

# **BILL022(22)**

## **Testimony**

**MISC. COMM. 138**

TRANSPORTATION, SUSTAINABILITY AND HEALTH

## **TRANSPORTATION. SUSTAINABILITY AND HEALTH Meeting**

Meeting Date: Apr 19, 2022 @ 09:00 AM

Support: 31

Oppose: 0

I wish to comment: 4

Name: Sam Dorios	Email: samdorios@gmail.com	Zip: 96822
Representing: Self	Position: Support	Submitted: Apr 14, 2022 @ 03:17 PM
<p>Testimony:</p> <p>Aloha,</p> <p>I strongly support Bill 22 and the establishment of this benchmarking program. It is estimated that large buildings are responsible for about a third of green house gas emissions. This program will help the community gather data so we know which buildings are in the most need of support for implementing energy efficient solutions, greatly helping any efforts to create a more energy efficient Hawaii.</p> <p>Mahalo!</p> <p>- Sam Dorios</p>		
Name: James Burton	Email: james.burton@imt.org	Zip: 20036
Representing: Institute for Market Transformation	Position: Support	Submitted: Apr 15, 2022 @ 09:51 AM
Name: Matt I	Email: mattscalling@gmail.com	Zip: 96821
Representing: Self	Position: Support	Submitted: Apr 15, 2022 @ 12:41 PM
<p>Testimony:</p> <ol style="list-style-type: none"> <li>1. Our islands are facing a water crisis, between the drought caused by climate change to the Red Hill shutdown, and benchmarking will help find ways to conserve water. Businesses must be held accountable as they can control costs for the consumer and be a useful part of the community by monitoring and conserving water.</li> <li>2. With electricity prices rising, measuring and tracking energy is the first step to reducing energy, eliminating waste, and lowering costs.</li> <li>3. Drastically cutting our carbon emissions is a necessary part of addressing climate change, the effects of which are already here.</li> <li>4. Climate change is threatening our homes, our health, our economy, and our very way of life.</li> <li>5. Honolulu needs to take specific and measurable actions in order to reach our carbon neutrality goal by 2045. This is just one that addresses a big sector of business - the small sector.</li> </ol>		
Name: Caroline Carl	Email: noreen.reimel@leidos.com	Zip: 96817
Representing: Hawaii Energy	Position: Support	Submitted: Apr 15, 2022 @ 01:23 PM
Name: Andrea Bertoli	Email: andreadevonbertoli@gmail.com	Zip: 96816
Representing: Self	Position: Support	Submitted: Apr 15, 2022 @ 01:24 PM
<p>Testimony:</p> <p>I am testifying in support of Bill 22, which establishes a better building benchmarking and reporting requirement for energy and water usage of covered properties within the City and County of Honolulu.</p>		
Name: Ernest Nishizaki	Email: enishizaki@acumenadvisor.com	Zip: 96825
Representing: Self	Position: Support	Submitted: Apr 15, 2022 @ 02:14 PM

Name: Douglas Perrine	Email: douglasperrine@yahoo.com	Zip: 96740
Representing: Self	Position: Support	Submitted: Apr 15, 2022 @ 04:04 PM
<p>Testimony:</p> <p>Bill 22 will provide building managers with the data they need to manage the energy &amp; water consumption of their buildings. This is the first step toward conserving those vital resources.</p>		
Name: John Cheever	Email: jcheever88@gmail.com	Zip: 96821
Representing: Self	Position: Support	Submitted: Apr 15, 2022 @ 08:04 PM
<p>Testimony:</p> <p>The definition of sustainability is "meeting the needs of the present without compromising the ability of future generations to meet theirs." Please do the right thing for future generations and not developers. They can afford to spend a little more to measure their impact. Our children and grandchildren cannot afford for them to maximize return for their investors. And if they are donors to any city council members' campaign, they should recuse themselves from this vote.</p>		
Name: Ted Bohlen	Email: Tbohl8@yahoo.com	Zip: 96822
Representing: Climate Protectors Hawaii	Position: Support	Submitted: Apr 16, 2022 @ 07:45 AM
<p>Testimony:</p> <p>The Climate Protectors Hawaii is a group of citizens focused on addressing the climate crisis we face in Hawaii. In order to reduce future intense storms, food insecurity, floods, droughts and fires, coral death, shoreline destruction, and sea level rise, must show the world the way to a safer climate future by reducing greenhouse gas emissions and sequestering atmospheric carbon. The Climate Protectors Hawaii <b>STRONGLY SUPPORTS</b> Bill 22!</p> <p>Buildings must be part of our climate solution! Buildings and other stationary sources account for 35% of Oahu's total greenhouse gas emissions. Buildings are a critical part of our efforts to reach our greenhouse gas reduction goals, as set forth in Resilience Action 21 in Oahu's Resilience Strategy and Action 5.3 of Oahu's Climate Action Plan.</p> <p>Benchmarking building energy and water use enables building managers to identify opportunities to reduce energy and waste, to save money, and invest in energy efficiency and water conservation. This is critical now! Water conservation is needed because of the contamination at Red Hill. Electricity prices are high and volatile because of world fossil fuel disruptions.</p> <p>Please approve Bill 22!</p>		
Name: B. A. McClintock	Email: redahi@hawaii.rr.com	Zip: 96814
Representing: Self	Position: Support	Submitted: Apr 16, 2022 @ 04:02 PM
<p>Testimony:</p> <p>I am testifying in support of Bill 22, which establishes a better building benchmarking and reporting requirement for energy and water usage of covered properties within the City and County of Honolulu.</p> <p>The building sector is the largest consumer of energy on O'ahu, accounting for roughly one-third of the island's greenhouse gas emissions. Measuring and tracking energy and water usage is a necessary first step in reducing overall consumption, eliminating waste, and lowering energy costs.</p> <p>At a time when Hawaii is experiencing rising electricity costs and an ongoing water crisis, the proposed benchmarking and reporting requirements in Bill 22 will help improve energy efficiency efforts and conserve water. This is a vital step to reaching our state's overall goal of 100% renewable energy by 2045.</p> <p>Please pass BILL 22 to support Hawaii's clean energy future.</p> <p>Thank you for considering my testimony.</p>		

Name: Travis Idol	Email: hawaii.ipl@gmail.com	Zip: 96837
Representing: Hawaii Interfaith Power and Light	Position: Support	Submitted: Apr 16, 2022 @ 05:38 PM
<p>Testimony:</p> <p>I am writing in support of Bill 22 to create Better Buildings Benchmarking Program at the City and establish an energy and water usage reporting requirement for Oahu's large buildings. Benchmarking is a simple but important process to collect and report information on building energy and water use to keep track over time of general use and the effects of changes in practices or efficiency upgrades intended to reduce overall energy and water use. It is a well-established practices in other cities. It is important for us to track our progress toward our collective goal of a climate-friendly future.</p> <p>Hawaii Interfaith Power and Light is a local non-profit that helps churches and people of faith put their beliefs and values into action in response to the climate crisis. Benchmarking can help churches and religious organizations hold themselves accountable and celebrate their achievements in reducing their energy and water use and thus their environmental and climate footprint. Finally, benchmarking is an important part of the Oahu Climate Action Plan. We stand ready to support the City &amp; County and the Office of Climate Change, Sustainability, and Resiliency as it implements the strategies and actions in the plan. Benchmarking will help us all keep track of our progress and learn what makes a difference for different kinds of buildings in the city and county.</p> <p>We urge you to support Bill 22.</p>		
Name: Jesse Palmer	Email: jdp078@gmail.com	Zip: 96762
Representing: Self	Position: Support	Submitted: Apr 16, 2022 @ 10:16 PM
<p>Testimony:</p> <p>The City and County of Honolulu is still not acting with anything near the urgency required to avoid the most catastrophic effects of global warming. This bill, although insufficient, is a step in the right direction, I strongly urge that it be passed.</p>		
Name: Julie Yunker	Email: jyunker@hawaiigas.com	Zip: 96813
Representing: Hawaii Gas	Position: Support	Submitted: Apr 17, 2022 @ 11:14 AM
Name: Beppie Shapiro	Email: beppie@hawaii.edu	Zip: 96816
Representing: Self	Position: Support	Submitted: Apr 17, 2022 @ 05:17 PM
Name: Sherry Pollack	Email: davidsher@juno.com	Zip: 96744
Representing: 350 Hawaii	Position: Support	Submitted: Apr 17, 2022 @ 08:45 PM
<p>Testimony:</p> <p>Aloha Chair Cordero, Vice Chair Elefante, and Members of the Committee,</p> <p>Mahalo nui to the Council for hearing Bill 22 and for prioritizing policies that address the climate crisis we are facing. 350Hawaii supports Bill 22 towards a better buildings benchmarking and reporting requirement for energy and water usage of covered properties within the City and County of Honolulu.</p> <p>Over one-third of Oahu's total greenhouse gas emissions come from electricity used to power homes and businesses. Serious progress on our climate targets requires that buildings be part of the solution. The proposed program establishes a system for large commercial and multifamily buildings to measure and report on their electricity, water, and gas use annually. Benchmarking or collecting and reporting a building's annual energy and water usage data is a powerful tool to help building owners, tenants, and the City identify opportunities to cut energy waste, save money, and invest in energy efficiency upgrades.</p>		

