

Greener Greater Buildings Plan Passes City Council

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Dec 10, 2009, Metro Green Business

NEW YORK, NY--New York's City Council passed major legislation this afternoon that places New York City at the forefront of municipal efforts to improve the energy efficiency of existing buildings.

Under the umbrella of PLANYC, which outlined measures to reduce our city's total carbon footprint 30% by 2030, the four bills are known as the "Greener, Greater Buildings Plan" and are among the most progressive adopted in the United States. Mayor Bloomberg and Speaker Quinn announced the legislation on Earth Day (April 22) of this year and their offices have worked alongside Council Members Jim Gennaro, Dan Gardonick, Domenic Recchia, Jr. and Melissa Mark-Viverito as well as many others to shepherd the bills to passage. Taken as a whole, this single suite of bills is expected to reduce the city's carbon footprint by nearly 5%- equal to eliminating the entire carbon footprint of Oakland, California.

The legislation includes the creation of a New York City Energy Conservation Code, building performance benchmarking, lighting retrofits & tenant submetering, and audit & retro-commissioning measures.

- New York City Energy Conservation Code:

For years, attempts to improve the energy efficiency of existing buildings have suffered from what is known as the "50% rule" in the New York State Energy Code. This rule means that buildings do not need to comply with contemporary codes when renovating less than less than 50% of a building system. For example, in a 50-story building, if 24 floors of lighting are replaced the building does not need to comply with the lighting provisions of the current Energy Code. In a place like New York City where buildings are often renovated only a few floors at a time this loophole has stymied the introduction of energy efficient technologies like lighting, metering, and even base building physical plant systems. The creation of the NYC Energy Conservation Code closes this giant loophole, and gives New York City direct control over its building energy standards.

The remaining three bills apply not to the entire city, but to those buildings over 50,000 square feet (or buildings on the same tax lot that together exceed 100,000 square feet.) These buildings make up nearly half of the built square footage of the city.

- Benchmarking:

Requires an annual assessment of water and energy use performance through the EPA's Portfolio Manager tool. This will allow buildings to compare their performance over time with themselves and with other buildings of similar size and type. The bill accounts for some of the difficulties of implementing Portfolio Manager in New York City by waiving public disclosure of performance for data centers and other high intensity energy users until the EPA tool is deemed by the Mayor's office to adequately accommodate these usage types and report them meaningfully.

- Lighting & Submetering:

Requires major tenants be submetered and lighting systems be upgraded to current code whenever a renovation is pursued (whether you intended to do electrical work or not), or by 2025. Residential tenants are exempted. Renovations with construction costs of less than \$50,000 are exempt. The bill notes that lighting is responsible for roughly 18% of energy use in buildings (17.7% of source energy use in US buildings in 2006 according to the Building Energy Data Book) and as a result upgrading lighting is an extremely effective means to both reduce energy consumption and improve the environmental quality of commercial spaces.

- Audits & RetroCx: Requires energy use audits and retro-commissioning every ten years. The audit process will identify capital improvements that will pay for themselves within a "reasonable" period. Retrocommissioning involves retuning measures that will ensure building systems are operating efficiently. The bill does not require owners to embark on capital expense projects to increase efficiency (as the first draft of this bill did.) Owners can waive the Audit requirement if they are Energy Star or LEED for Existing Buildings certified or if they have completed a specified set of energy efficiency measures. The city doesn't get off so easy- they are required to institute any measure that the Audit & Retro team determine has a less than 7 year payback.

The exact language of the bills can be found on the City Council website. In each case, click on the "Reports" tab and then on the "Legislation Details with Text" link:

Int. 564: NYC Energy Conservation Code

Int. 476: Benchmarking

Int. 973: Lighting Retrofits & Submetering

Int. 967: Audits & Retro-Commissioning

The Greener, Greater Buildings Plan is a major milestone in the improvement of our built environment and will certainly be viewed as a model for other cities in the U.S. And the timing is impeccable. With heads of state gathered in Copenhagen to debate the means by which our global society combats climate change, all eyes will turn, briefly, to New York City. While the folks in Europe may not be impressed with the nuts and bolts of the bills (European energy codes are far more progressive than here) their passage at

this moment places building performance in the spotlight, however briefly, for some of the most powerful people in the world.

Urban Green Council

www.urbangreencouncil.org

http://www.metrogreenbusiness.com/news/green.php/2009/12/10/greener_greater_buildings_plan_passes_ci