

# USGBC: ADVOCATING FOR THE FUTURE OF GREEN BUILDING

By Taryn Holowka

Green building advocacy is a critical part of USGBC's role. Through outreach and education, we are working on behalf of our members to advance a greener, more resilient and more prosperous future. A greener future is the conservation of resources and reducing pollution, including greenhouse gases. A resilient future is ensuring economic security and quality of life for years to come. A prosperous future means that building the right way is the profitable way.

Because we advocate for policies that offer these important co-benefits, we can cut through the political noise to achieve legislative and policy successes. We aren't asking policymakers to choose between environmental and economic objectives. We aren't asking consumers to choose between quality and cost. We are working toward a more sustainable future for all. Thanks to the innovative spirit and considerable efforts and talents of our members, we can deliver on all these priorities.

We accomplish this by leveraging law and policy and advancing our government relations and partnerships to accomplish four simple goals:

1. Ensure that taxpayer dollars being spent on federal, state and municipal buildings are going toward buildings that cost less to build and operate and are healthier for people.
2. Ensure that citizens' disaster recovery funds are spent on high-quality, resilient buildings that mitigate climate-related risks and promote social equity and health.
3. Ensure that lawmakers and elected officials have access to current and cutting-edge information on green building and resilient cities and communities, so they can make the best decisions on behalf of their constituents.
4. Ensure that our policies incentivize and encourage the use of LEED and other resources that create economic, environmental and social value.

## LEADING ON POLICY

**Federal leadership:** We believe the federal government should demonstrate leadership in its own building portfolio by adopting state-of-the-art energy efficiency and clean energy technologies, with the goal of moving to net zero energy buildings, and continuing to emphasize water efficiency, green infrastructure and indoor environments that support federal workers. Today, dozens of federal departments and agencies are using LEED as their green building standard of choice.

Today there are more than 6,000 LEED-certified federal projects—driving both positive outcomes for the government and significant business opportunities for our membership. Adopting high-performance building standards has helped the federal government to reduce energy use intensity by 30% between 2003 and 2015 and water use intensity by 30% from 2007 to 2015—saving taxpayers nearly \$100 million. If all buildings in the GSA's current portfolio met the average efficiency of the observed high-performance buildings, GSA could see close to a \$200 million reduction in annual building operating expenses.

**State and local government:** Public buildings represent an enormous portion of our nation's building portfolio, and that doesn't stop with the federal government. Moving policy in this sector is not always a one-stop shop. Promoting the benefits of LEED is one way to encourage state and local governments

across the country to follow green building practices when renovating existing buildings or engaging in new construction.

By leveraging federal tools and resources, we can also find ways to support state and local governments. Approaches to helping the federal government engage with state and municipalities include increasing building standards applicable to construction that uses federal funding; establishing incentives for high-performing buildings in competitive grant programs; offering targeted programs to spur retrofit and construction of public buildings; supporting state energy offices; providing tools and technical assistance; and supporting leadership and peer-to-peer networks. USGBC has helped develop and support federal legislation to encourage federal-state-local partnerships and give decision-makers at all levels of government the tools to lead on building design and construction.

In addition to leveraging federal support for state and local governments' high-performing buildings activities, we directly advocate with states, cities and counties. Often in close collaboration with USGBC members, we support state legislators, engage with governors and state agencies, and work with mayors, city council members, chief sustainability officers and others on crafting effective green building policies and incentives. Today, 25 states in the U.S. use LEED to advance their goals, and there are more than 300 local governments leveraging LEED in policies. These pro-LEED policies ensure that jurisdictions are leading by example and paving the way for a future where green building is the norm.

**Private sector:** USGBC is also helping to develop and advance policies that give private sector building owners and managers the tools to maximize the value of their facilities. Through LEED promotion and adoption, more than 64,000 commercial and institutional projects have achieved LEED certification, and another 49,000 projects are under way. In addition, there are more than 394,000 residential units currently certified and many more registered. LEED has bolstered the U.S. construction sector and created new industries that have converged into a multibillion-dollar domestic high-performing building industry.

USGBC actively supports policies to further enhance green building standards in the private sector. We have helped enact and advance legislation to strengthen building codes; provide tax incentives for LEED, energy efficiency upgrades and construction; leverage federal grants and other programs to promote energy efficiency; and enhance financial products and financing mechanism that can provide the capital for building owners to make these investments.

## **ADVOCATING FOR BETTER BUILDINGS FOR ALL: 2019 POLICY SUCCESSES**

### **2019 federal successes:**

- Extensive engagement with the U.S. Congress, particularly with House of Representatives committees with jurisdiction over tax, appropriations, federal buildings, energy and commerce.
- Attended, as an invited witness, two Congressional hearings: 1) The House Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing "Efficiency and Resiliency in Federal Building Design and Construction" and 2) The House Committee on Energy and Commerce, Subcommittee on Energy, hearing "Building a 100 Percent Clean Economy: Solutions for the U.S. Building Sector."
- Accomplished the extension of 179(d), the commercial building tax deduction, which many USGBC members and LEED users rely on for their green building projects.

