

# Environmental Watch

Examining Environmental Claims and Their Costs • October 2009

## State Backs Away from Green Building Energy Promises

by Todd Myers

### Claim

“1) The legislature finds that public buildings can be built and renovated using high-performance methods that save money, improve school performance, and make workers more productive. High-performance public buildings are proven to increase student test scores, reduce worker absenteeism, and cut energy and utility costs.”

*RCW 39.35D.010 - Finding — Intent*

“Energy efficiency is central to green building strategies. Reducing building energy needs and thereafter choosing renewable energy increases energy security, and helps to mitigate climate change.”

*“Green Building Basics,” Department of Ecology website, accessed September 27, 2009*

“Anyway, the main point that I want to make is that the report to the legislature was not trying to show energy savings – never was.”

*Office of the Superintendent of Public Instruction Green Building coordinator, Patricia Jatczak, e-mail, March 3, 2009*

### Facts

The promotion of “green” building standards has been a central part of Washington state’s climate strategy and efforts to reduce carbon emissions. The Department of Ecology has pushed this effort on a number of fronts, including the 2005 law requiring new state buildings to meet the standards and as a central element of the recommendations of the Climate Advisory Team. Department of Ecology Director Jay Manning told a House committee in January of this year that his agency focused on “energy efficiency and green buildings” because it was a “net cost savings.”<sup>1</sup>

Ironically, after spending years touting the energy efficiency of these buildings, state officials are now downplaying those claims, both publicly and internally. Despite these failures, they do not appear to be reconsidering its commitment to these standards. At a time when other jurisdictions, like San Francisco and the US Green Building Council itself, are calling for an increased emphasis on actual results, Washington environmental officials are still defending the standards.

At a time when funding for schools and other environmental priorities is low, the state should take a step back from these costly standards and put design control back in the hands of local facilities directors who have an incentive to create efficient buildings and the local expertise that is best suited to achieving energy saving goals.

### Claiming Big Energy and Utility Savings

For the past four years, the state has highlighted the role “green” building standards can play in improving energy efficiency. The State’s Climate Advisory Team made energy efficiency and green buildings one of the four major areas of emphasis in their recommendations.

<sup>1</sup> Jay Manning before the Washington House Ecology and Parks Committee, January 16, 2009



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The buildings, it has been claimed, offer savings of more than 30 percent in energy and utilities. It has even been argued that energy savings would be so great, they would more than offset the increase in initial construction costs to meet the standards. This is why Ecology Director Jay Manning claimed that these standards would actually produce net savings.

In 2007, the Department's green building coordinator Rachel Jamison wrote, "A school in Spokane built in compliance with the protocol estimates its annual energy savings at about \$40,000 a year." When we followed up to find the source of this statistic, the green building manager for the OSPI confirmed the statistic, noting however that the data was for all utilities. She wrote that "the building is 30% more energy efficient than a similar building, and that they will save \$40,000 in utility cost."

These claims continued to be a central part of justifying public expenditures on "green" schools. The Department of Ecology's web page calls energy savings "central" and Director Manning told a House committee that he was seeing good results from green buildings.

### **Agencies Finally Admit No Data on Energy Savings**

As the schools built to the new standards are examined, however, it becomes clear that they are not living up to these promises.

The school mentioned by Rachel Jamison, Lincoln Heights in Spokane, is actually less efficient per square foot than another new school in the district built without the "green" building standards. Both the Department of Ecology and OSPI acknowledged this subsequently. Ecology admitted in an editorial published in the Spokane *Spokesman-Review* that claims of energy savings were "premature."

The OSPI actually posted a disclaimer on its web page underneath a video making the same claim. The note indicated that, "This video was produced in 2007 and may not represent current conditions and knowledge of high-performance schools."<sup>2</sup> OSPI officials didn't indicate what those current conditions were, despite admitting in internal e-mails that the claim of \$40,000 in savings "was erroneously reported."

Additionally, the agencies now say that claims of energy savings were not based on actual results, but simply on projections. In an internal e-mail, the OSPI's green building coordinator admitted that claims of energy savings were inappropriate. In an e-mail to the Department of Ecology responding to our data, she noted that a report released by the OSPI in December 2008 "was not trying to show energy savings – never was." Instead, she noted, it was "the DESIGN INTENT for energy performance for the 11 schools who reported this information was to be on average 24% better than code," not that they actually performed to that intent. They argue that actual data won't be available until 2010. This ignores, however, the data from schools that have been open for several years.

### **Finding New Justifications for the Standards**

Despite admitting that they have no empirical data to support claims of energy savings for green schools in Washington, the Department of Ecology continues to push green building. Earlier this year they released a video called "Green Building: Jobs of the Future" which calls for the Northwest to be a leader in green building so we can "prosper at the same time we help save the world."

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<sup>2</sup> Washington State Office of the Superintendent of Public Instruction, "School Facilities," <http://www.k12.wa.us/SchFacilities/Programs/HighPerformanceSchoolBuildings.aspx> (Accessed August 11, 2009). This video and the disclaimer was subsequently removed.

Green building supporters also claim that they create “pride” in the schools and improve school test scores. Data on these claims, however, are nonexistent and one Ecology staff member wrote, referring to a school in the North Thurston School District “I don’t even need test scores to demonstrate the difference in student work in this school.”

Given the costs of these schools and the emphasis the state has placed on them as an effective tool to reduce energy, one has to question why they continue to be committed to them even as they admit the schools aren’t living up to the standards. Even the US Green Building Council is pushing for a more data-driven approach. Its September 2009 newsletter announced “An Aggressive Focus on Measurable Performance,” that “USGBC has recognized that there is a difference between intention and actual performance.” While Washington has backed away from past “erroneous” claims of energy savings, the state seems simply to be finding new reasons to justify a system that isn’t living up to its promises.

## **Costs**

The intent of the Washington state green building standards was, in part, to create energy savings that reduced greenhouse gas emissions and would reduce energy costs for school districts. This goal has consistently been highlighted as a justification for the legislation and as part of the recommendations made by the Climate Advisory Team. That goal is still called “central” on the Department of Ecology’s web page.

That goal, however, is not being met and the agencies in charge of implementing and promoting the standards increasingly admit this. Instead of suspending the regulations, there is an effort to justify them on other grounds. This means that the cost of meeting the standards remains but the benefits from those costs are speculative at best.

Worse, these regulations tie the hands of local facilities directors who have demonstrated an ability to make energy improvements that exceed those from the green building standards at less cost. One reason Spokane green schools are less efficient than new schools built prior to the new regulation is that facilities managers there were already taking steps to improve the efficiency and functionality of those buildings. Data shows that buildings in the Spokane School District became consistently more efficient with each passing decade. They should be given the freedom to make decisions that are best for the district and continue that previous success.

The state’s stubborn commitment to failed “green” building standards despite a lack of tangible benefits is an ironic waste of resources in the name of environmental “leadership.”