Reduced energy demand through increased energy efficiency will play a large role in meeting the aligned State and City zero emissions clean energy targets and reducing energy burdens for residents. Moreover, water efficiency is particularly critical for Oahu's residents in the aftermath of the Navy's contamination of our sole source aquifer.

Please support and pass this important measure.

Thank you for the opportunity to testify.

Sherry Pollack

Co-founder, 350Hawaii

Name: Caroline Kunitake	Email: friezes.divines_0o@icloud.com	Zip: 96822
Representing: Self	Position: Support	Submitted: Apr 17, 2022 @ 09:29 PM

Testimony:  
Aloha County Council,

I am testifying in support of Bill 22, which establishes a better building benchmarking and reporting requirement for energy and water usage of covered properties within the City and County of Honolulu. Benchmarking, or collecting and reporting a building's annual energy and water usage data, is a powerful tool to help building owners, tenants, and the City identify opportunities to cut energy waste, save money, and invest in energy efficiency upgrades.

Please support Bill 22.

I appreciate the opportunity to provide testimony in support of Bill 22. Thank you for taking the time to review this matter.

Mahalo,  
Caroline Kunitake

Name: Janet Pappas	Email: jpappas60@gmail.com	Zip: 96701
Representing: Self	Position: Support	Submitted: Apr 17, 2022 @ 10:11 PM

Testimony:

Dear City Council members,

I am writing to support Bill 22 which establishes benchmarks and reporting requirements for energy and water use in multifamily and commercial buildings in Honolulu.

The world is facing many threats today and two of the most critical ones are human use of energy and water. We all must face up to the challenges of conserving water and moving away from fossil fuels. Knowing where we stand will help us determine whether or not we can/will meet our goals. Scientists continue to warn that we have a small window of opportunity to cut our emissions to a point where we can stabilize our climate. We cannot afford to miss this opportunity--the toll on humanity would be devastating.

Hawaii is now well aware of the preciousness of water. We no longer take it for granted. We will need to continue our vigilance until we can ensure that our water system is indeed safe. And even then we will have to remain on guard.

Bill 22 will help us identify areas where we can be more efficient in both water and energy usage, saving taxpayers' dollars at the same time. I hope that this bill will be in effect for all city facilities as well. In addition, lessons learned should be shared with homeowners.

Please pass Bill 22 this session so we can all know that we are doing our utmost to help the planet heal and leave a legacy for the next generation.

Thank you.  
Sincerely,  
Jan Pappas

Aiea, Hawaii 96701		
Name: Michael Chang	Email: michael.chang@hawaiianelectric.com	Zip: 96840
Representing: Hawaiian Electric	Position: Support	Submitted: Apr 18, 2022 @ 07:39 AM
Name: James Burton	Email: james.burton@imt.org	Zip: 20036
Representing: Institute for Market Transformation	Position: Support	Submitted: Apr 18, 2022 @ 08:14 AM
Name: Alyson Nakamura	Email: anakamura@abhi.com	Zip: 96813
Representing: Alexander & Baldwin	Position: Support	Submitted: Apr 18, 2022 @ 08:43 AM
Name: Tiffany Huynh	Email: tiffany@elementalexcelerator.com	Zip: 96813
Representing: Elemental Excelerator	Position: Support	Submitted: Apr 18, 2022 @ 08:48 AM
Name: Olivia Walker	Email: owalker@nrdc.org	Zip: 90066
Representing: Natural Resources Defense Council	Position: Support	Submitted: Apr 18, 2022 @ 08:58 AM
Testimony: Support letter on behalf NRDC already submitted by my colleague - Elizabeth Stampe. Thank you!		
Name: Josh Stanbro	Email: joshua.stanbro@gmail.com	Zip: 96816
Representing: Self	Position: Support	Submitted: Apr 18, 2022 @ 09:05 AM
Testimony: Aloha Chair Cordero and members of the TSH Committee,  The concept of building energy benchmarking is the most basic and foundational policy required to begin to address energy waste and emissions reduction in our built environment. It was unanimously endorsed in concept by this Council twice: in the O'ahu Resilience Strategy and in the O'ahu Climate Action Plan. After years of work, planning, and preparation it is time to embrace data transparency and pass Bill 22, to begin to address our climate crisis and put policy in place to encourage a clean energy economy instead of remaining on the failed path of fossil fuel use.  As someone who has long worked on sustainability policy, I am happy to see Bill 22 moving forward as proposed by the Mayor and hopefully adopted in it's current form by the Council. As a father, I hope that Bill 22 will be passed as quickly as possible and additional, positive climate legislation will be drafted and adopted by this Committee and this Council in 2022. As the IPCC report reminded us just last month, we have essentially 24 months to radically drive down carbon emissions or suffer catastrophic damage to the planet.  I strongly support Bill 22 and deeply appreciate this Committee for hearing the measure and hopefully advancing it.  Mahalo, Josh Stanbo		
Name: Stefanie Sakamoto	Email: ssakamoto@imanaka-asato.com	Zip: 96813

Representing: BIA Hawaii	Position: I wish to comment	Submitted: Apr 18, 2022 @ 11:11 AM
Name: Evan Oue	Email: eoue@imanaka-asato.com	Zip: 96813
Representing: NAIOP	Position: I wish to comment	Submitted: Apr 18, 2022 @ 11:20 AM
Name: Gail Abrena-Agas	Email: bae@bomahawaii.com	Zip: 96813
Representing: Building Owners and Managers Association - Hawaii	Position: Support	Submitted: Apr 18, 2022 @ 11:51 AM
Name: Deirdre Stearns	Email: dstearns@ahl.design	Zip: 96813
Representing: Architects Hawaii Limited (AHL)	Position: Support	Submitted: Apr 18, 2022 @ 12:03 PM
Name: Paul Bernstein	Email: paulbernstein2004@yahoo.com	Zip: 96821
Representing: Self	Position: Support	Submitted: Apr 18, 2022 @ 01:11 PM
<p>Testimony:</p> <p>Aloha Honolulu City Council Members:</p> <p>I'm writing in strong support of Bill 22 (2022). When it comes to regulating greenhouse gas emissions, county governments have a great deal of control over emissions from buildings. Therefore, if all jurisdictions are to work together to reduce global greenhouse gas emissions, counties must do their part, which means enacting regulations to reduce emissions from its building stock and from new buildings. An important first step is to collect data on existing emissions, which this bill does. Please pass this bill so that Honolulu can meet its CAP and do its part to reduce global greenhouse gas emissions.</p> <p>Respectfully, Paul Bernstein</p>		
Name: Tracy Tonaki	Email: ttonaki@drhorton.com	Zip: 96813
Representing: D.R. Horton	Position: I wish to comment	Submitted: Apr 18, 2022 @ 01:32 PM
Name: Scott Glenn	Email: scott.glenn@hawaii.gov	Zip: 96813
Representing: Hawaii State Energy Office	Position: Support	Submitted: Apr 18, 2022 @ 04:38 PM
Name: Fernando Bastos	Email: gm@keolalai.com	Zip: 96836
Representing: Self	Position: Support	Submitted: Apr 18, 2022 @ 05:19 PM
<p>Testimony:</p> <p>Measurement is the first step that leads to control and eventually to improvement. If you can't measure something, you can't understand it. If you can't understand it, you can't control it. If you can't control it, you can't improve it. I am an award winning residential building manager here in Oahu and advocate for the implementation of smart buildings. Simply put, smart buildings focus on sustainability. It's no secret that buildings require a lot of energy to operate. Unfortunately, the more energy that's needed, the more it wreaks havoc on the environment. Bill 22 aims to start the process of measuring the impact on the</p>		

environment by assessing current conditions and benchmarking. It is definitely a step in the right direction. I fully support bill 22.

