



BUILDING PERFORMANCE IMPROVEMENT BOARD MEETING NOTES

November 9, 11 am to 1 pm

In attendance:

Name	In-Person	Virtual	Role
Emily Curley	X		DEP staff liaison
Stan Edwards	X		DEP staff support
Rhett Tatum	X		Member
Daniel Cleverdon	X		Member
Amanda MacVey	X		Member
Andrew Rivas	X		Member
Lawrence Carroll			Member
Sheena Oliver		X	Member
Jill Goodrich			Member
Luke Lanciano	X		Member
Adam Landsman	X		Member
Mike Dieterich	X		Member
Julie Wolfington	X		Member
Josh McClelland	X		Member, Deputy Chair
Edward Musz	X		Member
Kevin Walton	X		Member, Chair
Gregory Goldstein	X		Member
Lindsey Shaw	X		Ex officio member (DEP)
Bryan Bommer		X	Ex officio member (DPS)
Dan McHugh		X	Ex officio member (DHCA)
Michael Yambrach		X	Ex officio member (DGS)
Henry Jordan		X	Member of the public
Bob Hayes		X	Member of the public
Brian Anleu		X	Member of the public

Administrative items

Quorum present; meeting notes from 10/26 meeting approved unanimously.

Recap any actions from previous meeting

Board had questions about how other jurisdictions are handling building groupings and brought up several items for consideration around target adjustment criteria. These were covered with the building groups topics below.

Building groups discussion and decision points

- **Building groups**

DEP staff reviewed how other jurisdictions are handling building groups. In general, other jurisdictions using a site EUI target generally use Portfolio Manager groupings if there enough buildings in a group to set a target (no less than 10) and then roll up into broader (typically CBECS categories) where there is not enough local data.

The Board delved into discussion on each of the proposed BEPS groups and noted several areas where it appears that building types should be reclassified, or groups should be more specific and requested further data for some cases.

Within the Education group: Suggestion that this be renamed to more accurately capture “higher-ed” and other uses in the group, e.g. “Higher Education” or “Education besides K-12.” Suggestion that the pre-school/daycare property type may be better classified as part of the Education K-12 group based on operations. Noted that data could be pulled in from other localities in the region, where available, to help gauge median site EUIs for building types that do not yet have County benchmarking data available.

Within the Healthcare outpatient group: Suggestion that buildings should be further classified based on operational hours for 24/7 facilities.

Within the Lodging group: Suggestion that “Senior living” be grouped with multifamily. However, the ESPM definition of these groups is as follow and suggests they may be better suited to a “healthcare lodging” group:

- **Senior Living Community** refers to buildings that house and provide care and assistance for elderly residents, specifically homes (skilled nursing facilities) and assisted living facilities.
- **Residential Care Facilities** refers to buildings that provide rehabilitative and restorative care to patients on a long-term or permanent basis. Residential Care Facilities treat mental health issues, substance abuse, and rehabilitation for injury, illness, and disabilities. This property type is intended for facilities that offer long-term residential care to residents of all ages who may be in need of assistance with activities of daily living.

Portfolio Manager advises that “a community with only independent living should benchmark as a Multifamily property”

“Senior centers” geared to daytime activities for seniors would likely be advised to report as one of the public assembly building types.

Within the Retail groups: Suggestion that perhaps these categories be kept broad. Question of data quality for enclosed mall site EUI (which is low). Will look to CBECS national median for more context of potential groupings.

Within the Multifamily group: Board discussed the different median for low-rise, old-tall, and new-tall multifamily types. To account for variations between these, the BEPS Technical Report took the highest EUI from each scenario as to not disadvantage any one type within the larger group. As such, general support to keep as one group.

One member suggested whether setting a percentage reduction for older multifamily buildings might be as an option however, DEP clarified that BEPS regulation requires that Site EUI must be set.

Related to building groupings in general, several board members agreed that broader groups with adjustment allowances may be better positioned to align with forthcoming state regulations, whereas very specific local and state groups that do not match would be more challenging.

The board discussed how there will be more data available in the coming years as additional buildings and building types begin reporting per the benchmarking law. A member inquired if there are any restrictions on the around making future adjustments once targets are set. One member suggested having a more general grouping to start with the option to create additional sub-groups if/when data makes clear that consumption in the sub-group is different enough to warrant a separate category.

A member raised concerns around setting targets for groupings with inadequate local data e.g. groups with less than 10 buildings reporting. The general strategy for these building types would be to rely on national reference data, like CBECS, to calculate a target. Two additional options were discussed for utilizing more local data as it becomes available. One was to hold off on setting a target. This was generally considered to be a bad idea, as building owners need to have targets to use for planning. The second was that building types that might rely on CBECS for the reference standard could have targets adjusted based on local medians once more local data is available. However, moving the goal post could frustrate owners who plan capital projects out several years in the future and could create confusion, especially if the revised targets are more stringent than what was originally established.

Board members wanted more information about CBECS national medians for each group to determine whether, nationally, building groups seem to share similar enough characteristics and energy consumption to warrant a building group. An additional suggestion about looking about the standard deviation or distribution within each group was also suggested to get more information about the spread between the high and low buildings in each potential group.

- **“Special cases”**
 - **Adjustment criteria**

There was a mention during the meeting on 10/26 of potential adjustment criteria that could be applied in certain scenarios to adjust a building’s target. These included building age, operating hours, special equipment, and metering configuration (landlord vs tenant paid).

DEP also presented some options being considered in other jurisdictions that includes data centers, parking, and swimming pools.

In general, the board was split on how to apply adjustments. Some believed that adjusting up front would leave savings opportunities on the table, e.g. if a building is operating 24/7 that may be a business need or a major opportunity for savings. A building performance improvement plan path is also available

to owners where “circumstances out of the owner’s control” prevent them from meeting the target, which may further reduce the need for a custom adjustment.

Also, without more information about who is requesting a BPIP and for what, we have little information about the types of circumstances owners will most be citing so it is somewhat difficult to create a list of adjustments.

The conversation settled on providing *limited* adjustment criteria and allowing for flexibility in the regulations such that DEP could add additional adjustment criteria if the benchmarking data or BPIPs point to such a need.

Time was not available to discuss the other two “special cases”, mixed-use buildings and “other” buildings. We also did not get to Site EUI Target setting basics. Those will be taken up next meeting.

ACTIONS:

- DEP staff to provide additional data on CBECS and medians from other jurisdictions to continue the building grouping discussion.

For additional information, please visit the Building Energy Performance Standards website at <https://www.montgomerycountymd.gov/green/energy/beps.html> or contact DEP at energy@montgomerycountymd.gov.