

**HIGH PERFORMANCE and SUSTAINABLE BUILDINGS GUIDANCE - COMMENT RESOLUTION SUMMARY
(December 5, 2008)**

Question	Resolution
GUIDANCE SECTION	
<p>Can the <i>Guiding Principles for Federal Leadership in High Performance and Sustainable Buildings</i> (Guiding Principles) be revised?</p>	<p>Executive Order (EO) 13423 Implementing Instructions provide the Interagency Sustainability Working Group (ISWG) the authority to modify the Guiding Principles. The Implementing Instructions reads: "The ISWG shall review the Guiding Principles and Technical Guidance periodically for updates and to consider adopting additional principles or goals addressing issues such as conservation plantings, integrated pest management, deconstruction, and siting."</p>
<p>Can certification of the building by a third party organization be required?</p>	<p>It is beyond the scope of the Guiding Principles to designate or require certification by a rating system. The EO specifically refers to meeting the Guiding Principles. A preference for third party certification developed by an ANSI-accredited organization is included in the guidance, but is not a requirement. However, utilizing LEED and other green building rating systems as a tool to help meet and verify compliance with the Guiding Principles is highly encouraged.</p>
<p>Can any level of LEED certification, at any time in the past or future, equate to meeting the Guiding Principles?</p>	<p>Historical US Green Building Council Leadership in Energy and Environmental Design (LEED) certification and future LEED certification where registration occurred prior to October 1, 2008 will be accepted as meeting the Guiding Principles.</p> <p>The EO requires sustainable buildings to meet the Guiding Principles. The original intent of the Guiding Principles was to set minimal design expectations for high performing buildings. Although LEED certification offers documentation of green design, it doesn't necessarily meet the minimal expectations of the Guiding Principles.</p>

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Why do the green building rating systems need to be developed by “ANSI-accredited organizations”?	The National Technology Transfer and Advancement Act of 1995 requires Federal agencies and departments to use technical standards that are developed or adopted by voluntary consensus standards bodies. The wording that refers to “ANSI-accredited organizations” is intended to meet the NTTAA requirement and allow for the use of only legitimate third-party green building rating systems. Additional guidance is pending, as the Energy Independence and Security Act (EISA) requires the Department of Energy (DOE), in consultation with the General Services Administration (GSA) and the Department of Defense (DOD), to issue further guidance on viable rating systems and levels of certification.
Do agencies have to obtain third party independent verification and validation (IV&V) of their building data if expertise exists within the agency?	In instances where an agency is reporting compliance under Options NC-1, EB-1, or L-1, internal agency verification will suffice where the agency has established an IV&V process. In instances where an agency is reporting compliance under Options NC-2, EB-2, or L-2, third party certification is required.
How will agencies or OMB verify that a building has met the Guiding Principles if it doesn't require third party certification?	To ensure the accuracy and completeness of an agency’s annual Federal Real Property Profile (FRPP) submission, each agency is required to establish an independent validation and verification (IV&V) process for all data reported to the FRPP. Incorporating building sustainability into environmental management systems could fulfill this obligation and meets the intent of EO 13423. The agency IV&V process should be documented in its Sustainable Building Implementation Plan (SBIP).
Can we consider buildings that are not 100% compliant with the Guiding Principles as compliant?	As it currently stands, only those buildings that meet the intent of each Guiding Principle can be credited toward the 15% goal unless the building was registered prior to October 1, 2008 and is third party certified.
Will reporting on and tracking the status of an agency’s buildings and progress toward the 15% sustainability goal require additional data management systems?	Sustainability compliance will be tracked and measured through the previously established FRPP database. Many agencies have existing internal systems which track additional information on the individual asset level and provide the agency’s FRPP submission, however, no new databases are required.