Name: Virginia Tincher	Email: vatincher@gmail.com	Zip: 96821
Representing: Self	Position: Support	Submitted: Apr 18, 2022 @ 05:41 PM

Testimony:

I strongly support Bill 22 to which establishes a better buildings benchmarking and reporting requirement for energy and water usage of properties within the City and County of Honolulu. This bill is an opportunity - for building owners to save money while helping our Environment. Benchmarking gives them the opportunity to understand their emissions and water usage so they can look for efficiencies. Some building owners may have already understood the value of efficiency and implemented solutions. I suggest adding a way for those owners to be recognized for their contribution to lowering emissions and water usage.

Thank you for considering this important bill.

Name: Melissa Miyashiro	Email: melissa@blueplanetfoundation.org	Zip: 96813
Representing: Blue Planet Foundation	Position: Support	Submitted: Apr 18, 2022 @ 09:31 PM

Name: Kauai Burgess	Email: kaburges@ksbe.edu	Zip: 96813
Representing: Kamehameha Schools	Position: I wish to comment	Submitted: Apr 19, 2022 @ 12:53 AM

Name: Olivia Poblacion	Email: poblacion.olivia@gmail.com	Zip: 96816
Representing: Self	Position: Support	Submitted: Apr 19, 2022 @ 07:47 AM

Testimony:

Aloha, I live in Palolo Valley and am represented by City Councilmember Calvin Say. I am the mother of two children (Louis, age 6 and Elsa, age 3). I currently serve as the co-chair for the Climate Reality Project Oahu Chapter, and am an active volunteer with the Hawai'i Citizen Forester Program. I am involved with these organizations because I care deeply about creating a more just and livable world for future generations. Decarbonization of our buildings is an important step toward solving the climate crisis, and Bill 22 provides data and accountability needed to follow through with our zero emissions goals. I strongly support Bill 22, and urge councilmembers to move forward with this much needed action. Mahalo.



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Washington, DC 20036

202.525.2883

IMT.org

## **Honolulu Testimony – Bill 22(2022)**

Chair and Presiding Officer Tommy Waters and Members of Honolulu City Council, thank you for the opportunity to testify. My name is James Burton and I am an employee of the Institute for Market Transformation (IMT), which I am representing with my testimony today. As a national nonprofit supporting energy efficiency in buildings, IMT supports the adoption of Bill 22(2022) by the City Council of Honolulu.

To date, over 40 U.S. local and state governments are implementing building energy benchmarking and transparency ordinances, akin to Bill 22(2022). IMT has acted and continues to act as an adviser to many of these cities, including the City and County of Honolulu.

By instituting a benchmarking and transparency policy, Bill 22(2022) represents an important step toward Honolulu's goals of increasing energy efficiency and reducing greenhouse gas emissions, creating local job opportunities, and improving economic outcomes for local communities.

### **Energy Savings:**

Buildings are responsible for 40% of the USA's total energy consumption (often accounting for more than the total energy usage of many other countries as a whole), and it is clear that benchmarking and data transparency policies help reduce building energy usage. The US Environmental Protection Agency found that buildings that benchmarked for three years saw reduced energy consumption per year of 2.4%.

Cities with benchmarking and transparency ordinances have seen similar results. Seattle reported a 3% reduction in energy consumption from 2014-2015. Minneapolis reduced its energy consumption by 3.4% from 2014-2016. New York City found that from 2010-2015, benchmarked buildings realized 10% energy savings. These savings in energy costs cycle directly back to building owners and their tenants. Based on the results in other cities, it is reasonable to expect similar savings to accrue to the residential and commercial segments of the Honolulu real estate market, should Bill 22(2022) be adopted.

### Local Job Growth:

A benchmarking and transparency policy encourages a strong energy services market. Once the policy is in place, and building performance information is available, owners and energy service vendors will have a better understanding of which buildings are most viable for energy upgrades and the first steps that owners can take to improve their performance. This can support secure local job creation. Estimates suggest that in Philadelphia over 5,000 of its commercial buildings require energy efficiency upgrades, representing an investment opportunity of \$600 million – enough to support 23,000 jobs.

### Community Benefits:

As awareness of our climate predicament spreads, and as many Honolulu residents grapple with an uncertain economic environment in which steep increases in housing costs have greatly outpaced wage growth, more people are looking for energy-efficient houses and apartments. They know these homes cost less to own, operate, live in, and make for more comfortable and safer living environments. Access to information about the energy performance of commercial and multifamily buildings will help tenants, prospective buyers and investors make more informed, and therefore better, decisions about where they live and how they spend their money. The transparency of the data allows the City to show communities how it is pushing for change that benefits them.

The sharing of data collected as part of benchmarking will allow the City to award innovation and help Honoluluans make more informed decisions about the buildings they lease, own, and occupy. This will provide a natural incentive for property owners to make energy-related improvements to their properties, thus reducing energy consumption and greenhouse gas emissions and reducing the energy cost burden on residents.

### Conclusion:

Benchmarking and transparency policy can help Honolulu in a multitude of ways. IMT firmly believes Bill 22(2022)'s adoption is a critical milestone in Honolulu's journey toward a more profitable, healthier, cleaner future.



Before the Honolulu City Council – Committee on Transportation, sustainability and Health  
Tuesday, April 19, 2022 at 9:00am

Testimony on Bill 22 relating to Building Benchmarking.

Chair Cordero, Vice Chair Elefante and Members of the Committees:

Thank you for the opportunity to provide comments in support of Bill 22.

Hawai'i Energy works to empower island families and businesses on behalf of the Hawai'i Public Utilities Commission (PUC) to make smart energy choices to reduce energy consumption, save money, and pursue a 100% clean energy future. Energy efficiency is the cheapest option to help us achieve our 100% clean energy goal by eliminating waste and being more efficient. Hawai'i Energy provides technical and financial assistance to assist residents and businesses in becoming more energy efficient.

Hawai'i Energy applauds the City for taking the lead with the 2020 adoption of Ordinance 20-47 that established a municipal benchmarking policy for City facilities over 10,000 square feet. We support this bill's effort to establish a complementary building benchmarking program for commercial and multi-family buildings on O'ahu.

Hawai'i Energy currently engages nonresidential building owners on a variety of levels to realize energy efficiency projects and has historically supported benchmarking for individual customers as well as make Hawai'i-specific benchmarking available to the public.

Hawai'i Energy is willing provide technical assistance to impacted businesses required to complete benchmarking activities as it is aligned with our mission. Hawai'i Energy has been engaged with the City's Office of Climate Change, Sustainability and Resiliency on the rollout of the building benchmarking program and is willing to continue its work with stakeholders to come up with the most cost-effective implementation plan.

We appreciate the efforts made by the City Council and the City & County of Honolulu to promote energy efficiency. Thank you for the opportunity to testify on Bill 22.

Sincerely,  
Caroline Carl  
Executive Director  
Hawai'i Energy

Committee on Transportation, Sustainability, and Health  
Tuesday, April 19, 2022 9:00 am  
City Council Chamber

## TESTIMONY IN SUPPORT OF BILL 22, RELATING TO BUILDING BENCHMARKING

Aloha Chair Cordero, Vice Chair Elefante, and Committee Members:

Mahalo for the opportunity to provide my testimony in support of Bill 22, which establishes building benchmarking and reporting requirements for energy and water usage of covered properties within the City and County of Honolulu.

During my 45-year career in the hospitality industry, both here in Hawaii and on the mainland, significant attention and monies by management and ownership were focused on the conservation of energy and water usage. I am confident that you will find our Hawaii hotels and resorts are utilizing the best practices to reduce their energy and water usage, eliminating waste, and lowering the monies spent on the second highest cost sector for their hotels and resorts.

