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Honorable Mary M. Cheh
Chairperson
Committee on Transportation and the Environment
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

RE: B22-904, the CleanEnergy DC Omnibus Amendment Act of 2018

Chairperson Cheh and Councilmembers:

On behalf of the U.S. Green Building Council (USGBC), a non-profit organization with 12,000+ member companies nationwide, and our strong community in the District of Columbia, we offer the attached written statement of our testimony in support of B22-904.

USGBC is committed to transforming the way the built environment is designed, constructed and operated through high-performance, cost-effective, green buildings and infrastructure, to improve quality of life for all.

We appreciate the leadership shown by the Council with introducing, considering, and enacting key legislation to implement the Clean Energy DC plan. With the impacts of climate change more apparent every year, bold actions to transform our cities and decarbonize our systems must be accelerated. The CleanEnergy DC Omnibus takes a multipronged approach to such actions, including moving to 100% renewable energy on the grid; establishing a building performance program; and providing support programs through a funding mechanism. Our comments aim to further refine the bill with additional flexibility and considerations for successful implementation, including periodic evaluation of impacts.

Please contact me at (202) 595-3989 if we may be of any assistance as this important bill progresses.

Sincerely,

Senior Policy Counsel
U.S. Green Building Council

cc: Mark Bryan, Director, National Capitol Region, USGBC
Bryan Howard, Legislative Director, USGBC



Statement on Clean Energy DC Omnibus Amendment Act of 2018
Given by Elizabeth Beardsley, Senior Policy Counsel
at the Hearing of the Committee on Transportation and the Environment

The USGBC is a mission oriented nonprofit organization, committed to transforming the way the built environment is designed, constructed and operated to be sustainable, promote health, and improve quality of life for all. With over 12,000 organizational members and many more individual members, we leverage our tools such as the LEED and PEER rating systems; convenings such as Greenbuild; and our Education and communications platforms towards this goal.

The District has long been a great partner in this movement, through embracing and advancing high performing green buildings; promoting transparency and performance; and in achieving Platinum LEED for Cities. We're proud that DC is home to nearly 1,000 LEED certified buildings and over 3,000 LEED credential holders; it's fair to say that DC is at the epicenter of green building.

As we know from our work in the built environment, reducing the carbon emissions and the total impact of a city requires approaching the city through integrated infrastructure. To have the most impact on decarbonizing, along with increasing resilience, buildings and power systems must work together with energy efficiency, renewable energy, and integrated technologies all aligned.

We applaud the Clean Energy DC Omnibus Bill. The leadership shown by Councilors Mendelson, Che, Nadeau, Allen, and White in developing and proposing this bill is significant; and when it is passed, this will represent a turning point in our collective work to reduce the risks and impacts of climate change.

We support the goals embodied in the four key elements of the bill:

1. The acceleration of the Renewable Portfolio Standard towards 100% clean energy
2. Increased support of the Sustainable Energy Trust Fund, specifically with fees intended to reflect carbon impact intensity and with funds dedicated to low income programs
3. Establishing a Building Energy Performance Standard program
4. Transportation sector emissions reductions initiatives, focused on cars

Our comments are focused on increasing the equity elements of the bill, and providing for flexibility in light of changing markets and technologies.

First, we recommend the Council consider additional steps to monitor the benefits and the costs of the bill and enable future programmatic adjustments if needed. Benefits of the bill – in addition to the reduced contribution to climate change -- may include utility bill savings from increased building efficiency, co-benefits of energy efficiency and reduced fossil fuel related air pollution for health and productivity, jobs creation from investment through the Green Bank and leveraged private sector investment, increased property values, and potentially improved resilience related to increased efficiency and distributed renewable energy. Costs may be associated with any increase in bills from rising rates, and building upgrades, Monitoring benefits and costs would help to ensure that the Council's objectives for the bill are met.



To these ends, the bill should include biannual public reports analyzing the benefits of the bill's elements as well as the change in residential and commercial bills and other identified costs. In addition, we recommend such reports provide data to enable the Council to ensure that low income persons and families are not inadvertently adversely impacted. We understand that there are several energy assistance programs, and that in particular in light of the potential for the Solar for All program, low income households are expected to see declining bills. Nonetheless, with the 100% by 2023 RPS, it is anticipated that energy costs will increase (for the same consumption) to anyone who pays an electricity bill because utilities can pass through 100% of the additional cost. Thus, these reports should include analysis of the energy cost burden by households in different income categories, and to the extent possible, an analysis of barriers to assisting all eligible households.

Second, we also recommend the bill incorporate – in the event if is found to be needed -- built-in additional relief, such as shifting the required percentage of the funds to be spent on low-income relief, based on the findings of such report(s).

Third, with respect to the Building Energy Performance Standard (BEPS) program, we are excited to see the District consider such a broadly applicable standard. We have seen the great achievements the DC Building sector has achieved with the Green Building law and stand ready to support the city's building owners and operators with technical and education programs.

As the bill's provisions for the BEPS program are considered, we recommend the bill provide DOEE with discretion to consider additional factors in developing the initial BEP standard, such as a building's peaking curve for electricity demand, if they find appropriate. The bill should direct DOEE to seek stakeholder input in the BEPS program.

We recommend the bill provide DOEE with the ability to establish financial and/or nonfinancial incentives for early compliance, ideally with tracks designed for both leaders in high performing buildings, and those needing assistance to comply. The Committee should also reconsider the proposed provisions allowing major renovation to potentially warrant extending compliance to 8 years; and to consider narrowing the conditions for such an extension.

Finally, we recommend the bill provide DOEE with express authority and direction to develop and carry out pilot programs to support building owners in deep energy retrofits in advance of the BEPS compliance periods. In particular, DOEE should develop mechanisms to incorporate emerging integration technologies into this effort to decarbonize the city, such as by incentivizing use of battery storage by utilities and building owners.