

# Technical Bulletin

Important Information for Washington DC  
New Construction & Substantial Rehab Projects

THANK YOU FOR YOUR PARTNERSHIP.



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# What the GGBA could mean for you.

On October 1st 2023, the DC Greener Government Buildings Amendment Act of 2022 (GGBA) went into effect, requiring District-owned and District-financed new construction and substantial rehab projects to adhere to “net zero energy compliance” as defined by DC law.

We want to make you aware of the key takeaways from our review of this mandate and exemptions.

The GGBA is an amendment to the DC Green Building Act of 2006, establishing green building design and construction standards that have been gradually phased in since the law's passing.

## Who This Impacts

New construction and substantial rehab projects covered by the 2017 DC Energy Conservation Code Commercial Provisions that are either A) District-owned or B) receiving at least 15% of their funding from District sources, including federal sources administered by the District such as low-income housing tax credits (LIHTC), tax abatements, tax increment financing, etc. are required to comply with the GGBA.

It is important to note that in response to the passing of the GGBA, the DC Council also passed emergency legislation called the Green Housing Transition Emergency Amendment Act of 2023. Under this law, housing projects awarded District or District-administered funding before March 31, 2024, are exempt from GGBA compliance.

## GGBA Requirements

All projects covered under the GGBA, as described above, that submit for permits on or after the 10/1/23 implementation date, **must adhere to the all-electric net zero requirements outlined in Appendix Z of the 2017 DC Energy Conservation Code, with some additional conditions outlined in the Clean Energy DC Building Code Amendment Act of 2022**. Originally, Appendix Z served as a voluntary code compliance pathway. The GGBA essentially makes this code pathway a requirement for all projects covered under this law.

## Important Takeaways from Appendix Z

- On-site fossil fuel combustion is not permitted for thermal energy. This restriction does not apply to fossil fuel combustion used for backup-power generation.
- Renewable energy must be generated on-site *where feasible*. Appendix Z describes instances when off-site renewable energy generation is acceptable.
- Permit submissions must include predictive whole building modeling that demonstrates an aggressive Zero Energy Performance Index (zEPI) of 30 or lower, which will require the incorporation of high-performance design specifications.
- The project owner must engage a registered design professional to oversee the building energy simulation described above. This should happen early in the design process.
- Within 24 months of 90% occupancy, the project must demonstrate that the energy consumed by the building site is equal to or less than the renewable energy generated by the building site or designated off-site sources.

# What the GGBA could mean for you (continued).

## Implementation Timeline

October 1, 2023 is the date after which all covered projects requesting a building permit must adhere to the requirements outlined above.

Unlike most code updates, the GGBA did not establish a “grandfather” period for projects currently under design to submit for permitting. There are, however, exemptions to certain covered buildings under the Green Housing Transition Emergency Amendment Act as described above, as well as a formal exemption request process which is currently under development.

## The Clean Energy DC Building Code Amendment Act of 2022 – Additional Insights

Under the [Clean Energy DC Building Code Amendment Act](#), everything described above in relation to the GGBA will eventually apply to **all new construction and substantial rehab projects** covered by the DC Energy Conservation Code Commercial Provisions, not just those that are District-owned or District-financed. Further announcements are still to come on the exact implementation timeline, but the District Mayor is required to issue final regulations under this law by December 31, 2026.

This bulletin represents our current understanding of these developing regulations. We recommend consulting the resources linked above and the responsible District agencies for additional clarification. We will continue to monitor updates and will reach out again as more information becomes available.

**MaGrann’s engineering, design and sustainability teams are here to help you achieve compliance with these requirements while optimizing cost effectiveness, building and energy performance. Please reach out for assistance or if you have any questions.**