But certainly, more can be done. Benchmarking will be an effective way for all building owners and managers to track this large operating expenditure and assist them in identifying opportunities to reduce their usage and create cost-savings for their operations. The establishment of benchmarking and reporting will establish a report of complementary building benchmarking, which would allow the opportunity for building owners and managers to gauge their own performance against like buildings and, hopefully, share best practices.

Climate change is threatening our way of life, our economy, and our health for our island residents and for our island businesses.

I urge the Committee on Transportation, Sustainability, and Health to advance Bill 22.

Mahalo for the opportunity to provide my written testimony.

Ernest K. Nishizaki  
Principal, Acumen Advisor, LLC  
Chair, Blue Planet Foundation  
Honolulu, Hawaii 96825





April 19, 2022

The Honorable Radiant Cordero, Chair  
The Honorable Brandon Elefante, Vice-Chair  
Committee on Transportation, Sustainability & Health  
City and County of Honolulu  
Honolulu, Hawaii 96813

**RE: Bill 22 (2022) - Relating to Building Benchmarking**

Aloha Chair Cordero, Vice-Chair Elefante and Members of the Committee,

Thank you for allowing Hawai'i Gas to provide testimony on Bill 22 (2022) in **support with an amendment** to the bill.

Despite representing less than 1% of the greenhouse gases emitted into Hawaii's atmosphere, Hawaii Gas is committed to doing our part to reduce the effects of climate change on our state and the planet, and we are making great strides. We already produce clean, renewable, affordable and reliable energy, including solar. Hawaii Gas currently generates Renewable Natural Gas (RNG) at the City and County of Honolulu's Honouliuli Wastewater Treatment Plant, as well as Hydrogen at our Synthetic Natural Gas (SNG) facility in Campbell Industrial Park, so Hawaii Gas customers are already getting a blended renewable and zero-emission energy source. We are honored to provide Hawaii residents and businesses a cleaner, more affordable energy choice for the past 115 years.

**Implementation Timeline:**

Hawaii Gas will be upgrading its Customer Information System which is scheduled to begin in the fourth quarter of this year. The upgrade is a major overhaul of the current customer data system and once completed will allow Hawaii Gas to provide more accurate gas customer data more efficiently to support the requirements of this ordinance. Hawaii Gas is respectfully asking the committee to amend the benchmarking schedule to allow us to work out any issues with the new system, train our internal staff on using the new system and address any challenges with providing legacy customer data.

This program transition will take time to be implemented correctly, and amending the benchmarking schedule will give Hawaii Gas a chance to provide clear and concise data which is a key cornerstone of benchmarking efforts.

<https://resilientoahu.org/municipal-operations-energy-dashboard>



To address this scope of implementation, Hawaii Gas proposes adopting the following amendments as described in Bill 22:

***Sec. \_-1 .1 Benchmarking Schedule.***

***(a) The ~~initial~~ benchmarking reports for each covered property shall be filed in accordance with the schedule in the following table. Subsequent benchmarking reports for each covered property shall be due by June 30 of each year thereafter.***

<b><i>Property</i></b>	<b><i>Initial Reporting Date</i></b>	<b><i><u>Initial Reporting Date</u></i></b>
<b><i>Covered Properties <math>\geq</math> 100k sq. ft.</i></b>	<b><i><del>December 1, 2022</del></i></b>	<b><i><u>June 30, 2023</u></i></b>
<b><i>Covered Properties <math>\geq</math> 50k sq. ft.</i></b>	<b><i><del>June 30, 2023</del></i></b>	<b><i><u>June 30, 2024</u></i></b>
<b><i>Covered Properties <math>\geq</math> 25k sq. ft.</i></b>	<b><i><del>June 30, 2024</del></i></b>	<b><i><u>June 30, 2025</u></i></b>

Hawaii Gas appreciates the intent of this bill and the collaborative work the Office of Climate Change, Sustainability and Resiliency has done in conjunction with us and other stakeholders. By doing so, they have crafted a bill that is key to beginning to understand the usage of key resources across Oahu.

Based on our concern as described above, Hawaii Gas strongly urges you to **adopt our proposed amendment.**

Mahalo for your consideration.

The results of sea level rise (caused by climate change) are already painfully obvious for instance at Kualoa Park, Kokololio Park; rows of the remains of dead trees which I clearly remember as standing healthy trees on firm ground, dot the beachfront and nearshore waters. North Shore beachfront residences are either severely threatened or already collapsing onto the beach. Waikiki and Mapunpuna are inundated at king tides.

The State has adopted a goal of phasing out the use of fossil fuels to moderate the speed of climate change and its threat to our island and its infrastructure. In addition, our water supply is reduced and will be for years to come following the Red Hill leakage. Water will continue to be limited by a rising population and development.

To adapt, energy and water conservation is the fastest, cheapest and easiest approach. Bill 22 is the first step to conservation. The C&C and building owners need to know how much energy and water are currently used by big buildings, and to track the effectiveness of any conservation policies whether voluntary or mandated. In the future, Bill 22 will provide this absolutely essential baseline and conservation evaluation data. Please pass Bill 22.



**TESTIMONY BEFORE THE TRANSPORTATION, SUSTAINABILITY  
AND HEALTH COMMITTEE**

**BILL 22 - BUILDING BENCHMARKING**

Tuesday, April 19, 2022  
9:00 am  
City Council Chamber

Michael Chang  
Manager, Strategic Analytics  
Hawaiian Electric

Chair Cordero, Vice Chair Elefante, and Members of the Committee

My name is Michael Chang and I am testifying on behalf of Hawaiian Electric in support of Bill 22. Hawaiian Electric produces, purchases, and delivers the electricity which will be the predominate source of energy that property owners will required to obtain to support meeting their benchmarking reporting requirements under the ordinance proposed in Bill 22.

Building energy benchmarking will provide a positive contribution towards achieving increased energy efficiency and resiliency of participating buildings on Oahu. The process of benchmarking provides awareness to those involved in the capital investment and operations of the buildings and the public presentation of the results provides market-driven motivation required to take actions that reduce energy consumption and the utilization of renewable energy.

Hawaiian Electric has been in communication with the City's Office of Climate Change, Sustainability and Resiliency to understand the program, provide feedback and determine the systems, procedures, and ongoing support required to provide a positive

experience of data collection and reporting activities for the property owners and their agents.

We recognize that the property owners, who often may not be our direct customers, will be faced with a new and ongoing administrative burden to acquire and submit electricity data to the ENERGY STAR Portfolio Manager. One step property owners and Hawaiian Electric will face is to obtain and maintain authorizations by individual electricity customers for each TMK that fall below a yet to be determined anonymization threshold criteria.

Hawaiian Electric is committed to working with the various stakeholders in this process to identify an efficient method for compliance with the program and we will work with the Public Utilities Commission to identify the cost recovery mechanisms to deliver new services to support the building benchmarking activities. At this time, we estimate that it will require 6 to 9 months to identify and implement an automated process once the details of the program have been finalized.

Looking forward, Hawaiian Electric encourages the C&C of Honolulu to continue to coordinate with the State of Hawaii, Counties, and the various energy providers to ensure clarity and commonality between this benchmarking program and future proposed benchmarking programs.

Mahalo for the opportunity to provide testimony.



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**IMT.org**

## **Honolulu Testimony – Bill 22(2022)**

Chair and Presiding Officer Tommy Waters and Members of Honolulu City Council, thank you for the opportunity to testify. My name is James Burton and I am an employee of the Institute for Market Transformation (IMT), which I am representing with my testimony today. As a national nonprofit supporting energy efficiency in buildings, IMT supports the adoption of Bill 22(2022) by the City Council of Honolulu.

To date, over 40 U.S. local and state governments are implementing building energy benchmarking and transparency ordinances, akin to Bill 22(2022). IMT has acted and continues to act as an adviser to many of these cities, including the City and County of Honolulu.

By instituting a benchmarking and transparency policy, Bill 22(2022) represents an important step toward Honolulu's goals of increasing energy efficiency and reducing greenhouse gas emissions, creating local job opportunities, and improving economic outcomes for local communities.

