

Joint Response to “DOE RFI IRA, Section 50131. Technical Assistance for Latest and Zero Building Energy Code Adoption”

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Company: American Council for an Energy-Efficient Economy (ACEEE)

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On behalf of the **American Council for an Energy-Efficient Economy (ACEEE) and Climate Mayors, Urban Sustainability Directors Network, C40 Cities, and Southeast Sustainability Directors Network** on the U.S. Department of Energy DOE Request for Information (RFI) on the Inflation Reduction Act, Section 50131. Technical Assistance for Latest and Zero Building Energy Code Adoption DE-FOA-0003054. We appreciate the opportunity to provide input to the Department.

Summary

We recommend that DOE support state and local governments (jurisdictions) and partner applicants to adopt and implement the latest codes and zero codes for new and existing buildings as well as residential, multifamily, and commercial buildings. We recommend that DOE allow jurisdictions to focus their efforts on the areas where they can have the greatest impact through energy savings, decarbonization, and community benefits including advancing equity, affordability, and workforce development. We believe DOE should provide significant support for a code workplan/roadmap and then allocate funding based on these plans.

We recommend that the funding process emphasize brevity and simplicity. With this in mind, we recommend that DOE develop a one-page grant application and off-the-shelf workplans for jurisdictions wanting a streamlined process. We recommend that DOE also have a funded planning grant process to support jurisdictions in developing a customized codes roadmap. We recommend that the implementation grants provide rolling funding (formula and competitive) to carry out the plan within the workplan or roadmap.

Category 1: Selection Criteria & FOA Issues

C1.4) What tools or services should DOE provide to support applicants?

We recommend to DOE both a funding process for applicants within this section as well as tools and resources for applicants.

Recommended Process – Planning Grants & Implementation Grants

We recommend that the funding process prioritize brevity and simplicity. We recommend that DOE support jurisdictions in adopting and implementing the latest codes and zero codes for new and/or existing buildings, and for residential, multifamily, and/or commercial buildings. We recommend that DOE allow jurisdictions to focus their efforts on the areas where they can have the greatest impact through energy savings, decarbonization, and community benefits (enhanced equity, affordability, workforce development, etc.).

With this in mind, we recommend that DOE develop a one-page grant application and off-the-shelf workplans for jurisdictions wanting a streamlined process. We propose that this process provide a menu of code adoption and implementation options through corresponding workplans that jurisdictions can select for rolling implementation grant funding. We also recommend that DOE provide technical assistance and guidance to local jurisdictions who want to adopt the latest codes and standards but are located in states that do not permit them or otherwise restrict or constrain local codes.

We recommend that DOE also have a funded planning grant process to support jurisdictions in developing a custom codes roadmap (we recommend limiting to 5 pages) and a rolling funding implementation grant to carry out the plan within the roadmap. We recommend that DOE put together a group of external experts to review each roadmap developed within the planning grants. We propose that this follows a color-team review process that ensures review and feedback throughout the process. We recommend that the custom code roadmap can then be the basis for an implementation grant application.

The implementation grant should include considerations for updates on progress, implementation, and compliance as well as on community benefits for these efforts including equity, workforce, and braided funding. We recommend that DOE also provide off-the-shelf templates and resources for the implementation grant; these templates and resources should include a project timeline, estimated energy efficiency and carbon savings impact tool, community benefits plan, considerations for other funding sources, compliance plan, outreach plan for stakeholders and partnerships, and training and workforce plan. We recommend that the implementation grant include metrics and KPIs within each of the templates.