- Achieved the inclusion of LEED in the Federal Emergency Management Agency (FEMA)-issued National Mitigation Investment Strategy.
- A GSA LEED v4 recommendation that found LEED aligns with federal mandates and goals. This major undertaking was a success for LEED, with the GSA having issued its recommendation letter to the Secretary of Energy.
- Provided recommendations, input and language on several bills and provisions, such as the energy-efficient homes tax deductions; federal building energy and water efficiency goals; the public building efficiency grant program; the Federal Energy and Water Management Program Act; the GREEN Act; bird-friendly buildings; and more.
- Initiated a new Federal Green Building Roundtable—a quarterly convening of local federal officials at USGBC’s headquarters—to maintain and cultivate relationships with strategic federal offices.
- Convened a Federal Roundtable at Greenbuild in Atlanta, which included presenters from GSA and the Centers for Disease Control and Prevention.
- Succeeded in obtaining funding and programmatic support for key federal programs such as ENERGY STAR, WaterSense and the Department of Energy’s Energy Efficiency and Renewable Energy office.
- Continued to work on the implementation of the Disaster Recovery Reform Act (DRRA) of 2018 to ensure the law delivers in rebuilding to a higher standard after natural disasters and assisting communities in mitigation efforts before future natural disasters.
- Provided recommendations to FEMA regarding the development of the Building Resilient Infrastructure and Communities (BRIC) program, which was updated as part of DRRA.

## **2019 state and local successes:**

This year, we saw jurisdictions adopting advanced green building policies, others considering them for the first time, and continued attention to building energy codes. With more than 20 states selecting new governors who took office in 2019, we conducted proactive outreach to introduce USGBC and its work to the new administrations. Several of these states have new executive orders or legislation relating to climate mitigation and state operations, and we are working with them to optimize opportunities for LEED.

- **Arkansas:** HB 1776, the Amending the Sustainable Energy-Efficient Buildings Program.
- **California:** AB 430, the Camp Fire Housing Assistance Act, is designed to expedite home construction in affected parts of northern California by streamlining environmental regulations and requires LEED.
- **Colorado:** A stronghold for LEED. In 2019, USGBC supported successful legislation that requires local jurisdictions to enforce one of the three most recent versions of the IECC upon updating their building code.
- **Washington, D.C.:** The Clean Energy DC Omnibus Act includes mandates for electricity to be 100% renewable energy and establishes an existing building performance standard. The District’s proposed code update includes a net zero pathway, which includes LEED Zero as a compliance path.
- **Florida:** We continued to advocate for strong green building requirements in the state’s allocation of low-income housing tax credits. USGBC staff and members coordinated to protect the green building seat on the Florida Building Commission. In collaboration with our local staff

and members, we engaged with five local governments, each looking to establish or modify green building policies. USGBC also facilitated the adoption of St. Petersburg's LEED Gold ordinance. Finally, we provided green building policy support to Florida cities pursuing LEED for Cities certification, including Miami Beach and Miami-Dade County.

- **Hawaii:** HB 1558, Relating to Sustainability, requires the Office of Planning to update the Hawaii 2050 sustainability plan, using the Hawaii climate change mitigation and adaptation initiative as guiding principles.
- **Indiana:** To support Indianapolis' Building Decarbonization, USGBC is working with the City of Indianapolis' Office of Sustainability to assist in crafting plans to meet the city's commitment to building decarbonization as outlined in Thrive Indianapolis and the American Cities Climate Challenge (ACCC).
- **Kansas:** To support the Overland Park Brookridge Project Development Agreement, USGBC provided a first-of-its-kind MOU with the developer to support a pursuit of LEED Zero throughout the project and worked with the city to strengthen the requirements of the development agreement. The city's development agreement for the more than 200-acre mixed use development (20+ buildings covered by the ordinance) requires all nonresidential buildings to be certified LEED Silver and LEED Zero, and requires that all multifamily buildings achieve a green building certification and pursue LEED Zero.
- **Montana:** HB 525, the Revise Termination Date for High Performance Buildings Program, which extends the high-performance buildings program from 2021 to 2029.
- **Minnesota:** Support HF 2208, Clean Energy First, which keeps the LEED reference, and along with the Omnibus Energy and Jobs bill, will implement Governor Walz's renewable energy goals with economic development activities and commitments to clean energy and fighting climate change.
- **New Mexico:** Support EO 2019-003, Addressing Climate Change and Energy Waste Prevention, an executive order committing the state to act on climate change by creating a New Mexico Climate Change Task Force and a statewide climate strategy.
- **Pennsylvania:** SB 700, the Public Higher Education Funding Commission, provides requirements for the construction and renovation of school buildings with a grant program that includes additional funding for LEED projects
- **Texas:** Working with the State Energy Conservation Office to implement high-performing building standards for state facilities. A Texas statute requires high-performing building certification, and the office will be developing a program to implement it.
- **Virginia:** USGBC invested in developing relationships through participation on the Board of VAEEC, outreach with state officials and ally organizations, and meetings with a key state senator.
- **Washington:** The Clean Buildings Act requires the state to establish an energy intensity standard for large commercial buildings. The bill provides incentives for early compliance and creates potential opportunities for our members, as well as LEED for existing buildings and Arc.

