

## **FCSG statement on energy efficiency and waste diversion requirements for URA-funded projects**

*Statement updated on August 18, 2013*

After the City Council work session on Tuesday, July 30th, council members, in their capacity as members of the Board of Commissioners of the Urban Renewal Authority (URA), considered the recommendations of the URA Policy Working Group concerning energy efficiency and recycling/reuse of demolition and construction waste materials for URA-funded projects. The Policy Working Group was established after a March 27th vote by the URA Board to postpone consideration of a resolution that would have required such projects to achieve an Environmental Protection Agency (EPA) Energy Star Program rating of 75, and to demonstrate that at least 50% of construction waste materials (excluding hazardous waste) were either reused or recycled.

The Fort Collins Sustainability Group (FCSG) had one member representing us on the URA Policy Working Group, but does not agree with that Group's final recommendations. Specifically, we do not support the recommendation that the "teeth" in the earlier resolution be taken out by removing the requirements that URA-funded projects achieve a minimum Energy Star score and meet a minimum target for reusing or recycling construction waste. Although the work session item of July 30th states that "the URA could enforce compliance without withholding funds" in the case of the energy efficiency requirement, it does not suggest any enforcement mechanism.

We further object strenuously to the suggestion by the URA Policy Working Group that not paying for construction projects that fail to meet the City's goals for energy efficiency or waste diversion would somehow be "punitive" on the part of the City. Those goals should be important elements of the public purpose of URA-funded projects. If the developers of such projects do not wish to comply or demonstrate compliance with those goals, they should not be entitled to receive public funds to offset their development costs.

The "uncertainty" referred to in the work session item introduced by establishing additional requirements for URA funding does not differ fundamentally from the uncertainty introduced by establishing code requirements. Such uncertainty is not a reason for eliminating code requirements. Either process can be made fair by offering the developer a reasonable opportunity to "cure" deficiencies in meeting either the code requirements or the incentive payment requirements.

In conclusion, the FCSG strongly recommends making the energy efficiency and construction waste diversion requirements included in the resolution proposed on March 27th mandatory for any developer wishing to receive URA funding. If URA funding is not contingent on meeting these requirements, the resolution will lose any significance it might otherwise have had. We were pleased that several council/board members expressed support for this position at the July 30th work session, and we will continue to track this issue when it comes before the URA Board of Commissioners for a vote this fall.