

MEMO
NEWTON OFFICE OF CLIMATE AND SUSTAINABILITY

TO: Councilor Crossley, Chair, City Council Zoning and Planning Committee
From: William Ferguson, Co-Director of Sustainability, City of Newton
Subject: Update on the development of a BERDO for the City of Newton
Date: June 21, 2022

CC: Mayor Ruthanne Fuller, Jonathan Yeo, Josh Morse, Ann Berwick, Liora Silkes, Barney Heath, Zach LeMel, Cat Kemmet, Halina Brown, Michael Gevelber, Phil Hanser

Dear Councilor Crossley,

I am writing to provide you with an update on the City's activities and progress relative to the development of a BERDO (Building Emissions Reduction and Disclosure Ordinance) for Newton. As we discussed, you plan to provide this update to the City Council members in your report from the ZAP Committee.

Since our meeting before the City Council on March 21, 2022, we have formed a team that has been meeting at least once a week since March working hard on the development of the details of a BERDO program and ordinance, an engagement program for building owners, and data analysis. Our team includes six City staff and three members of the NCCE. City staff were assigned by the Mayor and include: Ann Berwick, Liora Silkes, and Bill Ferguson from the Climate and Sustainability Office; Barney Heath, Cat Kemmet and Zach LeMel from the Planning Department. NCCE members who have generously volunteered their time and expertise are Halina Brown, Michael Gevelber and Phil Hanser. Dan Ruben of Green Newton and Puja Vohra from the NCCE have volunteered their time to help facilitate the information and discussion sessions. This report summarizes our activities and progress.

On Friday June 17th the City BERDO Team held the first of three information and discussion sessions to be held this month on BERDO for building owners. The next session will be held Thursday, June 23rd at 8:00 a.m.. The three June sessions are the first in a series of sessions that will be held monthly through the end of the year. Registration for these sessions are on the Newton BERDO website at Newtonma.gov/NewtonBerdo. A letter was sent from the Mayor by mail to 225 building owners inviting them to these three sessions, as well as to the Chair of ZAP and the Council President. 54 individuals have registered for these sessions to date. We think that by holding sessions monthly as we develop the details of a Newton BERDO that we can engage a majority of the affected building owners in the process. We have also been coordinating with the Chamber of Commerce and the Economic Development Commission (EDC), including a presentation to the EDC on June 14th. We will be working with the EDC Sustainability Working Group throughout the BERDO development process and currently have a meeting scheduled with them on June 24th. We are also attempting to set up Advisory Groups of building owners who we can work with more closely on issues related to various sub-groups of buildings.

The 225 building owners who received the Mayor's letter account for the 411 buildings in Newton that are over 20,000 square feet or include 15 or more residential units. This information was derived from the assessor's data base with much support and assistance from Jim Shaughnessy. The Mayor's letter of invitation is attached. The letter points out that 66% of Newton's greenhouse gas emissions come from buildings, with 27% coming from the 400 largest buildings in the City. The emissions data was developed by the Citizens' Commission on Energy (NCCE).

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The City has set up a BERDO website at Newtonma.gov/NewtonBerdo and an email address at NewtonBerdo@newtonma.gov.

Development and implementation of a BERDO for Newton is a process that includes two-way communication with building owners that will help inform decisions about the many interrelated aspects of BERDO as well as helping building owners to prepare for its adoption in Newton. This process includes determination of types and sizes of buildings to be covered, timelines for implementation, enforcement provisions, parameters for hardship status and individual plans, impacts on underserved communities, and data reporting. All these aspects are interrelated to various degrees. We are conducting this process with a goal of having a proposed ordinance completed by February 2023. Our Team has begun to look at all of these aspects of BERDO.

We have been in contact with the Cities of both Boston and Cambridge to learn from their experience and to evaluate their ordinances and program elements for a Newton BERDO. We have been monitoring the various training and information sessions being held by Boston as they implement the emissions standards.

We have had meetings with the US EPA on the Energy Star Portfolio Manager (PM) data reporting platform for use by building owners, which Boston and Cambridge use. We are working on signing an MOU with Clearly Energy and Northeast Energy Efficiency Partnership (NEEP) for a free trial of the Building Energy Analysis Manager (BEAM) platform, which is a tool that both Boston and Cambridge are recommending Newton use for compiling data submitted by building owners and for communications with building owners once a BERDO is passed.

We have been working with the utilities to obtain information and data that will be helpful in the development of a Newton BERDO, including information about their new electrification incentive programs, data portals for building owners, system capacity for electrification, and more granular energy use data for Newton to try to improve our data analysis.

Our BERDO Team looks forward to attending a future meeting of the ZAP and/or Council to provide an in-person update. In the meantime, I will continue to keep you apprised of our activities. We welcome your input and suggestions as we go through this process.