

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CHS. 1 AND 5]

[EXECUTIVE ORDER NO. 2019-01]

Commonwealth Leadership in Addressing Climate Change and Promoting Energy Conservation and Sustainable Governance; Governor's Green Government Council

January 8, 2019

Whereas, the Constitution of Pennsylvania protects the Commonwealth's citizens' rights to life, liberty, possessing and protecting property, and happiness. Further, the Constitution of Pennsylvania and various other laws also preserve the Commonwealth's citizens' right to clean air, pure water, and the preservation of the natural, scenic, historic and aesthetic values of the environment; and

Whereas, the Commonwealth government has long protected, valued, and recognized these rights, specifically under Executive Orders: 1973-9 Environmental Protection by State Agencies; 1980-3 Life Cycle Costing; 1998-1 Governor's Green Government Council; 2002-8 Governor's Interagency Task Force on Energy; and 2004-12 Energy Management and Conservation in Commonwealth Facilities; and

Whereas, climate change impacts in the Commonwealth are real and continue to put Pennsylvanians at risk: in recent years, extreme weather and natural disasters have become more frequent and more intense. Like many areas of the United States, Pennsylvania is expected to experience higher temperatures, changes in precipitation, and more frequent extreme weather events and flooding because of climate change in the coming decades; and

Whereas, the Commonwealth is committed to further reducing its net greenhouse gas emissions which, left unchecked, would create a high risk of irreversible, widespread, severe climate impacts in the Commonwealth and beyond; and

Whereas, as a major energy provider, Pennsylvania can take steps to continue to reduce emissions in the power sector, increase reliance on clean energy and improved energy efficiency, and continue reductions of potent greenhouse gasses such as methane; and

Whereas, as a major transportation hub, Pennsylvania can take steps to increase reliance on low-carbon transportation solutions, and reduce emissions from the transportation fleet; and

Whereas, Pennsylvania's economy, health and safety, and quality of life of its citizens are dependent on the careful stewardship of resources, a healthy economy, and the development of technologies to enable economic growth while protecting the environment; and

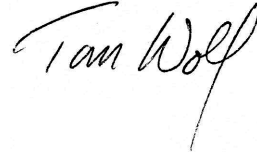
Whereas, Pennsylvania has a robust clean energy sector that provides tens of thousands of good paying jobs in construction, manufacturing, clean technology, and services across the state; and a wealth of job-training programs to prepare workers for jobs in the energy efficiency and clean energy fields; and

Whereas, Commonwealth agencies can continue to demonstrate their commitment to both environmental and fiscal stewardship by implementing best practices to reduce energy and resource consumption, improve energy efficiency, realize cost savings, and protect the environment; and

Whereas, the Commonwealth is committed to joining and working with businesses and industry in this Commonwealth to reduce emissions through pollution prevention and improved energy efficiency; and

Whereas, the Commonwealth is resolved to do its part to address climate change, the most critical environmental threat confronting the world.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby reestablish the Governor's Green Government Council, and do order and direct as follows:



Governor

Fiscal Note: GOV-2019-01. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 1. AGENCY OPERATION AND ORGANIZATION

Subchapter PP. ENERGY MANAGEMENT AND CONSERVATION IN COMMONWEALTH FACILITIES

§§ 1.501—1.505. (Reserved).

CHAPTER 5. COUNCILS AND COMMITTEES

Subchapter OOO. GOVERNOR'S GREEN GOVERNMENT COUNCIL

§§ 5.951—5.958. (Reserved).

Subchapter SSS. Governor's Green Government Council.

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5.1002.	Performance goals for State agencies.
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§ 5.1001. Climate goal for the Commonwealth.

The Commonwealth shall strive to achieve a 26% reduction of net greenhouse gas emissions statewide by 2025 from 2005 levels, and an 80% reduction of net greenhouse gas emissions by 2050 from 2005 levels.

§ 5.1002. Performance goals for State agencies.

(a) All agencies under the Governor's jurisdiction shall:

(1) Collectively reduce overall energy consumption by 3% per year, and 21% by 2025 from 2017 levels.

(2) Replace 25% of the state passenger car fleet with battery electric and plug-in electric hybrid cars by 2025 and evaluate opportunities for the reduction of vehicle miles traveled and incorporation of new technology where appropriate.

(3) Procure renewable energy to offset at least 40% of the Commonwealth's annual electricity use and evaluate opportunities to source electricity through Pennsylvania Certified Tier I credits, and/or direct purchase of renewable power generation sited within the Commonwealth.

