the public comment form: <https://www.dgs.ca.gov/BSC/Rulemaking/Public-Comment-Form> is not working - submitting to: [cbsc@dgs.ca.gov](mailto:cbsc@dgs.ca.gov).

~~~~~

Name: Jeff Rank  
Date: 4/23/2023  
Representing/Name of Business: Bierte Inc DBA CollidEscape  
Mailing Address: 1619 Doubletree Drive  
Telephone #:830-255-7265  
Email: Jeff@collidEscape.org  
Proposed Building Standard

Title 24 Part #: ELEVEN  
Chapter, Section #:Chapter SECTION A5.107  
Proposing State Agency: State of California Building Standards Commission  
This comment is intended for review during: 45-Day Comment Period

Your recommendation based on the criteria of Health and Safety Code Section 18930(a) : A

In support of your recommendation above, provide the rationale based on the criteria of Health and Safety Code Section 18930(a) below. If you recommend anything other than approve, cite the criteria below. If you oppose a proposed building standard, offer a solution or alternative for the state agency to consider:

~~~~~

Under A5.107.1.1 Glazing,

Line item A

**ACTION RECOMMENDED:** We advise the removal of "Note" on line item A.

~~**Note:** If the visual markers are on glass surface 2, they can be effective if visible behind an exterior surface with reflectivity of 15% or less.~~

Our objection to NOTE: visual markers on glass surface 2, are not effective, even if visible behind an exterior surface with reflectivity of 15% or less. Such a percentage has no basis in fact, and has been academically tested and proven to be ineffective as a bird strike preventative; we Cite the work of Dr. Daniel Klem and Peter Saenger of the Acopian Center for Ornithology and Department of Biology at Muhlenberg College of Allentown, Pa . (cited papers provided to Board Member Beth Maynard). The Acopian Center's work demonstrates that there is no currently known viable second surface solution for the prevention of bird strikes. The premise of bird reaction to glass obstructions is inherently flawed, and has been used in other markets as a way to skirt or deflect effective bird strike solutions in other communities.

Line item C:

**ACTION RECOMMENDED:** We advise the removal of line item C.

~~C. Laminated glass with 2 X 2 visual markers, patterned Ultraviolet (UV) coating or use of contrasting patterned UV-absorbing and UV-reflecting films.~~

We take exception & recommend expulsion of line item C; as UV has been academically tested and proven to be ineffective as a bird strike preventative; we Cite the work of Dr. Daniel Klem and Peter Saenger of the Acopian Center for Ornithology and Department of Biology at Muhlenberg College of Allentown, Pa . (cited papers provided to Board Member Beth Maynard). The Acopian Center's work demonstrates that there is no currently known, viable UV solution for the prevention of bird strikes, as the premise of bird reaction to UV obstructions is inherently flawed, and has been used in other markets as a way to skirt or deflect effective bird strike solutions in other communities.

UV products on the market have been tested using a flawed Tunnel testing model that does not address real-world strike situations of birds striking glass due to the surface reflection characteristics, Reflections off of the smooth reflective outside pane of the glass have long been known to be the primary cause of bird deaths. second surface/internal to the pane treatment does little to nothing for bird collision prevention; 80-90% of all bird deaths occur from reflections, not from attempting to fly into a building space. Birds do not typically run into windows because they are clear; they run into the reflection off the outside surface that they perceive as a continuation of their environment and attempt to fly through, head down, neck extended for aerodynamic flight. Birds are then striking the invisible barrier, breaking a beak or neck resulting in starvation or death. This is why, for example, pulling curtains often INCREASES bird strikes, because you are increasing the clarity of the surface reflection by backing it with a light color-lined curtain. Birds approaching an internal space are often already slowing/pulling up to land, so are more likely to strike the chest first, increasing survivability several fold.

Cheers!

Jeff L. Rank

Specialty Program Manager -

CollidEscape - Bierte, Inc. - Direct: (830)-255-7265

*Reflections Kill*