### **Energy Savings:**

Buildings are responsible for 40% of the USA's total energy consumption (often accounting for more than the total energy usage of many other countries as a whole), and it is clear that benchmarking and data transparency policies help reduce building energy usage. The US Environmental Protection Agency found that buildings that benchmarked for three years saw reduced energy consumption per year of 2.4%.

Cities with benchmarking and transparency ordinances have seen similar results. Seattle reported a 3% reduction in energy consumption from 2014-2015. Minneapolis reduced its energy consumption by 3.4% from 2014-2016. New York City found that from 2010-2015, benchmarked buildings realized 10% energy savings. These savings in energy costs cycle directly back to building owners and their tenants. Based on the results in other cities, it is reasonable to expect similar savings to accrue to the residential and commercial segments of the Honolulu real estate market, should Bill 22(2022) be adopted.

### Local Job Growth:

A benchmarking and transparency policy encourages a strong energy services market. Once the policy is in place, and building performance information is available, owners and energy service vendors will have a better understanding of which buildings are most viable for energy upgrades and the first steps that owners can take to improve their performance. This can support secure local job creation. Estimates suggest that in Philadelphia over 5,000 of its commercial buildings require energy efficiency upgrades, representing an investment opportunity of \$600 million – enough to support 23,000 jobs.

### Community Benefits:

As awareness of our climate predicament spreads, and as many Honolulu residents grapple with an uncertain economic environment in which steep increases in housing costs have greatly outpaced wage growth, more people are looking for energy-efficient houses and apartments. They know these homes cost less to own, operate, live in, and make for more comfortable and safer living environments. Access to information about the energy performance of commercial and multifamily buildings will help tenants, prospective buyers and investors make more informed, and therefore better, decisions about where they live and how they spend their money. The transparency of the data allows the City to show communities how it is pushing for change that benefits them.

The sharing of data collected as part of benchmarking will allow the City to award innovation and help Honolulu residents make more informed decisions about the buildings they lease, own, and occupy. This will provide a natural incentive for property owners to make energy-related improvements to their properties, thus reducing energy consumption and greenhouse gas emissions and reducing the energy cost burden on residents.

### Conclusion:

Benchmarking and transparency policy can help Honolulu in a multitude of ways. IMT firmly believes Bill 22(2022)'s adoption is a critical milestone in Honolulu's journey toward a more profitable, healthier, cleaner future.



ALEXANDER & BALDWIN

**Testimony in consideration of Bill 22, relating to Building Benchmarking**

April 18, 2022

Dear Chair Cordero, Vice Chair Elefante and Members of the Committee:

Thank you for the opportunity to provide testimony regarding Bill 22, which proposes the creation of a building benchmarking program within the City and County of Honolulu.

As part of the Hawaii community for over 150 years, A&B is committed to sustainability and preserving our island resources. We consider benchmarking to be an important tool to improve efficiency and combat climate change and recently incorporated benchmarking within our own commercial real estate portfolio. As such, we endorse efforts to create a benchmarking program that champions sustainability and is fair to all stakeholders. We support the intent of Bill 22 but hope that certain modifications can be incorporated to make the program more practical and effective.

We have been engaging constructively with the Office of Climate Change, Sustainability and Resiliency ("Resilience Office") on Bill 22 and commend its collaborative approach to design a program that moves Hawaii forward in the area of combatting climate change and can be embraced by all those who are affected by the new requirements. In the interest of making the program as effective as possible in achieving climate objectives, we have shared the following points with the Resilience Office, and are optimistic that they will be considered as Bill 22 progresses:

- **Data gathering/management issues:** Success of the program will depend on the ability to gather the requisite data. There are challenges to gathering the building data, particularly in the case of large properties where building owners would be required to gather significant amounts of tenant data. While the City and County has been working with the utilities, they may not all have the capacity, at least at this time, to provide the necessary tenant information that is being required. Bill 22 as currently drafted makes owners responsible for collecting data where the utilities cannot provide it. Accordingly, this significant data-gathering burden, as well as the responsibility to verify and correct data, ultimately is placed on owners and will impact compliance feasibility and timing.
- **Significant penalties:** While fines are a reasonable approach to encourage compliance, the proposed fines, particularly the ongoing \$100/day, could add up quickly and create significant cost burdens for building owners, notwithstanding an earnest attempt by owners to comply. If an owner is working proactively to achieve compliance but facing challenges such as data availability, we would hope that consideration would be given to deferring fines and/or capping them.

- Fair public disclosure of data:
  - Benchmarking buildings can be complicated and even buildings in the same class may have different characteristics that can make fair comparisons between buildings difficult, particularly if disclosure is boiled down to a simple Energy Star Score.
  - For certain types of properties, like our retail portfolio, the large majority of energy and water usage is controlled by the tenant, thus improvements will take time and may require changes to leases that can only be made in a future lease renegotiations, making near-term score improvements difficult.
  - Disclosing energy information publicly, particularly if that information could be misleading, could harm owners unfairly. We encourage thoughtful implementation of any disclosure requirements to mitigate these unintended consequences.

We respectfully suggest the following changes that we believe will result in a substantive bill that drives the desired behaviors without harming businesses unfairly.

- Phase in compliance: Owners and the utilities will need time to put processes into place and to gather the required data. The current bill requires compliance for large building owners by the end of 2022. Extending the timetable for compliance would be welcomed.
- Cap penalties and recognize good faith efforts: Penalties should be capped at a reasonable dollar amount and applied only in cases where good faith efforts to comply have not been made.
- Disclose public data appropriately: Sharing energy/water efficiency information with the public to help them better understand a building's performance is important; however, the information should be useful, not misleading and provided in ways that are fair to building owners as well. We encourage a thoughtful and collaborative process that helps alleviate some of the concerns noted above yet still provides the public with useful and non-misleading information. Also, a meaningful time period should be provided prior to disclosure to ensure that the information being disclosed is an appropriate representation of building performance.

We welcome a continued productive collaboration with the City Council and the Resilience Office as we work to achieve our mutually desired goals to improve energy and water efficiency and combat climate change in ways that encourage and do not harm property owners.

Thank you again for the opportunity to provide testimony.

Alyson J. Nakamura  
Vice President, Governance & Sustainability



### **Testimony of Elemental Excelerator to the**

**City and County of Honolulu Council Committee on Transportation, Sustainability and Health**

**in consideration of Bill 22, April 19, 2022**

Dear Committee Chair Cordero and members of the Committee:

Elemental Excelerator respectfully submits our **strong support** for Bill 22.

Elemental Excelerator is a Honolulu-based non-profit organization that supports climate positive startup companies that help solve Hawai'i's most urgent environmental problems. Each year, we select 15-20 companies that best fit our mission and fund each company with up to \$1 million in investment. To date, we have awarded over \$48 million to 135 companies, and additionally supported 80 new tech demonstration projects right here in Hawai'i & the Asia Pacific.

Bill 22 is a critical step towards supporting the climate goals set up by this Council in the unanimously approved Honolulu Climate Action Plan, the O'ahu Resilience Strategy, and the statutory requirement under Ordinance 20-47 to achieve net negative carbon emissions by 2045. Importantly, the adoption of Bill 22 and the establishment of an energy and water benchmarking program for large buildings within the City and County of Honolulu will bring transparency and help support the transition of our island to an energy-independent, modern, clean economy.

Buildings are responsible for approximately one-third of all greenhouse gas emissions on O'ahu, the second highest source of emissions on the island. O'ahu's climate goals cannot be reached without a policy to address and gradually reduce building energy use. Dozens of Elemental Excelerator's clean energy start-ups directly address energy monitoring, energy efficiency, and energy storage in buildings—and are eager to offer solutions that create green jobs as well as save building owners and tenants money on utility bills. Bill 22 is designed to make energy and water data easier to access, to track, and to guide decision-making, and help building owners and operators to take advantage of energy and water efficiency solutions that are readily available from local companies.

Dozens of other cities and states have already adopted benchmarking, and this simple data transparency

has led to rapid energy efficiency gains of 3-5%. This is a simple and straight forward process that many responsible building owners and operators already do here in Honolulu. Moving the entire market toward transparency and a 3-5% gain will translate to tons of emissions reduction and millions of dollars in monetary savings for our community. In an era where every single barrel of imported oil that is eliminated keeps over 100 dollars at home in the local economy—and reduces human harm in other countries overseas—the energy savings resulting from Bill 22 will make us more self-sufficient and do our part to transition the world away from a reliance on fossil fuels. Similarly, as Bill 22 reduces fresh water use to respond to drought and the recent pollution pressures on our aquifers, eliminating water waste in our buildings helps stretch resources for our residents.

