



HoCoClimateAction.org
Howard County, Maryland

Testimony on HB806

Building Standards and Emissions Reductions - High Performance, State, and Local Government Buildings, State Operations, and Eligible Projects

Hearing Date: February 25, 2022

Bill Sponsor: Delegate Dana Stein

Committee: House Appropriations

Submitting: Ruth White for Howard County Climate Action

Position: Favorable with amendments

[HoCo Climate Action](#) -- a [350.org](#) local chapter and a grassroots organization representing more than 1,450 subscribers, and a member of the [Climate Justice Wing](#) of the [Maryland Legislative Coalition](#) -- strongly supports HB806 with amendments.

The IPCC challenges the world to reduce greenhouse emissions rapidly to avoid even more catastrophic effects of the climate crisis. Maryland's emissions reduction goals are not keeping up with the latest science, so we hope they will be made more ambitious this session. The largest sources of greenhouse gas emissions are transportation and buildings. This bill is focused on emissions from government buildings. Government can set an example and lead the way.

Howard County Climate Action has been studying the need for building electrification since October 2020. We enthusiastically support the requirement that new construction of state buildings be all-electric. All-electric construction now will eliminate the need for costly retrofits later. Geothermal and solar panels can also be considered for new construction. Our government buildings can be producers instead of users of energy.

Retrofits need to be done as soon as possible to reach a goal of netzero by 2035. Under this legislation compliance with the Building Emissions Standards would be required for all government buildings greater than 25,000 sq. ft. by 2025. Additionally, buildings covered by this legislation would need to achieve reductions in direct emissions (those produced in heating and cooling the building) of 50% by 2030 and netzero by 2035.

We also agree with the need to develop Building Emissions Standards to measure the emissions that each building is producing. In addition, we urge that the state be required to report the emissions and to reduce them in a decisive manner.

Finally, we support requirements that the state set a maximum acceptable global warming potential for construction materials and specify that procurements include only materials that meet or are *lower than* the maximum acceptable global warming potential.

We encourage a FAVORABLE report for this important legislation with the strengthening amendments listed below.

HoCo Climate Action

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Amendments coordinated by the Maryland Climate Partners

Goal: Our value is that government buildings, including schools, should be models for the rest of society and lead the way towards more sustainable, carbon-friendly practices. While HB806 makes some steps in this direction, they are not enough. The provisions relating to public buildings should be strengthened to A) raise the standard and B) apply that standard to more buildings.

1. Adjust the Definition of High-Performance Buildings and when they are required

The “high performance buildings” define a more environmentally friendly building standard and the conditions where a public building is required to meet that standard. The standard should be strengthened and apply to more publicly funded buildings.

- Public buildings, as defined in HB0806, are those public buildings that are constructed with at least 50% of state or local government funds. We believe this will be confusing and will arbitrarily exempt some schools. We should always set an example with our schools, and we should not have schools be at a lower standard than other buildings
 - Redefine when the high-performance building standards are required to apply to buildings constructed with at least 25% of state or local government funds.
 - Define high-performance as requiring a of LEED Silver certification (not just equivalency)

2. Add language from SB0528 that requires high-performance buildings to acquire energy from renewable resources (wind, solar, geothermal, ocean, small hydro)

- We believe that solving the problem of carbonization in buildings will require changes to the energy consumption that buildings get from the grid. If a building meets the standard of a high-performance building, it should not only be constructed and certified to a LEED Silver standard, but it should also ensure that it is not pulling dirty energy from the grid.
 - Include schools in the requirement to be LEED Silver
 - Include requirement for high-performance buildings to acquire energy from renewable sources

3. Apply All-Electric Construction Code to All Buildings

HB0831 set an all-electric construction code, which is referenced in HB0806, however, schools were exempted from the all-electric requirement.

- Schools should not be exempted from the all-electric construction requirement
 - Our public buildings, including our schools, should be models for the rest of society, and should be stronger, or at a minimum comparable, to other building standards.
 - It is our understanding that HB806 addresses construction standards for new public buildings, potentially based on levels for state funding. We support stronger goals for state buildings, but the new construction codes laid out in HB 806 should apply to all buildings, regardless of level of state funding.
 - If we don't apply the all-electric standard to all buildings, every time we build a building that is not all-electric, it is one more building we will have to retrofit. Retrofitting is far more expensive than building the all-electric in the first place.

- With a state surplus and plans to spend significant money on schools through the Built to Learn funding, this is the ideal time to pay-it-forward. Building schools with fossil fuel infrastructure will require far more funds in the future to operate and eventually retrofit.
4. **Building Emission Performance Standards** - While the bill currently includes requirements for direct emissions (*defined as “onsite fuel combustion, e.g., gas used onsite for water and/or space heating, cooking, and refrigerant leaks”*), the bill should be amended to include performance measures for improved energy efficiency (e.g., site electricity use), such as: maintaining and retro-commissioning building energy systems; implementing HVAC scheduling and other smart control systems; and making building shell and other energy efficiency improvements, as recommended by the MD Commission on Climate Change’s Building Energy Transition Plan (see p. 23). Improved building energy efficiency will reduce overall electricity demand (helping grid transition) and can result in smaller sized heating and cooling systems.
- o Include all emissions (not just direct emissions) in the Building Emissions Performance Standards
 - o Set the baseline for achieving reductions from 2025 to 2023 levels
 - o Add a requirement to ‘Measure and report direct building emissions and site electricity use to the Department (MDE) annually beginning in 2025’
 - o Set a baseline and Building Emission Standard by building type to make it easier to manage from a building owner standpoint
5. **Reduce the reasons to waive the requirement to acquire eligible materials**
- o Having only one source to acquire an eligible material should not be a reason to get a waiver

Additions to Ensure that HB806 is Equivalent to SB528

- Add a pilot for a net zero schools program that will utilize a Net Zero Pilot grant fund
- Add a requirement for the MCEC Climate Catalytic Capital Fund (C3).
- For Building Emission standards, include a requirement for the same reduction for ‘site energy use intensity’ as requested in SB528