

Jenna Kay

From: Don Steinke <crvancouverusa@gmail.com>
Sent: Tuesday, November 28, 2023 8:19 PM
To: Lauren; Small, Rebecca; Jenna Kay
Subject: State Building Code Council revises the Code to withstand a legal challenge.

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From Don Steinke

State Building Code Council revises the Code to withstand a legal challenge, while keeping the effect the same.

Don Steinke, fyi
see below

For Immediate Release: November 28, 2023

Contact: Tiffany Cain, Resource Media, tiffany@resource-media.org, (706) 669-9304

WA State Building Code Council Votes to Protect Energy Codes and Ensure they are Among the Most Climate & Health Friendly in the Nation

OLYMPIA, WA—The Washington State Building Code Council (SBCC) voted today to adopt amendments to statewide energy codes for new residential and commercial buildings, ensuring that they are among the most climate and health friendly in the nation and are insulated against gas industry legal tactics. The codes will go into effect March 15, 2024.

The codes will require new homes and buildings to achieve the same total energy performance as buildings built with electric heat pumps while allowing builders flexibility to choose appliances. Electric heat pumps—which provide both heating and cooling in the same unit—[run up to three times more efficiently](#) than gas furnaces, and builders are widely expected to choose them in new construction as they often already do.

Buildings are the fastest growing source of carbon pollution in Washington State, largely from burning methane gas in furnaces and other appliances. Gas furnaces, water heaters and stoves also emit pollutants that are [harmful to health](#)—particularly for children—including nitrogen dioxide and particulates. Today’s vote by the SBCC supports the transition for new homes and buildings to run on [Washington state's clean](#) and comparatively low-cost electricity. All-electric homes [save Washingtonians \\$1,000 per year](#) over the lifetime of the HVAC equipment, according to the Washington Department of Commerce.

“Ultra-efficient buildings powered by clean electricity in Washington state are a climate and public health imperative, and these energy codes use proven technology to get us there,” said Rachel Koller, managing director of Shift Zero. “The council’s energy codes for new construction are a critical part of the solution to cleaner air for our communities.”

The amendments that the SBCC adopted today were designed to safeguard Washington’s codes against legal challenge, even as gas-industry legal tactics are seeing potential setbacks. The United States Court of Appeals for the 9th Circuit is considering an appeal of its over-reaching decision this past spring that the City of Berkeley, California’s restriction on using polluting gas infrastructure in new buildings was preempted by a federal law. The lawsuit on Berkeley’s ordinance was [financially backed by SoCalGas](#), the largest gas utility in the country. A [lawsuit](#) aiming to block Washington’s new building codes – filed by Washington gas utility & building developer plaintiffs including Northwest Natural and Avista – was voluntarily dismissed by the plaintiffs in August.

Washington’s State Building Code Council has 15 members appointed by the Governor’s office, representing various geographies and industries including construction, architecture, structural engineering, mechanical engineering, building trades, manufacturing and installation of building materials, and people with disabilities. The SBCC updates all building codes every three years.

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ABOUT SHIFT ZERO

[Shift Zero](#) is an alliance of more than 50 organizations working to advance a just transition to zero carbon buildings for all in Washington State. We do this by advocating for policies and programs that maximize energy efficiency and eliminate emissions from buildings.

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