Elemental Excelerator has helped support dozens of climate tech solution companies that create good jobs, help transition our economy to 100% clean energy, and lower the energy burden for companies and households throughout the islands. Bill 22 is a critical policy step forward to continue to foster the innovation and new business entrepreneurs that are transitioning our economy, meeting our climate goals, creating green jobs, and cutting the cost of living for local residents and consumers.

Bill 22 is the most important climate and energy bill heard by this Council in 2022, and is critical to pass in its current form or stronger to ensure O’ahu meets the climate and clean economy goals we have established for ourselves. **Elemental Excelerator strongly supports the passage of Bill 22.**

Thank you for the opportunity to testify.



**HONOLULU CITY COUNCIL  
COMMITTEE ON TRANSPORTATION, SUSTAINABILITY, & HEALTH  
Honolulu Hale  
9:00 am**

**April 19, 2022**

RE: Bill 22, Relating to Building Benchmarking

Chair Cordero, Vice Chair Elefante, and members of the committee:

My name is Daryl Takamiya, 2022 President of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii. Our members build the communities we all call home.

**BIA-Hawaii offers the following comments regarding Bill 22, Relating to Building Benchmarking.**

This bill would establish a building benchmarking and reporting requirement for all building exceeding 25 sq. ft. to provide energy and water usage data.

While we understand the need for data collection with regards to energy and water usage, we have concerns on the administration and enforcement of this program. This mandate would require building owners to provide annual reports, which would need to be gathered and compiled by building owners, and includes significant penalties for non-compliance. On its surface, this new requirement seems straightforward, but because it is unclear what information needs to be provided and what standards, if any, building owners would need to meet, we are very concerned about the penalties. Mandates usually represent added cost and time to businesses, especially in this time of economic recovery and Hawaii's severe housing crisis.

Hawaii is in a major housing crisis, which has only worsened over time. Rather than placing more further mandates on businesses, perhaps there are better ways to incentivize the market to move further in that direction, without negatively impacting local families. **The cost of housing in Hawaii is extremely high, with Oahu's median price of homes being currently over \$1 million.** Adding to the cost of business will further raise this price.

Thank you for the opportunity to share our concerns.

April 18, 2022

Councilmember Radiant Cordero, Chair  
Councilmember Brandon Elefante, Vice Chair  
Committee on Transportation, Sustainability  
and Health

RE: **Bill 22 – RELATING BUILDING BENCHMARKING**  
**Hearing date – April 19, 2022 at 9:00 a.m.**

Aloha Chair Cordero, Vice Chair Elefante and members of the committee,

Thank you for allowing NAIOP Hawaii to submit testimony providing **COMMENTS to Bill 22 – RELATING BUILDING BENCHMARKING**. NAIOP Hawaii is the Hawaii chapter of the nation's leading organization for office, industrial, retail, residential and mixed-use real estate. NAIOP Hawaii has over 200 members in the State including local developers, owners, investors, asset managers, lenders and other professionals.

Bill 22 seeks to establish a better building benchmarking and reporting requirements for all buildings in City and County of Honolulu (the "City") larger than 25,000 gross sf to provide annual reporting of total energy and water usage. Building benchmarking is the process of measuring a building's energy and water usage overtime, allowing owners and occupants to understand a building's performance relative to similar buildings and to identify opportunities to reduce energy waste and associated costs. Specifically, Sec. -1.2(b) on page 6 establishes that annual reporting must be of the aggregated total energy (and water) consumed by the property. The program will require large commercial and multifamily buildings (5 units or more) to measure and report energy and water usage annually, using the EPA's ENERGY STAR Portfolio Manager tool. NAIOP Hawaii has the following concerns with the proposed measure.

First, Bill 22 mandates property owners gather and submit data for their properties. According to a recent report by the University of Hawaii Economic Research Organization, Hawaii already has some of the strictest housing regulations in the nation, contributing to higher prices and a shortage of affordable housing. Bill 22 would add yet another regulatory burden with the potential to drive up housing costs and would impact multifamily housing as well as other commercial development projects. Currently, developers are experiencing delays

processing for housing projects by the City which is already under staffed. This requirement adds another burden on landowners which will further delay projects.

In addition, requiring landowners and AOUOs to gather the data creates an additional cost that will be borne by homeowners and increase the cost of living in Honolulu for residents in multifamily and affordable housing projects, and increase costs for tenants in commercial buildings. This is especially concerning as this requirement may be unnecessary as this data may already be readily available from the utilities subject to authorization by the individual electricity customers for each TMK.

Second, it remains unclear as to how the collected data will be utilized. This is especially concerning as the collected data may lead to inequities which favor projects that are able to be more energy efficient. Further, the data could be employed as basis for mandating energy efficient building policies which could further increase the cost for landowners across Honolulu or raise the cost of housing which will price out local residents. A requirement may be unnecessary at this time without further clarification as to the uses for the collected data.

Third, civil fines for violation of the data collection requirement is unduly harsh and unnecessary. In order to assure compliance, property owners could be required to pay a civil fine not to exceed \$500 and pay a civil fine in the amount of \$100 per day for each day the initial or updated benchmarking information is not reported to the department. Further, landowners may be subject to civil actions if the data is not provided even though it may be no fault of their own. The creation of fines is concerning as the collection of data could be a voluntary process which the landowners could collaborate with the City and the utilities to provide the information rather than a mandate.

Lastly, we are concerned with the impact that the requirement will have on affordable housing projects and our local residents. The measure fails to take into account affordability, income levels, and household composition of multi-family projects. The increase costs associated with mandate will disproportionately impact affordable housing owners, particularly our low-income residents who are already greatly impacted by the high cost of living in Hawaii. These unintended consequences are avoidable through other cost-effective methods which are voluntary and based on a land-owners ability to pay and collect the required data.

Accordingly, NAIOP Hawaii appreciates the intent of Bill 22 and respectfully recommends the following:

1. Create a voluntary benchmarking program in collaboration with local utilities which incentivizes landowners to provide the data without mandating additional costs that impact our residents.

Councilmember Radiant Cordero, Chair  
Councilmember Brandon Elefante, Vice Chair  
Committee on Transportation, Sustainability  
and Health  
Page 3

2. Remove unduly harsh civil fines for noncompliance in providing the data.

Thank you for the opportunity to testify on this measure and we look forward to working with all interest stakeholders to address this issue.

Mahalo for your consideration,

A handwritten signature in black ink, appearing to read 'J Camp', with a stylized flourish at the end.

Jennifer Camp, President  
NAIOP Hawaii



*Advancing the Commercial Real Estate Industry through Education, Networking and Advocacy*

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Testimony to the City & County of Honolulu Transportation, Sustainability and Health Committee

April 19, 2022 at 9:00 AM

City & County of Honolulu Council Chamber (Honolulu Hale) and Via Videoconference

RE: Bill 22, Relating to Building Benchmarking

Aloha Chair Radiant Cordero, Vice Chair Brandon Elefante and Members of the Committee,

Thank you for the opportunity to submit testimony on Bill 22 on behalf of the Building Owners and Managers Association of Hawai'i (BOMA Hawai'i). BOMA Hawai'i **supports Bill 22 with comments** that can help ensure the success of the program.

BOMA Hawai'i is a non-profit trade association dedicated to advancing the commercial real estate industry through education, networking and advocacy. We represent many commercial building owners and managers across the island and in the state, those who will be primarily impacted by Bill 22. We acknowledge that collectively, we play a critical role in advancing the state and city's carbon neutrality goals by 2045, which is why we want to continue collaborative engagement with local officials and help identify opportunities to cut carbon emissions. It makes sense for the environment, it makes sense for a sustainable future, and it makes sense for our businesses. Improving the energy efficiency of our buildings also means reducing our energy consumption and its monthly expense, thereby improving the building's financial bottom line.

