

Summary of Comments, EPA Responses, and Resulting Policy Changes on Draft 1 ENERGY STAR Single-Family New Homes (SFNH), California Program Requirements, Version 3.4, and ENERGY STAR Multifamily New Construction (MFNC), California Program Requirements, Version 1.4

EPA has posted a compilation of all comments received during the stakeholder feedback period for its first draft of the ENERGY STAR SFNH, California Program Requirements, Version 3.4, and ENERGY STAR MFNC, California Program Requirements, Version 1.4, which ended April 12, 2023, on its website.

This document contains a summary of these comments, along with EPA's responses and the resulting policy change, if any.

When similar comments were received from multiple respondents, EPA has consolidated these ideas into a single summary bullet. However, EPA has attempted to retain all unique comments received, including those submitted by a single respondent.

ENERGY STAR SFNH CA Program Requirements, v3.4, and MFNC CA Program Requirements, v1.4

ID	Comment Summary	EPA's Response
<i>Performance Targets</i>		
1	<ul style="list-style-type: none"> EPA has proposed two compliance metrics for the for the new version of the Single-Family New Homes program in California. The first is a compliance margin of 10% and the second is five Efficiency EDR points. <p>Four commenters requested that the requirement to achieve five Efficiency EDR points be reduced to three points, noting that only three points have been required for the last two versions of the program in California.</p>	<ul style="list-style-type: none"> EPA's analysis indicates that five Efficiency EDR points correlates well with a compliance margin of 10% under the 2022 edition of the Building Energy Efficiency Standards. However, EPA may consider adjusting the number of required points if the correlation between the two metrics shifts over time due to revisions in the code and/or compliance software. <p>One important point to emphasize is that if a compliance margin of 10% can be achieved with fewer than five Efficiency EDR points, then that metric can be used to demonstrate compliance for any home. As a result, even though EPA may update the number of required EDR points if necessary, no policy change would be required to leverage the less stringent of the two metrics.</p>
<i>Revised Implementation Policy</i>		
2	<ul style="list-style-type: none"> Four commenters requested that EPA retain its current implementation policy, based upon Plan Approval Date, rather than proceed with the proposed implementation policy, based upon Permit Date and edition of the Building Energy Efficiency Standards being enforced by the Authority Having Jurisdiction (AHJ). <p>Commenters note that the proposed policy may require builders to certify homes within a single community under different versions of the program, due to the enforcement of new editions of code for a subset of homes within that community. This will increase compliance costs and create marketing challenges due to varying efficiency features across homes.</p> <p>They also note that permits expire after a relatively short period of time in California, such that builders cannot simply pull permits for all homes within a community to lock in the use of a single version of the program.</p>	<ul style="list-style-type: none"> EPA believes that it is necessary to update its implementation policy to ensure that the version of ENERGY STAR required corresponds with the version of code being enforced by the AHJ, after a specified transition period. However, it acknowledges that this change in policy will result in some homes and apartments being held to a more stringent version of the program than under the current policy. <p>To provide partners with more time to prepare for this new policy, EPA will extend the current approach for an additional year. Specifically, new developments approved after January 1, 2024, will still be required to meet the new Versions, per the original proposal. However, the proposed new implementation policy (based on permit date and edition of code being enforced) will be effective for permits beginning January 1, 2025, rather than January 1, 2024.</p>