

To: Governor Kate Brown  
CC: Lori Graham, Building Codes Division Interim Administrator  
From: The Undersigned Mayors  
Date: June 8, 2020

Dear Governor Brown,

We thank you for your leadership in combating climate change as expressed in your recent Executive Order No. 20-04 (EO). We expect it will lead to significant momentum at both the state and local levels to increase energy efficiency and reduce greenhouse gas emissions, particularly in the buildings and transportation sectors.

We particularly support your goal of achieving at least a 60 percent reduction in annual site consumption of energy in new building construction by 2030, both residential and commercial, from a 2006 baseline. Buildings and transportation account for the majority of greenhouse gas emissions in our respective jurisdictions and without significant improvements in energy efficiency of our new buildings, we cannot achieve the state or our individual jurisdictions greenhouse gas reduction goals.

While the EO moves us in the right direction, we raise the following concerns and suggestions around its implementation:

1. Oregon must advance building codes this year. Despite the clear call in your EO to make progress with energy efficiency in building codes, your Building Code Division (BCD) has proposed to delay the long anticipated residential code upgrade for 2020 until next year and has been noncommittal whether it will carry-out the promised commercial code upgrade later this year. Skipping building code upgrades this year would only increase the amount of energy efficiency that would be required in the 2023, 2026 and 2029 building code cycles. It also would waste the time and effort BCD already put into developing a residential code upgrade for this year. In contrast, advancing building codes this year will get an important jump on the ambitious 2030 goal you have set and also ensure that the energy code goals of your prior Executive Order No. 17-20 are met. If it is clear by the end of September that the upgrade to both the residential and commercial codes are further delayed, we will likely seek a legislative pathway to support implementation of the EO and advance codes in the 2021 session. We urge you to direct BCD to update the residential and commercial building codes this year.
2. Oregon needs to calibrate the Reach Code at least 10% above the base code to make it a market driver in above code building construction. We commend your EO for directing BCD to update the Reach Code on the same three-year cycle as the baseline state codes. Given the COVID-19 crisis and the new task to BCD of revising the Reach Code, we support completing the upgrade to the Reach Code by the spring of 2021. However, it is important that the Reach Code be calibrated to achieve at least 10% greater energy efficiency than the base code each code cycle. That will enable buildings built to the Reach Code to fully qualify for Energy Trust of Oregon incentives as well as incentives from public utilities through the Bonneville Power Administration. We also estimate that to achieve the 2030 goal, the base code will need to be improved by around 10% each code cycle. Therefore, the Reach Code can and should become the presumptive next base code every code cycle. This will create transparency for builders as to where the base code is headed while they can qualify for incentives under the Reach Code.

We urge you to direct BCD to establish a Reach Code by no later than April 2021, that achieves at least 10% greater energy efficiency than the updates to the 2020 base residential and commercial codes.

3. Oregon must allow jurisdictions the voluntary option to adopt the Reach Code as a mandatory base code. Our jurisdictions have climate action plans with aggressive greenhouse gas reduction goals. As such, we face more urgency to advance energy efficiency in our new buildings than other Oregon jurisdictions without such plans. We accept that one size may not fit all jurisdictions in Oregon with respect to building codes. Therefore, we seek a pathway to advance energy efficiency faster than what the statewide code requires. We urge you to support a pathway that allows jurisdictions to adopt the Reach Code (assuming it establishes at least a 10% above base code level as discussed above) as mandatory in their jurisdictions. This would be a discretionary local decision achieved either through new legislative authority in the 2021 session, or through BCD under the existing local amendment process in statute.

Sincerely,

Mayor Stromberg of Ashland  
Mayor Traber of Corvallis  
Mayor Vinis of Eugene  
Mayor Gamba of Milwaukie  
Mayor Burns of Mosier  
Mayor Bennett of Salem



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