Advancing green buildings for all also requires finding regular opportunities to connect and share our message. This year, USGBC's advocacy worked to coordinate one-on-one meetings and state capital advocacy days, drafted comment letters, responded to inquiries, attended Governor Associations retreats, participated in the National Council of Environmental Legislators meetings and more. This work is critical to helping government, at all levels, discover how better buildings can lead to better lives.

## **PARTNERSHIP IS THE NEW LEADERSHIP**

Through our advocacy efforts, USGBC engaged more than 50 partners this past year. Highlighted partners include General Services Administration, FEMA, Centers for Disease Control and Prevention, Alliance to Save Energy, the National League of Cities (NLC), the Urban Sustainability Directors Network (USDN), EPA, the Global Cool Cities Alliance (GCCA), NASEO, the Climate Leadership Conference, National Council of Environmental Legislators and Urban Land Institute.

## **PROGRAMS: STRENGTHENING COMMUNITIES AND PEOPLE**

Sustainable communities look beyond a single building and holistically use smart design and construction and operation practices to enhance community connectivity and wellness and reduce environmental impacts. Public policy supporting sustainable communities can also unlock economic growth and provide important opportunities to build in-demand skills in the construction workforce.

**Resilience:** Understanding the best ways to plan for, adapt to and recover from severe events will continue to be a priority. USGBC is elevating resilience, specifically as part of our core advocacy activities at all levels of government, to help support consistent messaging among staff and volunteers, maintain USGBC reputational value and remain an active voice and resource on resilience-related initiatives and collaborations.

This year, USGBC was a trusted voice at numerous resilience events, including the National Association of Energy Officials Energy Policy Outlook Conference, the House Problem Solvers Caucus, the Resilient Virginia conference in Charlottesville and a USGBC National Capital Region event in coordination with Arlington County, Virginia.

In September, USGBC co-hosted the Resilient Cities Summit, an intimate, invitation-only convening, along with the Urban Land Institute and the National League of Cities. This year's theme was how data and metrics can be used to enhance city-level resilience. Mayors from around the country participated, along with members of our LEED for Cities and Communities and RELi teams and several USGBC member companies, sharing and probing ways they are using metrics to inform local resilience solutions. CityLab, our 2019 media partner, conducted one-on-one interviews with city officials and experts at the summit. A summit report will be available in January 2020.

**Disaster relief:** Seizing on a key USGBC member opportunity to advance LEED, we have been tracking the development of state plans for spending in key disaster recovery funding for housing: Community Development Block Grant–Disaster Recovery (CDGB-DR) and Community Development Block Grant–Mitigation. Affected states must issue a plan in response to each allocation of funds from the U.S. Department of Housing and Urban Development (HUD).

While HUD's 2019 mitigation notice encourages green building standards for new construction and substantial rehabilitation, states have broad flexibility in this area, so we have been working to educate policymakers about LEED as a premier program for resilient housing. This year, USGBC met with officials in North Carolina and South Carolina regarding disaster response plans for funds still awaiting HUD guidance.

**Residential:** USGBC publishes the “Residential Research Quarterly” article series, profiling new, intriguing reports and studies on green building and issues related to the residential sector. We also continued our systematic project to review and comment upon the nationwide Qualified Allocation Plans (QAPs), which establish how states will use valuable low-income housing tax credits. States are encouraged to include energy efficiency requirements, and some states incentivize or require green building certification. We are drafting and submitting comment supportive of LEED enabling language and standards. USGBC also provided in-person and/or written comments on 15 priority state QAPs in 2019. These letters are a first step, and additional on-the-ground support underscores how we have made advocacy in this area a priority.

**Codes:** As traditional building codes evolve to include sustainability measures, that upward movement helps redefine leadership and what LEED can do to transform the market. These forces work together, fueling higher levels of building performance and sustainability. This year saw significant activity in defending and advancing commercial and residential building energy codes.

**Want to get involved in advocacy at USGBC?** Visit <https://new.usgbc.org/about#advocacy> to learn how.