The Watertown Environment and Energy Efficiency Committee working group BERDO met remotely via Zoom at 6:00 PM on Thursday, August 8th, 2024.

The following members and staff were present: Brian Hebeisen (chair), Silas Fyler (Energy Manager), Pat Rathbone, Jocelyn Tager

Others present:

The meeting started with a quorum at 5:00 with Brian Hebeisen presiding.

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1) Announcements

2) Review of the BERDO Draft Regulations working with version 1.4 7/4/24 version

Next steps

1. Brian to rewrite section 16.3.2.B and send it to Silas for inclusion in the next meeting agenda
2. Pat to rewrite sections 16.4.1.A and 16.4.1.B to improve clarity and grammar
3. Silas to update the Berto regulations and ordinance to change "must prioritize" to "should consider first" regarding environmental justice considerations
4. Silas to remove "resiliency" from the name of the Watertown Climate and Energy Plan in section 16.3.2.B.8
5. Silas to change language in section 16.3.2.C from "present the project review form for comment at a public hearing" to "post the project review form for comment
6. Silas to remove "or 3 years" from section 16.3.2.D regarding insufficient project proposals
7. Silas to consider additional penalties or sanctions for misuse of funds beyond limiting future access to funding in section 16.4.2.G
8. All members to review and discuss Brian's proposed changes to section 16.3.2.B at the next meeting
9. Silas to double-check if "resiliency" is officially part of the Watertown Climate and Energy Plan name

BERDO Regulations Meeting Minutes Approval

The team, led by Brian, discussed the approval of meeting minutes related to the BERDO regulations. Pat and Jocelyn approved the minutes, with Brian seconding the motion. The team also decided to schedule their next meeting for the following Tuesday at 5 o'clock, with Silas confirming his availability for that time. Brian noted his upcoming vacation and the need to adjust the meeting schedule accordingly.

Review Board Frequency

Pat proposed an increase in the frequency of Review Board meetings to every two months, with the chair having the ability to adjust the frequency. Brian agreed but suggested that after a few years, the frequency might be reduced to quarterly. There was also a discussion about a past regarding Cambridge's earlier start in the regulation process, with Brian expressing his unhappiness but clarifying it wasn't intentional. The team decided to continue their current approach despite initial reservations and agreed to consider Brian's suggestion of reviewing previously written language for potential efficiency gains.

Building Emissions and Departmental Roles

The team discussed proposed changes to the language regarding building emissions and the role of the department. Brian suggested clarifying the language to indicate that a building's emissions could increase by more than 20% due to a change in building type. Pat and Jocelyn sought clarification on the department's role and the specifics of building type changes, with Silas confirming that all building types are listed in the portfolio manager appendix. The team also deliberated on the wording of a departmental policy, with a focus on maintaining departmental autonomy and avoiding unintended consequences. Silas agreed to incorporate the discussed changes into the main document.

Defining Building Types and Emissions Fund

Brian, Jocelyn, and Silas discussed the definition and usage of 'building type' in portfolio management, agreeing to retain the current definition with Silas suggesting it should be defined as 'energy star portfolio manager' for consistency. They also discussed the complexities of baselines for mixed-use buildings, acknowledging the need for human intervention to determine energy use changes. Lastly, they revisited a previous discussion about expanding the scope of the Emissions Fund beyond just buildings to align with the city's climate and energy plan, with Brian proposing this expansion while Pat preferred clearer language if the fund's scope was to be expanded.

Building Fund Eligibility and Prioritization

Jocelyn, Pat, and Brian discussed the eligibility criteria for their building fund, agreeing that it should primarily cover building owners and residents in Watertown. They debated the need to expand the fund to other sectors but decided there were enough needs within the building sector. The group also discussed the organization of 16.3.2 and the prioritization of project proposals that provide direct benefits to environmental justice populations. Brian raised concerns about the potential for less effective emissions reduction projects in favor of those with a stronger environmental justice component. The group agreed that the program's name should be changed to better reflect its focus on emissions reduction and environmental justice.

Discussing BERDO Line and Fund Name

The team discussed the interpretation and potential revision of a line from the BERDO. Brian expressed confusion about the meaning of "prioritize" in the context of environmental justice projects. Pat suggested that the line could be rewritten to focus on emissions reductions and benefits to affordable housing and tenant protections. However, Brian pointed out that changing the name of the fund, which is referenced in the BERDO, would require altering the document itself. The team agreed to further discuss and decide on the name for the fund.

Equitable Emissions Fund Reorganization Discussion

Brian, Pat, Jocelyn, and Silas discussed the reorganization and wording of the Equitable Emissions Fund (EEF) to better reflect their intentions. Brian suggested that the EEF should not prioritize Equitable Emissions (EJ) projects over other projects, but instead, the department should strongly consider EJ projects based on their expected impacts and benefits. The team agreed to this approach, with Pat suggesting to start the criteria with "while always considering the benefits to environmental justice populations." The team also discussed the potential for changing the wording in the BERDO.

Discussing Fund Language and Priorities

The team discussed the purpose and language of a proposed fund. Brian suggested that the fund's primary goal should be to reduce emissions, with other considerations, such as energy justice and equity, being secondary. Pat disagreed, arguing that the fund should also prioritize considerations for people with fewer resources and those more affected by pollution and heat. The team agreed to revisit the language to clarify the fund's focus on emissions reduction while also acknowledging other important factors.

Equitable Emissions Fund Prioritization Discussion

The team discussed the definition and prioritization of the Equitable Emissions Fund (EEF) in Watertown. Silas, Brian, and Pat debated the language and purpose of the EEF, agreeing that emissions reduction should be the primary consideration, but also discussing the need to consider the environmental justice population. Brian agreed to rewrite the relevant section of the fund's regulations and send it to the team for review before the next meeting. The team also agreed that the EEF should prioritize projects that reduce emissions and consider the needs of the environmental justice population.

Tenant Protections and Plan Revisions

Brian proposed expanding tenant protections to middle-income residents to prevent displacement due to building upgrades. The team agreed to consider this in future projects. There was also a discussion about the wording of the Watertown Climate and Energy Resiliency Plan, with the team deciding to remove the term "resiliency" and clarify the language around project review forms and compliance requirements. Lastly, the team decided to delete the requirement for proposals every three years, instead requiring them every three application cycles.

Discussing Non-Compliance Penalties and Access

Pat agreed to rewrite a section of the document offline, while Brian and Silas discussed potential penalties for non-compliance with the terms and conditions of expenditure for the investment fund. They debated whether non-compliance should result in a grant being considered, rather than a refund, and whether there should be stronger sanctions, such as fines, for more serious breaches. Pat was asked to consider these issues for future discussion. The team also discussed the possibility of limiting access to new funding applications if compliance issues persist.