



April 25, 2023

Wisconsin Department of Safety and Professional Services
Attn: Joseph Ricker, Attorney, Division of Policy Development
PO Box 8366
Madison, WI 53708-8366

Subject: Adoption of 2021 IECC Energy Code for Commercial Buildings

Dear Mr. Ricker,

Thank you for the opportunity to provide comments on the adoption of the 2021 International Energy Conservation Code (IECC) for commercial buildings in Wisconsin. The Wisconsin Local Government Climate Coalition (WLGCC) provides a coordinated voice for local governments pursuing clean energy and climate solutions, and member communities represent one out of three citizens in every geographic region in the state. Our members rely on the State of Wisconsin to make important updates to how our commercial buildings operate and consume resources, and understand that up-to-date energy codes not only save energy and costs for their communities, but also ensure a safe, efficient, and resilient building stock.

We would like to thank the Commercial Building Code Council for incorporating the 2021 IECC into the proposed rules without weakening amendments. **Wisconsin's building codes have a substantial effect on our members' ability to implement local solutions that work for their communities - from bringing in grant dollars that will make building resiliency projects possible, to attracting new businesses and economic development efforts, to spurring innovation that will improve building cost-effectiveness.** WLGCC members noted situations where the current energy codes have negatively affected their efforts. A few key examples are included below, highlighting how Wisconsin's current energy codes put local governments at a disadvantage compared with local governments in other states:

- **Results in less competitive grant proposals.** Multiple federal agencies award points to proposals from areas with updated codes when they release competitive grant opportunities. At present, municipalities and counties across the state cannot claim those points – which means our proposals are less competitive and less likely to be awarded. For example:
 - The Federal Emergency Management Agency (FEMA) Building Resilient Infrastructure and Communities (BRIC) program awards points to applications in states with the latest code. Wisconsin does not qualify for any points. FEMA notes that it will continue to increase its emphasis on building code criteria.¹

- **Lessens local governments' ability to attract clean economy businesses and foster economic**

¹ FEMA BRIC Technical Evaluation Criteria, accessed on April 19, 2023:
https://www.fema.gov/sites/default/files/documents/fema_fy22-bric-technical-evaluation-criteria-psm.pdf.

development. The American Council for an Energy Efficient Economy (ACEEE) releases a State Energy Efficiency Scorecard and a City Energy Efficiency Scorecard. Our members note that numerous businesses look at ‘green places’ to locate new facilities and Wisconsin municipalities are less competitive. Details:

- In 2022, Wisconsin ranked 26, scoring just 13 out of 50 points. In the building policies category, the state earned only 2.5 out of 12 points. Wisconsin is ranked below other Midwest states, including Minnesota (10), Michigan (15), Illinois (16).²
 - The latest City Energy Efficiency Scorecard, which ranks 100 cities across the country, ranked Milwaukee at 53 and Madison at 39. In both cases, less stringent building codes were identified as a barrier. These rankings are lower than other Midwest cities like Minneapolis (4), Chicago (12), Columbus (28), and Grand Rapids (32).³
- **Creates market barriers to standardization, collaboration, and innovation that improves building efficiency and cost-effectiveness.** With rapidly changing building technologies, software solutions, and changing use patterns of commercial facilities, the need to adopt a more current energy code is more important than ever to our communities. From the opportunity to collaborate with peer jurisdictions that have adopted the 2021 IECC, to developers pushing the envelope with new building designs, to the next generation of local code enforcement officials that will learn new standards, the time is right to move Wisconsin forward and establish a code that supports users and facilities to create higher performing facilities that are both safe and maximize cost-effective savings on energy bills.

Thank you for your consideration and attention to this critical topic. We appreciate the important role that the State of Wisconsin plays in protecting our communities’ health, safety, and cost savings through updated codes. Please let us know if WLGCC can be of any additional assistance.

Sincerely,

/s/ Melissa Schmitz
Resiliency Coordinator
City of Green Bay

/s/ Lewis Kuhlman
Environmental Planner
City of La Crosse

/s/ Jessica Price
Sustainability & Resilience Manager
City of Madison

/s/ Kelly Hilyard
Sustainability Coordinator
City of Middleton

² ACEEE State Energy Efficiency Scorecard, accessed on April 19, 2023: <https://www.aceee.org/state-policy/scorecard#:~:text=Top%20finishers%20in%20this%20year's,of%20electricity%20nationwide%20in%202021>.

³ ACEEE City Scorecard Rankings, accessed on April 19, 2023: <https://database.aceee.org/city-scorecard-rank>.

/s/ Erick Shambarger
Director of Environmental Sustainability
City of Milwaukee

/s/ Adam Kuhn
Associate Planner / Zoning Administrator
City of Stevens Point

/s/ Scott Semroc
Sustainability Coordinator
City of Sun Prairie

/s/ Andrew Lynch
Assistant City Planner
City of Wausau

/s/ Kong Phen Thao
Associate Planner
Village of McFarland

/s/ Regan Watts
Recycling and Sustainability Coordinator
Eau Claire County

/s/ Kathy Kuntz
Director, Office of Energy & Climate Change
Dane County

/s/ Gordie Bennett
Sustainability Director
Milwaukee County