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Why are both number of buildings and square footage being tracked?	Both number and square footage of sustainable buildings are being tracked to provide a more complete picture of sustainability progress with respect to the EO goal.
How does this guidance relate to residential housing?	This guidance does not include a separate set of guiding principles for government housing; however, sustainably designed housing can be counted as part of the 15-percent sustainability goal if it meets the appropriate set of Guiding Principles for new construction, existing buildings, or leases. The Department of Energy is developing a rulemaking that addresses High Performance and Sustainable Buildings specific to residential housing under EPACT 2005, Section 109.
How should leased buildings be addressed?	All leases are to be reported per EO 13423, including capital and operating leases. In reporting the sustainable inventory to the FRPP, the signatory agency (agency which is a party to the lease with the lessor) is responsible for reporting the building. For the occupant agency, the sustainability of the asset may be identified and reported in its SBIP.
GUIDING PRINCIPLES SECTIONS	
Why do the Guiding Principles reference specific versions of standards, such as ASHRAE 90.1-2007?	Specific years are referenced because the goals included in the Guiding Principles are intended for these versions of the standards. Whether the goals will apply to future versions of the standards cannot be known, therefore the words "current standard" were not used.
Why do the Guiding Principles not reference "if life cycle cost effective" for 30% more energy efficient requirement?	The Guiding Principles are to be applied to the 15% of an agency's portfolio that are considered high performance sustainable buildings, and thus the life cycle cost effective wording is not used in the Guiding Principles, including the energy efficiency requirement.
How is commissioning addressed for existing buildings?	For existing buildings, there is an increased focus on retro- and re-commissioning. The requirement of "total" commissioning was taken out of both sets of Guiding Principles to allow for a more tailored approach to commissioning, depending on the size and complexity of the building.

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Why are Sec 432 EISA 2007 commissioning requirements not the same as those in the Guiding Principles?	Commissioning expectations in the Guiding Principles differ from those in EISA. The Guiding Principles focus on individual high performance sustainable buildings rather than the full building portfolio.
Are recent legislative and EO requirements addressed in the Guiding Principles?	EISA 2007 and EO 13423 requirements directly related to sustainable buildings are included in the revised Guiding Principles.
Why was EISA Section 433, regarding fossil fuel-generated energy consumption not included?	EISA Section 433 requirements are not included because a DOE rulemaking is necessary to provide further clarification for implementation.
How did you arrive at the energy goal for Existing Buildings?	<p>There are no current Federal requirements for the energy efficiency of high performance existing buildings. Therefore, the ISWG, in collaboration with OMB and OFEE, worked to determine appropriate goals for high performance existing buildings.</p> <p>For new construction/major renovations, the minimum requirement for LEED NC is 2 points (14% beyond ASHRAE). The GPs call for 7 points (30% beyond ASHRAE). For existing buildings, 2 points for LEED EB equates to Energy Star of 69. In LEED EB, 7 points matches up to an Energy Star score of 79. That said, Energy Star considers a score of 75 as energy efficient, so for sake of consistency, that score was included in the GPs. The two alternative routes for meeting this GP are reducing energy use by 20% compared to the ASHRAE 90.1-2007 baseline building design or the building energy use in a previous year.</p> <p>Although LEED credits were considered when developing this GP, the number of LEED points potentially earned by a building are not included as part of the GPs, as third party rating systems are not a requirement.</p>

Question	Resolution
How does the Guiding Principle on Energy relate to 10 CFR 433?	The energy performance guidance defined in 10 CFR 433 allows for exceptions for high energy use activities when calculating estimated energy use. The Guiding Principles use the ASHRAE 90.1-2007 standard as the baseline and method for calculating energy performance.
Why are WaterSense products referenced, given their currently limited availability?	The phrase "where available" was added to the expectation to specify WaterSense products.
How was the daylighting Guiding Principle amended for EB?	The daylighting Guiding Principle was adapted to increase the focus on lighting controls for EB. As with many of the existing building Guiding Principles, there are multiple options for compliance. Existing buildings have little control over building envelope renovations, so alternative compliance was necessary.