

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Energy and Environment



BEPS Task Force Meeting Notes

March 3, 2020, 2:30-4:30 PM

1200 First St NE, 5th Floor, Washington, DC 20002

TF Attendees: Katie Bergfeld, Jen Croft, Reshma Holla, Anica Landreneau, Patti Boyd, Jessica Jones, Adiran Gross, Matt Praske, Maxwell Greninger, Joe Reilly, Dave Good, Todd Nedwick, Cliff Majersik, Marshall Duer-Balkind, Jay Wilson

1. Administrative Items

- a. Need to follow up on DC emails
- b. Anica left to swear in
- c. Role of task force review for new folks

2. BEPS Timeline and Bike Rack Review for rule-affecting items

- a. Timeline review – in pre-clearance stage – hope to get draft rules to OGC in April
- b. Will Task Force see the rules? DOEE will share an outline and are exploring if we can share more. Sharing actual language before public comment period is not the norm.
- c. Sub-committees currently addressing
 - i. Equivalent Metric
 - ii. Smaller property type groups < 10 buildings
 - iii. Occupancy threshold
 - iv. Property type groups 100% owned by one owner
 - v. Enterprise Green Communities certification as a ACP
- d. Follow-up discussion/research
 - i. Setting standard above national median?
 - ii. Standard Target Pathway – final determination on median target?
- e. Initial Discussion/research
 - i. Extended ACP for deep (above and beyond) retrofits
 - ii. Tradable allowances (within a portfolio)
- f. Comments:
 - i. Mixed use properties and district systems – might influence/be influenced by higher education/hospitals
 - ii. Houses of worship interested in issues – no Task Force representation. DOEE will reach out for further discussion.

3. Vacancy Sub-committee report-out

- a. How to treat unoccupied properties at the beginning of the compliance cycle?

- b. How to treat properties that become unoccupied during the compliance cycle?
- c. In benchmarking law, vacancy is strictly defined – any occupancy at all requires benchmarking. Might not be appropriate for performance standard
- d. Tentative recommendation: follow ENERGY STAR requirements for certification
- e. DOE doing analysis on how using these thresholds would affect the standard. If not, might not need to remove for purposes of setting the standard. Need to determine impact on setting the standard for the rules, but rest can be provided through guidance later.
- f. How to balance vacancy waivers with the reality that renovations are easier with lower vacancy? Good properties to flag for DC incentive programs.
- g. Task Force is interested in receiving analysis and recommendations. Sub-committee will circulate to whole group in between meetings and plan final discussion at March 17 meeting.

4. Public Building Sub-committee report-out

- a. DCPS, DPR, FEMS – agencies with largest portfolios – and several TF members attended
- b. Initial discussion of unique issues to public building portfolio
 - i. 50% of DGS portfolio not eligible for ENERGY STAR scores
 - ii. Multiple property types where District is sole owner One owner of entire property types (police, fire, rec center) - use national median? Other urban areas?
 - iii. Several one-off buildings per property type – Eastern Market, Forensics Lab
- c. Maybe using Strategic Energy Management Plan required by Clean Energy Act as an alternative compliance pathway? Portfolio wide improvement rather than building by building in the property types with one owner?
- d. Comment from Task Force: What about DC public housing? Or are they more akin to other multifamily properties? (DCHA grouped in with multifamily property type, Currently undergoing a transformation plan process.)
- e. Doing analysis/creating scenarios for Equivalent Metric and Property Groups to discuss at next meeting March 10 – Will discuss results at March 17 TF meeting

5. Prescriptive Pathway Compliance Process Discussion

- a. Review of working group feedback
- b. Discussion on each question (items below in addition to working group feedback)
 - i. Do we count projects done in 2019-2020 towards the prescriptive path?
 - 1. Yes, but need to define what “completion” means.
 - ii. Does the 2nd compliance period look different?
 - 1. Like the idea of re-examining prescriptive path every 5 years for innovations and improvements to technology
 - 2. Some items can be a 2nd time, but different weight? Like retro-commissioning, O&M items? If the prescriptive path is a menu, a

building owner could choose different items the 2nd time. Having a new building owners creates a problem

3. Prescriptive pathway should be expensive for building owners in exchange for certainty
 4. Idea – if the owner hit 20% performance by completing items on the prescriptive pathway, they could count that as performance compliance (not prescriptive) and complete the prescriptive the 2nd time.
 5. Possibly buildings that use the prescriptive path but do not meet a set reduction should not be able to use prescriptive path in the next cycle
- iii. What can DOEE do to help out-of-compliance building stay on track?
 1. Early plan submission in year 2. Mid-term progress reports?
 2. What about change in ownership?
 3. Incentives are on an annual bases meaning building owners can't all run to the SEU in the same year
 4. If they choose prescriptive, need submission for DOEE – additional enforcement burden on DOEE for prescriptive path
 - iv. What can DOEE do to encourage early compliance (first 2-3 years)?
 1. Submitting early guarantees rebates or incentives? Weighted scale based on year? DCSEU has same budget each year.
 2. Look at DCSEU incentive agreement
 3. Bonus points for early completion
 4. Concern expressed on rushing bad jobs vs. early completion
 5. Concern in standing up technical assistance and support programs in the District for first round
 6. DCRA fast-tracking BEPS permits?
 7. Switching paths should be allowed mid cycle - Prescriptive to performance should be allowed, but after a while performance to prescriptive should not be allowed
- c. General Comments:
- i. Coaching and technical assistance needed to be set aside for those who need it most – portfolios that are all below the standard - Special outreach to condos/coops
 - ii. Health and ventilation upgrades – incentivize to do it even if it could increase energy use - Also EV charging

6. Next Meeting (March 17)

a. Topics

- i. Vacancy/occupancy sub-committee
- ii. Public Building sub-committee
- iii. Higher Education/Hospital Carve-out
- iv. Research/Discussion on remaining rule-making issues

7. Announcements

- a. DCHR virtual fair – March 4 and 5
- b. DOEE Green Building & Climate Branch Affordable Housing BEPS Technical Assistance person starting March 31
- c. DOEE RFA for cost/benefit/prescriptive closed yesterday – decision in the next 2-3 weeks
- d. Benchmarking data due April 1