

OFFICE OF
MARY M. CHEH

Councilmember, Ward 3 | Chair, Committee on Transportation & the Environment

MEMORANDUM

TO: Chairman Phil Mendelson
FROM: Councilmember Mary M. Cheh
DATE: December 1, 2022
SUBJECT: Requests for the December 6, 2022, Legislative Meeting



Pursuant to Council Rule 426, regarding a waiver of Rule 231(c), I request that the following measures be agendized for the December 6, 2022, Legislative Meeting, or an additional meeting of the Committee of the Whole, should one be scheduled. These measures were marked up by the Committee on Transportation and the Environment on November 30, 2022, and have been filed with the Secretary.

- Bill 24-785, the Greener Government Buildings Amendment Act of 2022

B24-785, the Greener Government Buildings Amendment Act of 2022, was introduced by Councilmembers Robert White, Allen, Lewis George, Pinto, and Nadeau on April 22, 2022; the legislation was sequentially referred to the Committee on Government Operations and Facilities and this Committee. A hearing on the bill was held on October 6, 2022, and the Committee on Government Operations and Facilities marked up the bill on October 21, 2022.

Reducing our greenhouse gas emissions is a critical piece of the fight against climate change. Buildings account for a significant proportion of the energy used in the District and the greenhouse gas emissions we emit – close to 75% of those emissions. As a result, reducing emissions from our buildings is the most important step we can take to achieve carbon neutrality.

Earlier this year, the Council both passed and funded a critical piece of climate legislation: the Clean Energy DC Building Code Amendment Act of 2022. That law requires the Mayor adopt a net-zero-energy building code that will apply to most new buildings and substantial renovations as of December 31, 2026. Specifically, pursuant to that law, new buildings in the District will be constructed to be highly energy efficient and produce renewable energy on site wherever possible. As the law applies to all new buildings, it covers government-owned buildings, as well; DGS is thus required to comply with those net-zero-energy building requirements as of the December 2026 deadline.

B24-785 would accelerate net-zero-energy compliance for District-owned buildings, requiring District facilities to comply as of the date the effective date of the bill. Accelerating our adoption of net-zero-energy standards at District buildings is important for several reasons. First, it moves up this transition at District-owned buildings possibly by as much as three years, allowing the District to more quickly reap the benefits flowing from achieving net-zero-energy at those properties. This is significant: 5% of the District's overall energy usage comes from District government operations, including in large part building energy use. Accelerating the District government's shift to a net-zero-energy construction standard further allows the District to model both a successful net-zero transition for private developers ahead of the 2026 deadline, and also for other jurisdictions that may be thinking of adopting a net-zero-energy construction code themselves.

As moved by the Committee on Government Operations and Facilities, B24-785 incorporated language explicitly codifying the existence and responsibilities of DGS's Sustainability and Energy Division, the agency arm responsibility for energy efficiency and sustainability work. The version of B24-785 moved by the Committee on Transportation and the Environment retains that language, but expands the listed responsibilities of the division to include not just net-zero-energy compliance, but a number of other responsibilities, including waste diversion at District properties, administration of the environmental programs office responsible for school recycling contracting, and providing general guidance to other DGS divisions and other District agencies on sustainability and energy efficiency policies, programs, and services. This additional language is critical to ensure this division continues to provide these critical services.

- Bill 24- 950, the Local Solar Expansion Amendment Act of 2022

This bill would increase the local solar carveout in the District's renewable energy portfolio standard from 10% to 15% by 2041, with accompanying incremental increases in the carveout each year up to that point. The bill would also adjust the Alternative Compliance Payment (the enforcement mechanism) for the local solar carveout to ramp down more gradually compared with its current schedule. In addition, the bill would authorize new uses for the Renewable Energy Development Fund, which is funded with money collected for the Alternative Compliance Payment. The bill would authorize REDF funds to be diverted annually to the Energy Assistance Trust Fund to support utility assistance for low-income ratepayers; it would also allow annual spending of up to \$150,000 from the REDF on outreach programming to educate eligible residents about utility benefits and the Solar for All program. Finally, the bill would direct the Office of the People's Counsel to commission a study every 3 years of the District's local solar incentive policy, the policy's costs and benefits, and the potential for future solar installation in the District.

- Proposed Resolution 24-1053, the District of Columbia Water and Sewer Authority Board of Directors Wendell Felder Confirmation Resolution of 2022

PR 24-1053 would confirm Wendell Felder as a principal member of the District of Columbia Water and Sewer Authority Board of Directors.

Please contact Michael Porcello in my office at 724-8062 or mporcello@dccouncil.us if you have any questions.