



AGRICULTURAL PRESERVATION ADVISORY BOARD

July 16, 2021

The Honorable Tom Hucker, President
Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850

Re: Bill 16-21 Environmental Sustainability - Building Energy Use Benchmarking and Performance Standards - Amendments

Dear Council President Hucker:

On behalf of the Montgomery County Agricultural Preservation Advisory Board - APAB, please accept this letter with our recommendations for the Bill 16-21 Environmental Sustainability - Building Energy Use Benchmarking and Performance Standards.

The APAB discussed this Bill 16-21 during their May and June meetings and agree that energy must be used efficiently to reduce costs and to eliminate waste. From our reading of the Bill 16-21, we understand that the focus of the legislation is to ensure all buildings greater than 25,000 square feet in size will be required to meet the new Building Energy Use Benchmarks and Performance Standards.

We want to make sure the Councilmembers understand that some agricultural buildings in the County exceed 25,000 square feet in size, however these agricultural buildings only use electricity for lighting and these buildings do not have mechanical heating and air conditioning systems. It is important to note that farmers also incorporate poly carbonate panels in the roofs of agricultural buildings to let sunlight in during the daytime hours which helps to reduce both energy costs and energy waste.

The APAB recommends that all existing and new agricultural buildings should be included in the Applicability section 18A-38 (d) as underlined below.

18A-38B. Applicability.

This Article does not apply to a covered building for which more than 50% of the total gross floor area is used for:

- (a) public assembly in a building without walls;
- (b) industrial uses where the majority of energy is consumed for manufacturing, the generation of electric power or district thermal energy to be consumed offsite, or for other process loads; or



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- (c) transportation, communications, or utility infrastructure.
- (d) existing and new agricultural buildings used for farming, production, and storage.

The APAB thanks the County Council for this opportunity to present our views and will participate in the Transportation and the Environment Council Committee Work Session when this Bill 16-21 is scheduled.

Sincerely,

Michael Jamison, Chairman

cc: Marc Elrich, County Executive
Jeremy Criss, Director, Office of Agriculture