

Energy Efficiency Building Codes Working Group 12/2/2009 Meeting – Notes

Members Present: Tim Ryan, Chair; Samuel V. Alpert; Trudy Aron; Luke Bell; Nancy Jackson; Sandy Jacquot (via teleconference); Tina Rakes; George Schluter; Bruce Snead

KCC Staff: Joe Harkins, Liz Brosius, and Ray Hammarlund.

Welcome and introductions

Tim Ryan, Working Group Chair, welcomed everyone and had the members introduce themselves. Tim noted that the group had been formed to address the building code requirements in H.R. 1 (ARRA), which gave Kansas and other states 8 years in which to achieve compliance.

Federal requirements and overview of draft conceptual framework

Joe Harkins led the group through a PowerPoint presentation outlining the ARRA requirements and proposed goals, planning principles, and strategies for achieving compliance. He stressed that the outlined approach acknowledges political realities in Kansas in that it respects home rule privileges and focuses on voluntary adoption and free market transformation to meet the objective. (Note: this presentation and all meeting handouts will be available on the State Energy Office web site by December 14, 2009.) Harkins noted that one part of the proposed approach would be to use the current Kansas Energy Efficiency Disclosure Form as the basis of a simple “baseline” residential code for voluntary adoption by local units of government. The state would also integrate the disclosure form as a certificate in its EE programs (the new Efficiency Kansas loan program, the existing Weatherization Assistance Program, and the existing Facility Conservation Improvement Program), all of which involve EE retrofits to existing structures.

In response to questions about energy auditors working in the Efficiency Kansas program, Liz Brosius discussed how the qualified training institutions were selected, and what it meant to be on the Efficiency Kansas list of qualified auditors.

The group’s discussion of the draft conceptual framework included the following comments, questions, and suggestions:

- The value of EE improvements, particularly in commercial structures, is often underestimated, not only by appraisers but also by the buyers and sellers of improved properties. While outreach and education may help, this discrepancy may exist for the near term.
- The state will need to make sure that it has accurately interpreted the requirements in H.R. 1, and that its approach gains DOE approval.

- The vast majority of new construction is occurring in the larger communities in Kansas.
- Local jurisdictions will need assistance with training and enforcement of codes and incentives will help gain acceptance by these jurisdictions.
- As Efficiency Kansas continues, it will be important for the SEO to consider how best to ensure that energy auditors (and contractors) are well informed about relevant EE building codes.
- It will be important to coordinate outreach and education efforts with the Working Group, League of Kansas Municipalities (LKM), and Kansas Association of Counties (KAC).
- Building codes developed out of a concern for safety; EE is a new thing for many jurisdictions.
- Need to change KSA 66-1227 commercial standard to ASHRAE 2007.

Incentives for local jurisdictions

Sandy Jacquot, LKM, expressed the League's commitment to energy efficiency and gave a brief overview of the League's draft proposal for DOE funding, noting that this application would be submitted by Dec. 14, if approved by LKM's board at its Dec. 11th meeting. The proposal involves the following three initiatives:

- Facilitate trainings in the cities and counties related to EE building codes.
- Pay for energy audits in city and county buildings, as a way to incentivize these upgrades and connect local units of government to the FCIP.
- Provide incentives / awards for local jurisdictions that implement EE improvements, using a checklist application that serves as an outreach/education tool.

Next steps

Ryan asked if there was consensus to move forward using the outlined conceptual framework, and the group agreed that they could support this approach.

The group agreed that both KSA 66-1227 and 66-1228 would need to be updated at some point as part of the compliance strategy. After some discussion, they decided to wait until the 2011 session to introduce any amendments. In the meantime, the Working Group should plan to present information about its plan to the Legislature during the next (2010) session and perhaps work with the Joint Committee on Energy and Environmental Policy during the summer of 2010 on any proposed legislation.

Harkins suggested the Advisory and Working Groups be merged, and this idea was endorsed by all present. Staff will be in touch with plans for future meetings.