



October 8th, 2015

Matthew A. Beaton

Secretary, Executive Office of Energy and Environmental Affairs

Delivered Via Email to phu.mai@state.ma.us

Dear Secretary Beaton,

We are reaching out to you about the stretch energy code, a topic with which you are very familiar as a former green homebuilder.

The Board of Building Regulations and Standards has just posted a new draft stretch code. While we are pleased to see progress finally being made on updating the stretch code, as it is now more than two years overdue, we have serious concerns with the current draft.

As you know, the Massachusetts stretch code earned national accolades when first adopted, including recognition from the U.S. Department of Energy in 2010 with the Jeffrey Johnson Award for Excellence in the Advancement of Building Energy Codes and Performance. It also served as the cornerstone of the Green Communities program, providing an avenue for cities and towns to meet the requirement that “all

new residential construction over 3,000 square feet and all new commercial and industrial real estate construction ... minimize, to the extent feasible, the life-cycle cost of the facility by utilizing energy efficiency, water conservation and other renewable or alternative energy technologies.”

Over 150 communities have adopted the stretch code since 2009, demonstrating the value that communities place on this voluntary tool to reduce their collective energy consumption and carbon footprint. Without a well-developed stretch code, these communities are left without a "stretch goal" to aspire to.

While the original stretch code was ambitious in its reach - cutting energy use 30% and carbon emissions 40% compared to buildings built according to the base energy code - this new draft is weak in comparison. The proposed commercial stretch code exempts buildings smaller than 100,000 square feet and only applies to new buildings - effectively excluding much of the commercial construction in the state. The residential code simply makes the voluntary 2015 IECC base code option of scoring a 55 or less on the HERS Index mandatory, so homes already using this option would not see any additional requirements.

The new stretch code needs strengthening, but the new proposed base code (IECC 2015) has some terrific features. We are particularly impressed by the emphasis on Electric Vehicle Supply Equipment (EVSE) readiness, and increasing the minimum number of energy efficiency measures per building from one to two (C406.1 Requirements).

We will be submitting more detailed comments when the public comment period opens, but we felt strongly that we needed to communicate our concerns to you as soon as possible. This draft stretch code takes the teeth out of energy efficiency enforcement and is a disappointment to constituents who care about an energy efficient Massachusetts.

Building energy codes are among the most cost-effective strategies for improving building energy efficiency. Energy codes motivate orderly market-wide progress when those efficiency improvements are the cheapest and easiest to make: before construction. The cost-effectiveness of building energy codes, including the [residential](#) and [commercial](#) 2015 IECC which the Commonwealth will likely adopt in the coming months, is well supported by extensive analysis.

Upon your debut as Secretary of Energy and Environmental Affairs, Governor Baker stated that you have “the right experience to carry out our administration's green energy initiatives and to protect the commonwealth's open spaces...Through greater efficiency and a diversified approach, we can bring down

the cost of energy and reduce our carbon footprint." You committed to "continue to make Massachusetts a national leader in energy efficiency."

Let's work together to maximize Massachusetts' use of the cheapest energy supply of all, energy efficiency.

Sincerely,

Emily Norton, Director, Massachusetts Sierra Club

Grey Lee, Executive Director, USGBC Massachusetts Chapter

Amy E. Boyd, Senior Attorney, Acadia Center

Caitlin Peale Sloan, Staff Attorney, Conservation Law Foundation

Josh Craft, Program Director, Environmental League of Massachusetts

Keith Burrows, Vice-Chair, Greater Boston Group Executive Committee, MA Sierra Club

Alex Papali, Energy and Zero Waste Campaigns, Clean Water Action

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Berl Hartman, Environmental Entrepreneurs - New England Chapter

Daniel Gatti, Executive Director, Massachusetts League of Environmental Voters