Illinois Stretch Code Public Comment Form

Date:	1/30/2023
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Submitted on Behalf of:	Midwest Energy Efficiency Alliance
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Comments/Questions related to the draft concepts presented at January 18, 2023 and/or January 23, 2023 public meeting(s):

Re: MEEA's comments in support of the 2023 Illinois Residential Stretch Energy Code

Dear Ms. Hennigh, the Capital Development Board, and the Illinois Energy Code Advisory Council,

Thank you for the opportunity to provide comments on the proposed 2023 Illinois Residential Stretch Energy Code ("stretch code"). The Midwest Energy Efficiency Alliance (MEEA) is a membership based nonprofit organization serving as a collaborative network promoting energy efficiency to optimize energy generation, reduce consumption, create jobs and decrease carbon emissions in all Midwest communities. MEEA has experience supporting states and municipalities across the region to develop building energy policies and implement codes programs and trainings.

First, MEEA would like to acknowledge and commend the Capital Development Board (CDB) and the IL Energy Code Advisory Committee (ECAC) for their ongoing work developing the stretch code. It is quite an undertaking to create a statewide stretch code, but it is so critical that the CDB and the ECAC have provided this opportunity for public comment and feedback because it makes the entire process more transparent and comprehensive. Overall, MEEA is very pleased with the proposed stretch code provisions and believes they will provide numerous economic, health, and resilience benefits to residents and businesses living and working in Illinois.

As the CDB develops the final language, MEEA hopes that the final stretch code: 1) allows for flexibility and considers variances across municipalities, 2) prioritizes the Climate and Equitable Jobs Act's ("CEJA") *energy efficiency* objectives, and 3) includes provisions that are in fact cost-effective, so as not to "price out" any local jurisdictions.

1. Flexibility, providing many pathways to compliance is crucial for municipal buy-in

Cities, their governments, and their residents are not all the same, which makes "one-size-fits-all" policymaking and implementation unlikely. Based on cities' specific resources and needs, they may take different pathways to achieve the same goals. Thus, the stretch code must contain options. For example, it must provide for a wide range of costs/spending and for both prescriptive and performance-based compliance paths. Municipalities considering adoption of the stretch code must understand that it is "doable" for themselves and their citizens because it can be tailored to fit their circumstances. Not every jurisdiction in Illinois is Chicago, but that doesn't mean there are not opportunities to further energy efficiency throughout the rest of the state. It simply means that the policies being made (in this case, the stretch code) need to reflect that fact and assist and encourage the smaller and more rural cities to contribute to the state's energy goals.

2. Emphasis should be placed on energy conservation measures

First, CEJA only requires energy efficiency. The statute mandates that stretch codes meet certain site energy index targets, and the index includes *only* conservation measures and excludes net energy credit for any on-site or off-site energy production. Of course, additional items (i.e., renewable energy sources) may be included in the stretch code *in addition to* efficiency measures.

Secondly, energy efficiency is the most cost-effective way to ensure both lower emissions and utility bills. Energy efficiency simply means using less energy to get the same job done. By lowering energy use, energy efficiency also reduces monthly energy bills and makes energy more affordable. Primarily, the stretch code should present a cost-effective way to reduce the energy consumption of homes in Illinois, save residents money and improve indoor air quality. The easiest and most valuable time to make these long-lasting improvements is during initial construction, so there is a real opportunity for the stretch code to be a significant driver of energy cost savings throughout the state.

Third, municipalities are limited in their ability to mandate stronger energy conservation measures for residential buildings. Prior to CEJA's passage, the state base code was the most stringent requirement for energy efficiency that most municipalities could adopt.[1] Even after CEJA's passage, municipalities can only adopt efficiency measures as stringent as either the state base code or the stretch code. Additional requirements not related to energy conservation (e.g., solar-ready, EV-ready, *etc*.) can be mandated by municipalities outside of a base energy code or stretch code. The state must take this into account when considering which non-conservation measures to include in the stretch code.

3. Stretch code provisions must not be cost-prohibitive

Overall, the stretch code needs to be attractive enough for adoption. A key piece of this, as underscored above, is affordability – what will it cost a city (and its residents) to implement and enforce the stretch code? The stretch code and its energy-saving provisions cannot be utilized at all unless they are first adopted by municipalities, so this first "foot in the door" is essential. This issue is especially important to consider for the residential stretch code, as cities cannot adopt efficiency standards that go beyond those of the state code. They must either adopt the state base code or the state stretch code – there is no intermediate option. Therefore, the CDB and the ECAC must carefully assess the costs of equipment, replacement, and installation when developing the stretch code so as not to daunt or dissuade municipalities from even considering adoption. Non-conservation measures that are cost-prohibitive may also prevent municipalities from adopting the stretch code.

4. Energy code adoption does not result in less construction

As a final point, there is no evidence that stronger energy codes lead to less new construction. In fact, data collected from 2008 to 2018 shows that the amount of Midwest building permits stay relatively the same regardless of the IECC standard in place. The fact is simple – people and businesses will continue to build where they want to live and not based on the adopted energy code; so, municipalities may as well require buildings in their jurisdiction to be built as efficiently and cost-effectively as possible.

Conclusion

Meeting the energy efficiency goals of CEJA is critical for the state of Illinois, and one significant way to accomplish those goals is through the development and adoption of stretch energy codes. The CDB should design the stretch code to be approachable and achievable for municipalities and building owners.

MEEA is supportive of the proposed provisions for the Illinois Residential Stretch Energy Code and of the ongoing efforts of the CDB and the ECAC as they continue to draft it. The consideration of all the issues discussed herein will ultimately help the stretch code's success.

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[1] There are exceptions for home rule municipalities with populations over one million, and municipalities that had adopted requirements equal to the 2006 IECC on or prior to May 15, 2009.

If you have any questions about this testimony, noted reports and references or general impact and analysis of building energy codes, please contact Maddie Johnston, Senior Building Policy Associate for MEEA at mjohnston@mwalliance.org.

Proposed Concepts to be Considered by the Illinois Energy Conservation Advisory Council
Proposed concepts should depict how the 2021 International Energy Conservation Code would be altered by underlining new text and striking thru text to be removed**.**

Code Section: _____

Office Use Only	
Proposal Number:	
Date Submittal Received:	

Related Sections Impacted by this Amendment:

Revise as Follows (in strike-thru / underline format):

Reason:

Cost Impact:

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A proponent shall not submit multiple amendments to the same code section. When a proponent submits multiple amendments to the same section, the proposals shall be considered as incomplete proposals. The proponent of the proposal shall be notified and the proposal shall be held until the deficiencies are corrected, with a final date set for receipt of a corrected submittal. If the corrected amendment is received after the final date, the proposal shall not be considered by the ILECAC. This restriction shall not apply to amendments that attempt to address differing subject matter within a code section.