Maryland Green Building Council Meeting Summary

Wednesday September 27, 2017 –10:00 A.M. – 12 P.M.
100 Community Place
Crownsville, Maryland 21032-2023
Third Floor – Maryland Historical Trust Board of Trustees Conference Room

Attendees:

Fulya Kocak – MDGBC - Chair
Stephen Gilliss – DGS
Michael Li – MDGBC
Ryan Schwabenbauer – MDGBC
Stuart Kaplow – MDGBC
Cherise Seals - MDGBC
Tom Liebel – MDGBC
Susan Gore - DBM
Christopher Russell - MEA
Laura Armstrong - MDE
Martha Shrader - USM
Laura Rogers - MDOT

Guests:

Sabrina Bachman – USGBC MD
Ben Roush - FSi engineers
Shakia Word – DBM
Randolph Wilson - DGS

I. Meeting Summary Approval

A. Chair Fulya Kocak opened the meeting with a motion to vote to recommend approval of the draft of the meeting summary for August 23, 2017. The motion was seconded and approved by the Council.

II. Stephen Gilliss, for the benefit of the new members as well as a refresher for, returning members, reviewed the specific enabling legislation which defines the MD Green Building Council and its responsibilities. *(These articles are listed on the DGS website)*

A. Finance and Procurement – article 4-809 – creates the Council and defines its members and their terms of service. Requires 50% attendance for public members. Action requires a vote of nine members. Defines Council tasks.

B. Finance and Procurement – article 3-602.1 – defines high performance building primarily as LEED Silver rating or equal rating system or code recommended by the Council and approved by the Secretaries of DBM and DGS. The Council shall adopt a High Performance Green Building Program - basically regulations for compliance with the green building laws discussed here. Applies to fully state funded Capital Construction projects and partially state funded Community College buildings larger than 7,500 gsf. Unfortunately, the Council does not have adequate staff to track the Community College green buildings. This article also discusses waivers for compliance with the law, though this has not been exercised to date. Waivers require the approval of the Secretaries of DBM, DGS and MDOT.

C. Education – article 5-312 – added schools to the list of buildings required to comply with the green building laws discussed herein. In the case of schools, the Board of Public Works (BPW) oversees waiver requests rather than the Council and Secretaries. The Inter Agency Committee for School Construction (IAC) is also a part of the waiver process for schools. The IAC also has some of its own rules for compliance. The schools mainly rely on the Council and Secretaries to define High Performance Building.

D. Other agencies have their own laws in COMAR which define High Performance Building for projects under their purview. Some of them refer to article 3-602.1 and the Council for their definitions while adding other codes and regulations. The Maryland Historical Trust, for example, uses LEED Gold as their definition of High Performance Building for the purpose of qualifying projects for tax credits. The Council and projects under its "jurisdiction" is not bound by any of these other definitions of High Performance Building, however it may affect these agencies by the adoption of other forms of compliance i.e. the Green Globes rating system.

E. Stuart Kaplow suggested that for a future meeting the Council might want to review the other laws which use the Council's definitions of high performance building, mainly to be aware of how some Council decisions might affect the buildings governed by these laws.

III. Chair Fulya Kocak led a discussion of existing building performance brainstorming and recording ideas for improving existing buildings. Also defining existing programs as well as known human resources related to these programs. This would lead to recommendations for these buildings. We are looking for ideas which span the range from low cost to moderate cost to future more costly….light green to dark green.

A. Laura Armstrong thought we previously prepared a list of executive orders and other existing programs for sustainability.

B. Fulya wants to document the things we know today along with names of people as resources.

C. Cherise added Barry Powell of DGS who is over energy performance contracting (EPC) for existing buildings. Barry has presented to the Council on a previous occasion.

D. The Maryland Green Registry is a public forum for sharing best practices. Most state agencies are on the registry. Laura Armstrong manages the program.

E. The Green Purchasing Council was established to help the state buy green products. Per Stuart Kaplow, schools are required to buy green. Laura Armstrong said it is under the Green Maryland Act of 2010. Tom Liebel wondered why the schools are required to comply but the state doesn't seem to. Laura said there is some documentation of compliance for state agencies. No one knows if this Council is currently staffed, what this group is currently doing and who is monitoring compliance. Cherise said she would reach out to Lauren Buckler at DGS.

F. Martha Shrader said USM is just starting to try to make sure they are taking advantage of utility incentives. She could reach out to a PEPCO or ICF representative who has done previous presentations on these incentives. Rebates and incentives are available for state projects, sometimes part of Energy Performance Contracting.

G. Chris Russell brought up the issue of budgeting to incentivize agencies to save energy by keeping some of the savings. Agencies or building managers are concerned that if they save money on energy they will lose that funding in the future. This is again, the separation of operating and capital budgets. Susan Gore explained that it is not a dis-incentive. State agencies are part of a team (the State) so funds saved in one area are re-allocated to other places where the funds are needed. Saving money on energy may allow the state to staff positions or create programs. Several members suggested that this is human nature and that other governmental bodies have provided portions of savings back to the agencies that saved. Laura Armstrong believes that this has been proposed in the past to the Governor.

