



October 11, 2024

California Air Resources Board
1001 I Street
Sacramento, CA 95814

Dear Members of the California Air Resources Board,

Thank you for the opportunity to provide input on the implementation of AB 2446 and AB 43. The Low Carbon Initiative is committed to advancing policies that support the next generation of low carbon construction practices while fostering growth in the local California economy. In this context, we would like to respectfully offer the following recommendations for consideration:

1. Clarification on Tracking and Reporting Mechanisms under AB 2446 & 43

AB 2446 & 43 describes the development of a tracking and reporting mechanism to facilitate the reporting of data on the carbon intensity of buildings, allowing for the monitoring of progress toward reduction targets. However, in construction projects, the contractor is typically not responsible for permitting and data submission to the Authority Having Jurisdiction (AHJ).

To ensure a more efficient and accurate reporting process, we suggest that the responsibility for tracking and submitting carbon intensity data to the state board be assigned to the Responsible Designer—typically the architect, engineer, or owner. These parties are better positioned to manage and provide accurate data throughout the design and construction phases.

2. Guardrails for Sustainable Sourcing in wBLCA Policies

While the Whole Building Life Cycle Assessment (wBLCA) approach is valuable, it may unintentionally increase demand for unsustainable or toxic products even though they have a low Global Warming Potential (GWP), such as clear-cut lumber or unregulated foreign-made construction materials. Without a sustainable sourcing policy, this new demand could drive reliance on clear-cut lumber, contributing to deforestation, increased forest fire risk, and diminished biodiversity.

To mitigate these risks, we recommend that CARB implement a safeguard supporting healthy

and sustainable sourcing, especially supporting demand for uneven-age sustainable forestry practices. This would incentivize the use of sustainably sourced lumber from the U.S. and help revive California's once-thriving lumber industry, which declined in part due to the shift toward countries with relaxed clear-cutting policies. As an example, the International Living Future Institute (ILFI) certification only allows lumber from Forest Stewardship Council (FSC)-certified forests, or equally well-managed forests like those in California, which explicitly prohibit large acre clear-cutting, and this policy is mirrored in the City of Portland's green building code. A similar approach in California would not only protect forests but also create sustainable construction and forestry jobs within the state.

We greatly appreciate your consideration of these recommendations and are eager to collaborate with CARB to ensure the successful and sustainable implementation of AB 2446 and AB 43. Please feel free to contact us should you require any further clarification or additional information.

Sincerely,
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