

**From:** [Ryan McCarthy](#)  
**To:** [CBSC@DGS](#); [Marvelli, Mia@DGS](#); [Rodriguez, Enrique \(CBSC\)@DGS](#)  
**Cc:** [Matthew@abnocal.org](#); [Orville Thomas](#); [anthony.willingham@electrifyamerica.com](#); [Noah Garcia](#); [Adam Mohabbat](#)  
**Subject:** Comments on Title 24, Part 11, Section 5.106.5.3 (Item 5) (BSC 04/22)  
**Date:** Monday, May 15, 2023 5:04:00 PM  
**Attachments:** [CALGreen comment letter 5.15.23.pdf](#)

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Hello:

Thank you for the opportunity to comment as part of the 45-day comment period on the amendments to the California Green Building Code. Please find attached comments from a coalition of parties regarding changes to Section 5.106 SITE DEVELOPMENT, Section 5.106.5.3 (Item 5) of TITLE 24, PART 11 (BSC 04/22).

Before adopting the proposed amendments, the parties urge changes to ensure that alternative compliance options under Section 5.106.5.3 related to the power allocation method (Section 5.106.5.3.6) allow it to apply to requirements for both EV charging stations (Section 5.106.5.3.2) and EV capable spaces (5.106.5.3.1). Similarly, the parties urge clarification under Section 5.106.5.3.2.1 that the alternative compliance option for DC fast charging (DCFC) applies to requirements for both EV charging stations and EV capable stations.

These changes are needed to allow these flexibility mechanisms to work as intended. A site that feels that DCFC is most appropriate for its use case and expected dwell times, for example, should not also have to develop EV capable spots designed for Level 2 charging, provided that the power available to vehicles is no less than otherwise required. In fact, we believe these alternative compliance mechanisms would substantially increase both the power developed and the number of vehicles served, compared to the code as written today.

We strongly believe these changes will support state goals by providing additional compliance flexibility, charging capabilities at the site, and support for building owners to design charging solutions best suited to their property and use. It is therefore aligned with the spirit and intent of the CALGreen code and state climate goals, by encouraging deployment of electric vehicle chargers in new construction and increasing power available for charging at sites from day one.

With these proposed changes, we believe the code will far better reflect the criteria in Health and Safety Code Section 18930(a)(3) and (4). These changes further advance state environmental goals by deploying greater charging capabilities than the current code, per criteria 18930(a)(3), and by avoiding arbitrary or unfair standards that could disadvantage

DCFC or other charging solutions that may be more appropriate for certain sites and use cases compared to Level 2 charging.

We look forward to the opportunity to discuss further with BSC staff, and will follow up separately to do so.

Thank you,  
Ryan

Ryan McCarthy, Ph.D.  
Director, Climate and Clean Energy  
Weideman Group, Inc.  
916.217.4714