H. Laura Rogers suggested the Maryland Clean Energy Center (MCEC) which helps to find creative financing solutions. The contact is Kathy McGruder.

I. Laura also mentioned the Electric Vehicle Infrastructure Council (EVIC). The contact is Colleen Turner.

J. Energy Cap Database, managed by DGS, receives information from state agencies on energy use. This database is also a resource for state agencies. BITH Energy is the contractor. Emily Soontornsaratool is the manager of the contract. The information is publicly available. Stephen Gilliss noted that the database may be in transition.

K. Energy training for employees and others used to happen in different agencies. It doesn't seem to be happening as much, if at all currently. This was related to the annual agency energy plan submittals which are not currently being pursued as vigorously.

L. A 2020 initiative was to reduce energy by 10% by 2020 per a 2010 baseline.

M. The EmPower Maryland program required a 15% energy reduction by 2015. This has ended.

N. We currently have the Maryland Greenhouse Gas Reduction Act, which reduces greenhouse gases by 40% by 2030. Plans are required this fall. Tad Aburn administers this.

O. Ryan asked about state leasing requirements. Tom L. responded that the green leasing regulations provide scoring incentives for greener construction. Stephen Gilliss noted that he has tried to interest the Council in reviewing the DGS leasing requirements on several occasions but the Council was not interested at the time. This could still be a possibility.

P. Tom Liebel suggested increasing the range of state buildings which should be High Performance, not just the fully state funded projects.

Q. A brief discussion was held on easier items such as room occupancy sensors, employee training and other simple measures. This led to discussion of building energy audits which ties back into the energy database and agency energy plans. Laura suggested some of these smaller items could be done at no cost through EmPower and other incentives.

IV. Fulya Kocak then led to discussion of other future goals for next year.

A. Laura Rogers likes the idea of looking at leased buildings.

B. Chris Russell would like to educate facility and financial leaders for state agencies to understand the value proposition of green buildings. Information on costs, payoffs, etc. to overcome the fear of pursuing these goals. He could see MEA taking a lead on this.

C. Stuart suggested looking at other states and what they are doing. There are other hot topics such as lead in drinking water. Maryland hasn't done anything on this. It's a green building issue because we, for example, have increased the requirement to save water which he says increases the time water stays in pipes and degrades the quality of potable water. California, for example, flushes water in school pipes every morning. *(Schools in L.A. and San Diego flush either water fountains or whole plumbing systems for 30- 60 seconds daily wasting 2.5 million gallons of water each year in L.A. alone – ed).* Another concern is low VOC paint which he says much of the "low VOC" paint produced actually isn't. *i.e.for zero-voc paints - (https://www.ftc.gov/news-events/press-releases/2017/07/paint-companies-settle-ftc-charges-they-misled-consumers-claimed)* Thirdly, he is concerned with potential changes to the energystar and watersense federal programs which some of our requirements are based on. Some states are moving off of these to ASHRAE and other alternatives.
D. Ryan also would like to look at state leasing requirements. He'd also like to see green requirements for corporate headquarters in light of the Amazon East Coast Headquarters effort.
E. Tom would like to do a survey of what other states are doing for simple quick things we can do. He would also like to propose expanding the Council's legal guidelines as he did with the CHAP guidelines.
F. Stuart raised on the legislative front that the approval of the 2018 IECC is going to be a contentious issue this year.
G. Ben Roush promoted more use of 20 – 25 year life cycle studies for major equipment upgrades as the US Postal Service has done.
H. Fulya and Susan agreed on the leasing review.
I. Laura Armstrong agrees with Tom in looking into an expansion of Council scope.
J. Sabrina Bachman would like the Council to consider the USGBC MD to be able to be a resource to provide training and best practices rather than the Council starting from scratch.

V. Fulya asked members to discuss recent past accomplishments of the Council.
A. Her goal was to talk less and do more action and hopes to continue to do so. We will need members to continue to work on these things.
B. Green Globes and LEEDv4 studies were positive accomplishments
C. Laura Rogers brought up a new executive order re: Project Green Classrooms. MDOT has been brought into it with other agencies and one goal is to see what synergies between all the state agencies are. They were interested in what our Council does.

VI. The meeting was adjourned at approximately 12:00 p.m. The next meeting is scheduled for Wednesday October 25, 2017 at 10 a.m. at 100 Community Place, Maryland Historical Trust Board of Trustees conference room, Crownsville, Maryland 21032-2023.

The preceding is intended as a paraphrase / summary only of the discussions held on this meeting date. Council members are requested to review the summary and notify the writer of any errors, omissions, additions or unintended misrepresentations of the discussion.