

NYC'S NEW CLIMATE MOBILIZATION ACT

By Peter Lampen, vice president and architect of Douglas Elliman Property Management



Peter Lampen

*Vice President and Architect
Douglas Elliman Property Management
675 Third Avenue
New York, NY 10017
212-370-9200
info@ellimanpm.com
ellimanpm.com*

On April 22, Mayor DeBlasio signed into law the Climate Mobilization Act (CMA), affecting all buildings over 25,000 square feet throughout New York City. This is the third significant piece of legislation designed to reduce Greenhouse Gas Emissions in New York City by 80% by the year 2050. The CMA follows "PlaNYC2030" in 2011 which eliminated #6 oil and spurred the oil-to-gas conversions in NYC buildings, and the "oneNYCplan" in 2015, which introduced Local Law 84 (Benchmarking) and Local Law 87 (Energy Audits and Retro-commissioning), both designed to further incentivize buildings to reduce their energy consumption and carbon emissions.

Enforcement and Fines Begin in 5 Years

The first year of enforcement is 2025, and will be based on each building's energy usage in 2024, compared to a citywide baseline of 2005. Most buildings will require significant capital expenditures to become compliant with these new regulations. The New York City Energy Efficiency Corporation (NYCEEC) is creating a low interest, long-term funding program that will hopefully be available to all housing sectors.

It's imperative that all buildings begin now if they have not already learned about their current energy efficiency level and to plan and begin to implement a long-term strategy of compliance in order to avoid paying fines when the enforcement period begins in 2025. Every CMA Plan should begin by reviewing the building's LL84 Benchmarking report, which will reveal its EnergyStar score and upcoming Letter Grade, which will be issued in 2020.

This is a key list of where to begin to reduce energy consumption and improve the building's score. By engaging a professional energy consultant, your property can begin the formal process of establishing a compliance strategy.

Start Energy-Saving Strategies Now

Establish when all major equipment and building systems were installed, and determine remaining useful life. As these are replaced, choose the highest performance/lowest energy use type that can be obtained. The additional cost will be offset over time by avoided fines. Boilers and water heaters should be upgraded to electric-source heat pumps or other alternatives as

soon as practical, including separation of domestic hot water production from the boiler. Credit will be given for participation in community solar projects, and installation of any solar panels or vertical wind vanes that might fit on the roof. Green roof areas will also receive credit. Where solar panels or a green roof will not fit, use a highly reflective roof surface. Windows should be upgraded to triple pane with low-E glazing and airtight flashing for all replacements and alterations.

Implement all possible improvements to the steam circulation system, including replacement of every trap in the building, and make provision for future access so the disruption happens only once. Master venting, thermostatic valves, insulation of all exposed steam and hot water piping and installation of radiant barriers at all radiators should also be implemented. Also require insulation of all steam and hot water piping when walls are opened for the work. During the next LLI / FISP cycle, tighten up the envelope by sealing all exterior windows, doors, pipe penetrations, etc.

Install an energy management system (EMS/BMS) with sensors on exterior exposures as well as inside selected units and common areas to enable more precise control of boiler and steam distribution. Increase roof insulation when time for replacement comes, or initiate a roofing project early. Evaluate existing kitchen and bath exhaust systems to seal openings in shafts, and replace exhaust fan motors with variable speed motors to reduce energy use and improve balanced air flow and performance. Replace all pumps, motors and drives with variable speed or variable flow devices where feasible.

Train your building staff to operate all equipment at peak performance and efficiency. Utilize the resources of 32BJ or the NYC Building Operator Training program offered by the Building Performance Lab at CUNY. The payback period for all energy reduction projects has gotten much shorter when the avoidance of fines are factored into the equation.

We will keep all of our properties apprised of the ongoing developments of the Climate Mobilization Act. The goal of reducing emissions is a worthy one, but it will certainly take time, effort and significant investment. At DEPM, we will work continuously with our building boards and owners to help meet these requirements as they continue to evolve.