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Chairman Kuman Barve
Vice-Chairman Dana Stein
Members
Environment and Transportation Committee
House of Delegates
Maryland General Assembly

Subject: Support for SB414, Climate Solutions Now Act

Dear Chairman Barve, Vice-Chairman Stein, and Committee Members:

The U.S. Green Building Council (USGBC), a non-profit organization with nearly 9,000 member companies nationwide, and a strong community in Maryland, writes today in support of SB 414, the Climate Solutions Now Act of 2021, being considered by the committee this week. SB 414 is cross-filed with HB 583, and we support several amendments that were made in the Senate, and hence urge the committee to move forward with SB 414.

USGBC is a non-profit organization that is dedicated to transforming the way buildings and communities are designed, built, and operated in order to make our world more environmentally and socially responsible, healthy, and economically prosperous. USGBC is best known for our LEED green building certification system, which supports the advancement of high performing, cost-effective, and resilient buildings that save resources and money for residents, governments, and building owners. A core area of our work is green schools, public schools that are well designed, and constructed to facilitate learning, health and wellness, and decrease operating budgets through reduced utility costs.

The Climate Solutions Now Act is a critical, comprehensive climate bill, setting greenhouse gas emissions reduction targets for the state of Maryland. Among other things, the bill also includes several key changes to the state's existing high performance building program.

If passed, the bill would require new state buildings to be net zero energy, as part of the high performance building requirement. The bill would also lower the threshold for the high performance building requirements to apply down to 25 percent, thus encompassing more projects with this requirement. The bill would also create an interest-free loan program for additional costs for schools to be built as net zero energy schools, designed as an incentive and to support the requirement

of one net zero energy school to be built by 2030 in each district. These changes all help advance Maryland's leadership in state buildings performance.

SB414 as amended has incorporated related changes for the state's high performing buildings programs as applies to public schools. SB 414 would adjust the high performance building requirements affecting all new schools receiving state funding, which include LEED and other approved equivalent systems and codes. When projects pursue the LEED option to meeting these requirements, the bill would require certification, and would call for at least the LEED Silver level while allowing the basic level of LEED Certified for certain rural schools. These changes help ensure that all public school projects benefit from the implementation of green building strategies to improve indoor air quality, incorporate daylighting and views, save money through energy and water conservation, and reduce waste. Because of the long time period over which state and local building projects are planned, which can be 3 to 6 years, and the related lag time for the applicable energy code, the state's high performing building program also has a role in ensuring that schools are designed for today's expected energy efficiency outcomes. **We urge the committee to include the amendments made by SB 414 to the State Finance and Procurement article, §3-602.1.** For more background on why this change is needed, please see the attachment.

Students and teachers in Maryland deserve to learn and teach in healthy, resilient, and sustainable schools. By passing SB 414, the committee can help to support a more robust student community throughout the state of Maryland. USGBC urges passage of the bill today and we encourage moving to floor consideration as soon as possible.

Please feel free to contact me at ebeardsley@usgbc.org or Alysson Blackwelder at ablackwelder@usgbc.org if there are any questions.

Sincerely,



Elizabeth Beardsley, P.E.
Senior Policy Counsel



Background – High Performing Green Schools Amendment to 3-602.1

Historically Maryland has long been a leader in green schools. However, unfortunately a phrase changed in a large bill two years ago threatens Maryland's green schools' leadership. Prior to this change, state-funded public schools in Maryland fell under the state green building program, and were required to achieve and obtain green building certification, with several options available, or meet the IgCC code. The enactment of the 21st Century Schools Act however, required the Maryland Green Building Council, a state entity, to establish green school guidelines achieving the equivalent of, but without certification; thus school projects are being built without the benefit of green school verification processes.

The guidelines established by the Maryland Green Building Council in October 2019 are not equivalent to achieving LEED certification. The only requirement in the Guidelines is for an architect or engineer to note that the project meets one of the previous compliance paths. This removes any accountability or verification that the school will be built as a leadership standard high performing school.

Independent-third party verification is a crucial step in building high performing schools. Certification provides valuable transparency and assurance to the State Legislature and to the public that tax dollars are being used to deliver the high performing schools by verifying project teams are delivering on key aspects of design plans and goals. This accountability is needed to optimize the ability for each school to have the beneficial cost/benefit, health, and environmental outcomes previously outlined.

In 2008, the fiscal impact of the high-performance building standard was expected to add between 2% and 5% of total project costs. Today, the [Fiscal Note for SB 228](#), which contained similar changes to 3-602.1, indicates that the cost differential between "green" buildings and other buildings has lessened considerably with the growth of green building codes and construction practices. The Fiscal Note also notes that the cost of having to once again obtain third party certification to LEED Silver status for public school buildings "is only a small fraction of total project costs, and thus likely has little or no noticeable effect on local capital expenditures."

Finally, according to the 2018 Knott report findings, it is imperative for Maryland school districts to stretch available dollars by constructing



green buildings with lower operating costs and by using cost-effective green building technologies. Certified green buildings do just that. For example, for Cherry Hill Elementary, a LEED Gold certified school, certification guided the project team to add additional wall and roof insulation, better windows, reduced lighting power density, and a highly efficient HVAC system that allowed the project to achieve a 28% energy cost savings.