As a representative for our industry—those who will carry this program forward—we want to ensure its success and our active participation without unreasonable burden to building owners. We respectfully request that the following be taken into consideration:

- **Extension of the initial program deadlines.** Allows building owners more time to allocate time, people and resources to the collection of data, particularly for those who are starting from scratch and/or are smaller owners without adequate staffing to devote to aggregating data. The 12/1/2022 deadline is particularly aggressive.
- **Engage all utilities serving buildings covered by the ordinance in order to facilitate access to whole building energy and water use data.** The burden to collect and report falls solely to owners, even data that can only come from tenants and utility companies.



*Advancing the Commercial Real Estate Industry through Education, Networking and Advocacy*

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Any help that owners can get to retrieve this data without hitting confidentiality roadblocks placed by utility companies, in particular, would help facilitate the process.

- **Limit penalties or include language that would not heavily penalize owners who are making sincere efforts to comply.** We are particularly concerned for smaller building owners who cannot provide the data needed by deadline due to lack of resources.
- **Disclose parameters around the mandatory public disclosure of a building's energy and water usage data.** Without understanding what exactly will be disclosed, we see the possibility of ways the data can be misleading or unfairly disadvantage a building owner who has otherwise been proactive and responsible in terms of energy usage. A building may receive a lower score due to elements outside the control of the property owner, which may include tenant energy usage and a lack of whole building energy data.
- **Establish as part of the bill a "help center" to answer questions and aid building owners and managers in complying with the local ordinance.** Trade organizations like BOMA Hawai'i will do our best to help educate our members on the program, Portfolio Manager and best practices on collecting data, but the overall success of the program and participation beyond our membership will require education and facilitation for all building owners.

BOMA Hawai'i commends the proactive collaboration efforts demonstrated by the Office of Climate Change, Sustainability and Resiliency leading up to Bill 22's introduction. We want to continue to serve as a resource to policy makers and thank you for the opportunity to support this measure.

Mahalo for the consideration,

**Gail M. Abrena-Agas**  
**2022 BOMA Hawai'i President**



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Teri A. Patton Assoc. IIDA, LEED AP

April 18, 2022

TO: Committee on Transportation, Sustainability, and Health  
SUBJECT: Support for Bill 22, RELATING TO BUILDING BENCHMARKING,  
April 19, 2022, 9:00 AM hearing

Aloha Chair Cordero, Vice Chair Elefante, and Committee members,

On behalf of AHL, we are testifying in support of Bill 22, which establishes a better building benchmarking and reporting requirement for energy and water usage of covered properties within the City and County of Honolulu.

Our islands are facing a water crisis, between the drought caused by climate change to the Red Hill shutdown, and benchmarking will help find ways to conserve water. Drastically cutting our carbon emissions is a necessary part of addressing climate change, the effects of which are already here. As architects, we understand measuring and tracking energy and water use is the first step in understanding opportunities to reduce energy and eliminate waste. Building benchmarking is that first step that will give us the tools necessary to help protect our island home.

The building sector is the largest consumer of energy on O'ahu, accounting for roughly one-third of the island's greenhouse gas emissions. Measuring and tracking energy and water usage is a necessary first step in reducing overall consumption, eliminating waste, and lowering energy costs.

At a time when Hawai'i is experiencing rising electricity costs and an ongoing water crisis, the proposed benchmarking and reporting requirements in Bill 22 will help improve energy efficiency efforts and conserve water. This is a vital step to reaching our state's overall goal of 100% renewable energy by 2045.

Please pass BILL 22 to support Hawai'i's clean energy future.

Thank you for considering our testimony.

Bettina Mehnert, FAIA, LEED AP  
President and CEO

Deirdre Stearns, AIA, LEED AP BD+C  
Director of Sustainability

Architects Hawaii Limited  
733 Bishop Street, Suite 3100  
Honolulu, HI 96813



April 18, 2022

The Honorable Radiant Cordero, Chair  
The Honorable Brandon Elefante, Vice Chair  
Members of the Committee on Transportation, Sustainability and Health  
City Council, City and County of Honolulu  
Honolulu, Hawaii 96813-3077

RE: **Bill 22 (2022) – Building Benchmarking**  
Hearing Date: April 19, 2022

Aloha Chair Cordero and Members of the Committee on Transportation, Sustainability and Health,

Mahalo for the opportunity to submit testimony on behalf of D.R. Horton, offering comments to Bill 22 - Building Benchmarking.

D.R. Horton is one of Hawaii's largest home builders that has been providing affordable housing for Hawaii's families throughout Oahu for 49 years. We are also a leader in energy efficient, sustainable and smart home design. Hoopili, our large master planned community in East Kapolei, is currently home to over 1,900 of Hawaii's families. Many of these families live in low to medium rise multi-family condominium projects, both for sale and rental, that could be affected by Bill 22. These condominiums are governed by their respective Association of Apartment/Unit Owners (AOAO or AOUO) who are responsible for compliance with the requirements, and potential penalties for non-compliance, of Bill 22.

At this time, we are researching the following and respectfully reserve the opportunity to provide more detailed comments prior to the next hearing:

**1. Sec.\_1.2 Annual Benchmarking and Reporting.**

We are currently conducting case study analysis with our association management company, affordable rental development partner, legal counsel and Hawaiian Electric to evaluate the feasibility of implementation by AOAO/AOAU to "...collect and enter all data needed to benchmark the entire property..." from a procedural, legal and increased maintenance fee cost perspective. For condominium associations, where each unit has its own Hawaiian Electric meter (and thus account owner), requiring all unit owners to share personal account information with the AOAO/AOAU may be legally challenging.

**2. Sec.\_1.5 Penalty for Violation and Enforcement.**

Based on the findings of our case study above, AOAO/AOAU's may be subject to penalty and civil fines without the ability to legally comply with the requirements of Bill 22.

**3. SECTION 1. Purpose and Findings.**

The stated purpose of Bill 22 is to establish a benchmarking program to increase the efficiency of commercial and residential buildings on Oahu. The implication of this stated purpose is that the benchmarking data collected will be used to draft future proposed policy mandating energy efficiency upgrades to covered properties. While D.R. Horton believes that building benchmarking is beneficial, we do respectfully offer the following concerns for consideration:

**a. All Covered Properties are Not Created Equal:**

It is important to understand that energy usage is greatly affected by many factors such as new construction vs. existing aged properties, commercial vs. residential properties as well as social economic circumstances such as affordability, income levels and household occupancy. Collection of benchmarking data should account for these varying factors.

**b. One Size Does Not Fit All:**

Due to the wide range of properties covered by Bill 22, it is important to recognize that resulting proposed policy must not be a one size fits all approach. This will only create unintended consequences and inequity in compliance.

**c. Incentives vs. Mandates:**

Policy mandates increase the cost of housing. Rarely do they decrease cost. It is important that new policy is proposed as incentives and/or options so that we can collectively continue moving towards our energy goals without negatively impacting the cost of much needed housing.

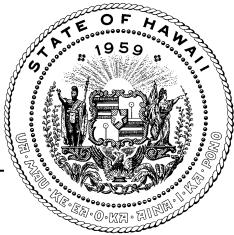
D.R. Horton remains committed to working with the Office of Climate Change, Sustainability and Resiliency (OCCSR) and all stakeholders to move Hawaii forward towards its sustainability goals. We have engaged in discussions with OCCSR and have a follow up meeting scheduled, to continue our sharing, case study analysis and learning with a focus of achieving a balanced approach to meeting both our affordable housing and climate change goals.

Mahalo for your time and consideration. It is very much appreciated. Should you have any questions, please do not hesitate to contact me at #782-4109 or [ttonaki@drhorton.com](mailto:ttonaki@drhorton.com).

Sincerely,



Tracy Tonaki  
City Manager



# HAWAII STATE ENERGY OFFICE STATE OF HAWAII

DAVID Y. IGE  
GOVERNOR

SCOTT J. GLENN  
CHIEF ENERGY OFFICER

235 South Beretania Street, 5th Floor, Honolulu, Hawaii 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

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Testimony of  
**SCOTT J. GLENN, Chief Energy Officer**

before the  
**COMMITTEE ON TRANSPORTATION, SUSTAINABILITY AND HEALTH  
CITY & COUNTY OF HONOLULU**

Tuesday, April 19, 2022  
9:00 AM  
City Council Chamber

**SUPPORT  
Bill 22  
RELATING TO BUILDING BENCHMARKING.**

Chair Cordero, Vice Chair Elefante, and Members of the Committee on Transportation, Sustainability and Health, the Hawai'i State Energy Office (HSEO) supports Bill 22 which establishes a better buildings benchmarking reporting requirement for energy and water usage of properties exceeding 25,000 gross square feet in total floor area within the City and County of Honolulu.

