

# Is CALGreen Suitable for Washington? Maybe, But Cost Is Concern

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The State of California enacted a new statewide mandatory building code, called CALGreen, in 2010. The new building code was voluntary, but went mandatory on January 1, 2011. Is this a good model for Washington?

CALGreen is the response to a deep concern for greenhouse gas emissions and energy use. The code applies to both residential and non-residential construction. You can [review the code by visiting this link](#). You may also look over a bevy of [state-answered FAQs, by following this link](#).

There has been a lot of talk about whether or not the code will work for California municipalities. Similar to the [new Washington building code, discussed yesterday on the blog](#), the new code will come with increased costs for cities, builders and owners.

A few great articles have already been passed down [by California engineer, Imad Naffa](#), and good friend and [green legal guru, Chris Cheatham](#). Both of these well-respected professionals see good, and see bad. The code's largest problems most likely flow from increased costs on construction, in a time when the industry is in a rut.

Building commissioning is perhaps the big talk of the new code. Typically a voluntary measure, building commissioning is mandated in nonresidential buildings exceeding 10,000 square feet. [Check out Page 35 of the CALGreen code](#) to learn more about what is required. Commissioning is not a simple

measure and it will cost builders a pretty penny to meet the needs of the code.

The second major issue that may need to be smoother over – inspections. For the most part, building officials are not ready to implement this code. Most municipal building departments are not staffed to legitimately ensure buildings will meet the new code. This means that municipalities will end up passing the burden of inspection and approval onto the builders, by requiring them to obtain 3rd party inspections.

While 3rd party inspections might be a plus for green building experts and engineers, likely to see a work increase, its costly and problematic when mandated by government. We typically leave these tasks to government agencies and their employees. Now, 3rd parties will be asked to do the government's work, and the risk of inconsistency and price fluctuation may run rampant.

Mr. Naffa discussed some of the concerns of the building industry in his recent post at green construction lawyer Chris Hill's Construction Law Musings:

*The building departments will provide most of the verification through the inspection process. Buildings larger than 10,000 sf will have to deal with the commissioning process, which may be the greatest challenge in complying with CALGreen. Third-party inspection/review entities will step in to fill the gaps where the local jurisdictions are not able to provide the service. Additional costs for the owner will undoubtedly be incurred.*

I think that Mr. Naffa's analysis is right on. The buck will always be passed to the owner, a party who is largely disconnected from the technical aspects of construction and building approval.

Washington should undoubtedly begin moving towards a smart, energy-efficient, building code. With a big win over the BIAW, the State of Washington can feel comfortable enacting building codes that serve to meet the state's energy goals.

Will it turn down the path of CALGreen? No one knows. But, our great state would be wise to listen to the concerns of the building industry and find ways to alleviate financial burdens on the owners and builders who drive the construction industry.