Recommended Tools & Resources

We recommend that DOE provide off-the-shelf solutions, templates, and resources for each effort including:

- One-page grant application
- Off-the-shelf workplans

- Variety of options for code adoption and implementation of the latest codes and zero codes for new and/or existing buildings, and for residential, multifamily, and/or commercial buildings
- Custom codes roadmap template for planning grant
- Implementation grant templates and resources
 - Templates for a project timeline; a community benefits plan including equitable policies and metrics; considerations for other funding sources; compliance plan; outreach and engagement plans with traditional stakeholders, community members and groups (especially those in disinvested communities), and partnerships; and training and workforce plan
 - Additional resources on each of these topics (i.e., reports, white papers, references, websites, and webinars)
- Estimated savings and impact tool for calculating energy efficiency and carbon savings (like the RECI calculator, see C1.2)

Category 4: Existing-Building Opportunities

C4.1) What types of existing-building codes or standards (e.g., building performance standards) should be considered? Should these existing-building codes or standards be encouraged to focus on particular types of buildings?

We recommend that DOE include building performance standards (BPS) within this funding opportunity. Achieving net-zero will require energy efficiency and emissions reductions within essentially all buildings, including those that exist today. As a result, we recommend that DOE use the funding to support both stronger codes for new buildings and robust performance standards for existing buildings. We believe there is adequate funding to support policies for both new and existing buildings and that performance standards are a must because only a small number of existing buildings (primarily those undergoing a major renovation) will need to comply with codes for new buildings.

We recommend using the process outlined in C1.4 to ensure that existing building policies are comprehensively considered. We also support thinking about BPS achieving equitable outcomes as detailed in C1.3. We recommend that DOE include a variety of policy options for existing buildings within this opportunity. These include building performance standards with consideration for commercial, multifamily, and residential; enhancing the existing building alteration section of the building code; and permitting considerations for equipment replacement to eliminate like-for-like quick permits.

Category 1: Selection Criteria & FOA Issues

C1.3) How can DOE incentivize innovative Building Performance Standards, including standards that focus on affordable and sustainable housing for underserved communities?

DOE can incentivize innovative building performance standards (BPS) by adding metrics with specific activities to help BPS achieve equitable outcomes (e.g., granting exemptions, standard based on median ENERGY STAR® for building type, multiple compliance pathways, variable structure for fines, etc.) as detailed in [ACEEE's 2021 Clean Energy Scorecard](#). We recommend that DOE include consideration of this within each workplan/roadmap and specify metrics and key performance indicators (KPIs) with the implementation grants.

We recommend that DOE provide technical assistance and guidance to local jurisdictions who want to adopt the latest codes and standards but are located in states that do not permit them or otherwise restrict or constrain local codes. We also recommend providing resources as part of the implementation grant process to support this effort, such as USDN's [A New Framework for Equitable Policies to Address Existing Buildings](#) and [ACEEE's 2021 Clean Energy Scorecard](#). There is huge potential in this area and BPS can help lead the way.

We recommend that DOE also coordinate with relevant HUD programming offices to incentivize BPS in underserved communities, including but not limited to the Office of Community Planning, Faith Based and Neighborhood Partnerships.

Conclusion

Thank you for the opportunity to submit our feedback and input for the design and implementation of this new building codes program under the Inflation Reduction Act. Building codes provide an important opportunity for state and local governments to build community resilience, reduce greenhouse gas emissions and protect the health, safety and welfare of residents.

DOE can support jurisdictions through templates, tools, and streamlined processes to adopt and implement the latest codes and zero codes for new and existing buildings. DOE should allow jurisdictions to focus their efforts on the areas where they can have the greatest impact through energy and carbon savings as well as community benefits including advancing equity, affordability, and workforce development.

Please reach out to Amber Wood (ACEEE) at awood@aceee.org, Meghan Pazik (Climate Mayors) at meghan@climate-mayors.org, Cynthia McCoy (USDN) at cynthiamccoy@usdn.org, Michael Dexter (SSDN) at Michael@Southeastusdn.org, for questions regarding our responses to this RFI. Thank you for the opportunity to submit feedback.

Sincerely,

ACEEE
Climate Mayors
Urban Sustainability Directors Network
C40 Cities
Southeast Sustainability Directors Network