Benchmarking measures a building's energy use against comparable buildings. Hawai'i currently has policies in place to benchmark public facilities and buildings. For Hawai'i to reach its clean energy goals, large commercial and multifamily properties also must be required to benchmark their buildings. This will allow large commercial and multifamily building owners to understand their building's energy performance and identify areas where energy can be saved. Improvements can then be made to lower the cost of operating the building. In doing so, energy consumption will decrease.

According to the U.S. Department of Energy, "Commercial building energy performance benchmarking is a foundational element of an organization's energy management strategy - because you can't manage what you don't measure. Across many commercial building markets, the practice has become standard

operating procedure as energy costs and associated environmental and sustainability issues have raised awareness around the importance of energy management.” There are over 30 jurisdictions in the country that have adopted commercial building energy and transparency policies.

HSEO also believes that sharing benchmarking data can encourage the large commercial and multifamily buildings markets to recognize and reward energy efficiency while creating a continuous cycle of improvement and demand for high-performing buildings. To achieve the State’s clean energy goals and to lead by example, commercial buildings have and can continue to join the over 100 public buildings in Hawai‘i that are ENERGY STAR labeled. HSEO supports benchmarking and data sharing, and is aware of concerns regarding confidentiality; HSEO supports measures to address this concern and is ready to collaborate with the City and County in implementing, looking at examples from other cities such as Miami, San Diego and San Francisco on this measure, should it become law.

Thank you for the opportunity to testify.



**CITY COUNCIL  
TRANSPORTATION, SUSTAINABILITY, AND HEALTH COMMITTEE  
City and County of Honolulu  
April 19, 2022, 9:00 A.M.**

**TESTIMONY IN SUPPORT OF BILL 22 (2022),  
RELATING TO BUILDING BENCHMARKING**

Aloha Chair Cordero, Vice Chair Elefante, and Members of the Committee:

Blue Planet Foundation **supports Bill 22**, which will establish an island-wide building benchmarking and transparency requirement.

Since 2019, Honolulu has worked to implement various elements of the *O'ahu Resilience Strategy* and the *Climate Action Plan*, both of which serve as guiding documents for Honolulu to achieve its climate goals through concrete actions. These plans were developed through robust community engagement and laid out a number of strategies and actions critical to achieving our goal of carbon neutrality by 2045. Establishing a benchmarking and reporting requirement was identified as one such action. Bill 22 brings Honolulu a step closer to fulfilling the community's desire for continued progress on mitigating the effects of climate change.

Establishing a robust benchmarking framework is also one of 50 actions featured in Blue Planet's *Waypoints* ([waypointshawaii.org](http://waypointshawaii.org)) report, which outlines actionable programs and policies to rebuild from the pandemic through an equity, climate, and resilience lens. Not only can high-performing buildings lead to lower monthly utility bills, energy efficiency is also the cheapest, quickest, and cleanest way to accelerate Hawai'i's transition to 100% renewable energy.

The proposed benchmarking and reporting requirement has clear benefits to many stakeholders. Benchmarking will help building owners better understand how much energy and water their properties consume, which can spur them to take action to eliminate waste and lower costs. Benchmarking data enables city and state agencies to make effective use of their budgets and resources by strategically targeting efficiency rebates and incentives to low-performing buildings and buildings serving energy-burdened communities. For tenants, benchmarking provides valuable data that allows them to make informed decisions, recognize the value of efficiency in buildings, and better factor utility costs into their budgets when purchasing or renting property.

What's more, Bill 22 also comes at an opportune moment as local residents and businesses face mounting challenges with high energy costs and a shortage of water. The cost of electricity is expected to increase by about 10% on O'ahu over the next few months due to sanctions on Russian oil.<sup>1</sup> Electricity costs in Hawai'i are already the highest in the nation, and the scheduled

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<sup>1</sup> Hawaiian Electric, *Driven up by Russian invasion, oil prices will push electric bills higher in coming*

increase will place greater burden on local families and businesses financially recovering from the pandemic. Locals are also facing a water crisis after the Board of Water Supply shutdown key wells to protect our water supply in response to leaking Navy fuel tanks. Drought conditions across the state are also exacerbating this crisis.

Benchmarking is an important policy because **you cannot manage what you do not measure**. By tracking and measuring our energy and water consumption, we can improve the efficiency of our buildings, lower utility expenses, and protect and conserve our limited supply of water.

**Bill 22 in its current form proposes a basic program as a starting point that simply requires buildings to benchmark and report building performance data only.** For context, nearly half of the roughly 40 cities that have already established benchmarking programs take their programs a step further by also requiring aggressive energy efficiency requirements, periodic energy assessments, audits, or tune-ups.<sup>2</sup> Bill 22, in contrast, is proposing just the first step of benchmarking and reporting. If the Committee is contemplating any changes to Bill 22, those changes should be to strengthen rather than weaken the bill. If the City hopes to achieve its ambitious climate and clean energy goals, we cannot afford to step backward from this preliminary step.

Mahalo for the opportunity to provide testimony.

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*months*, <https://www.hawaiianelectric.com/driven-up-by-russian-invasion-oil-prices-will-push-electric-bills-higher-in-coming-months> (Mar. 10, 2022).

<sup>2</sup> See *Comparison of U.S. Commercial Building Energy Benchmarking and Transparency Policies*, Institute for Market Transportation, [https://www.imt.org/wp-content/uploads/2015/09/Comparison-of-Benchmarking-Policies\\_October-2021.pdf](https://www.imt.org/wp-content/uploads/2015/09/Comparison-of-Benchmarking-Policies_October-2021.pdf) (summarizing benchmarking policies across the U.S. and highlighting jurisdictions that require “additional elements” in addition to reporting requirements).



# Kamehameha Schools®

City Council Committee on Transportation, Sustainability, & Health  
City and County of Honolulu

Time: 9:00 a.m.

Date: April 19, 2022

Where: City Council Chamber

## TESTIMONY

by Kauai Burgess

Director of Community & Government Relations

**RE: Bill 22 (2021), CD1 – Relating to Building Benchmarking**

Aloha e ka Luna Hoomalu Cordero, ka Hope Luna Hoomalu Elefante, a me nā Lālā o ke Kōmike.

Kamehameha Schools offers comments on Bill 22, which seeks to establish a better buildings benchmarking and reporting requirement for energy and water usage of covered properties within the City.

We recognize the resilience of Hawaii's communities directly impacts the ability of our keiki to succeed in their educational journeys and in life. For that reason, we have engaged in a variety of strategies to improve community resilience, including supporting more sustainable production and use of energy and water resources. As part of these efforts, Kamehameha Schools is an existing user of Energy Star Portfolio Manager, has conducted energy and water audits of buildings we manage, and is implementing projects to reduce energy and water use at various sites in our portfolio, such as our Kapālama campus.

Improving the efficiency of energy and water use across Oahu, particularly in our built environments, is essential to reach Hawaii's sustainability goals. We believe that building benchmarking is a helpful tool to advance these goals. We urge the Council, however, to further refine this bill to ensure related data is efficiently and effectively aggregated and reported so that landowners, tenants, utilities, and regulators have accurate and complete information to support more sustainable use of energy and water resources in the future. We also encourage the Council to consider the impacts on the cost of doing business in Hawai'i.

Kamehameha Schools stands ready to engage further with the Council, administration, and other stakeholders to ensure this bill creates a successful building benchmarking program that will support our collective sustainability efforts.

Founded in 1887, Kamehameha Schools is an organization striving to advance a thriving Lāhui where all Native Hawaiians are successful, grounded in traditional values, and leading in the local and global communities. We believe that community success is individual success, Hawaiian culture-based education leads to academic success and local leadership drives global leadership. **Hānai i ke keiki, ola ka lāhui; Nurture the child and the people thrive.**