(b) Any new building construction project, build-to-suit leased building, or renovation project by a Commonwealth agency that costs more than 50% of the replacement cost of the building, where the design of the project commences after the effective date of the Executive Order, shall be designed and constructed as a high-performance building achieving a 10% reduction in energy consumption over ANSI/ASHRAE/IES Standard 90.1.2016. Agencies may seek US Green Building Council LEED certification, Green

Building Initiative Green Globe rating, or a comparable numeric rating from another accredited sustainable building certification program where appropriate.

§ 5.1003. GreenGov Council mission.

The GreenGov Council shall encourage the incorporation of environmentally sustainable practices into the Commonwealth government's policy, planning, operations, procurement, and regulatory functions, and strive for continuous improvement in efficiency and performance, to achieve the goals set forth above.

§ 5.1004. Composition of the GreenGov Council.

The GreenGov Council (Council) shall consist of the Secretaries of the Departments of General Services, Environmental Protection and Conservation and Natural Resources, who shall chair the Council jointly, as well as other individuals the Governor shall appoint.

§ 5.1005. GreenGov Council responsibilities.

The GreenGov Council (Council) shall serve as a central coordinating body to promote the implementation of this Order and the achievement of the Goals set forth above. In this role, the Council shall:

(1) Establish a schedule of regular meetings with designated representatives of Commonwealth agencies to review methods, policies, programs and actions that will implement the objectives of this Order and evaluate and track progress towards meeting the Performance Goals.

(2) Establish and administer a GreenGov certification program to assess agencies' efforts to implement cost-effective conservation and efficiency strategies and achieve the Performance Goals.

(3) Prepare, issue and maintain an electronic GreenGov Certification Checklist, containing a menu of measures and strategies which may be employed by Commonwealth agencies to achieve certification in the GreenGov program.

(4) Work with all agencies to develop procedures to reduce energy and other utility usage and costs in all Commonwealth-owned and leased facilities.

(5) Examine opportunities to provide additional training and acknowledgment programs to enable and encourage Commonwealth agencies to become more proficient in identifying opportunities and implementing best practices for energy conservation and efficiency, and create incentives for further improvements.

§ 5.1006. Responsibilities of Commonwealth agencies.

(a) All Commonwealth agencies shall work to achieve the Goals set forth in this subchapter. In particular, all agencies shall:

(1) Develop policies to incorporate the strategies outlined in this subchapter to achieve the Commonwealth's Performance Goals.

(2) Seek to implement new cost-effective conservation, sustainability, and efficiency strategies in order to achieve GreenGov certification. Complete and submit to the GreenGov Council (Council) a GreenGov Certification Checklist within 6 months of establishment of the certification program, and yearly thereafter.

(3) Cooperate with the Department of General Services to track and analyze agency utility usage through the Commonwealth's utility bill management system.

(4) Establish energy and other utility performance benchmarks for all Commonwealth-owned facilities over 20,000 square feet which are cooled or heated over which the agency has jurisdiction.

(5) Designate an Agency Representative at the Deputy Secretary or equivalent level to attend meetings of the Council and ensure compliance and implementation of the necessary activities and measures to achieve the Goals.

(6) Evaluate opportunities and implement, where practical, renewable and clean energy resources, energy and resource conservation, and energy efficiency best practices at Commonwealth facilities.

(7) Work collaboratively to conserve energy and promote sustainable resources and best energy and resource management practices.

(8) Propose and support Guaranteed Energy Savings Act ("GESA") projects for recommendation to Department where cost-effective and appropriate.

(9) Provide to the Council, or Department, any requested information and data needed to implement the intent of this subchapter.

(10) Contribute a proportional share of costs to support the Council and the annual Commonwealth Comprehensive Energy and Utility Usage Report.

(b) The Department of General Services:

(1) Coordinate with all agencies to include green building, energy conservation, and energy efficiency practices as part of any new construction and renovation projects.

(2) Work with all agencies to track and analyze agency utility bills through Pennsylvania's utility bill management system.

(3) Provide agencies with access to current utility bill performance data.

(4) Benchmark Commonwealth facilities' energy efficiency against Federal and association standards.

(5) Consider life cycle cost analysis in the selection of new energy sources, products, systems, and controls in conjunction with new construction and renovation projects.

(6) Develop and implement programs to train appropriate personnel in benchmarking, energy conservation and energy efficiency.

(7) Pursue and facilitate the development of new GESA projects with all Commonwealth agencies.

(8) Contract for an annual Commonwealth Comprehensive Energy and Utility Usage Report covering all Commonwealth agencies.

(9) Research, recommend, and develop vehicle fleet sustainability practices and metrics consistent with leading fleet accreditation programs.

(c) The Department of Environmental Protection shall:

(1) Provide advice and assistance to the Council and agencies in developing cost-effective conservation, sustainability, and efficiency strategies necessary to implement the requirements of this subchapter.

(2) On an ongoing basis, develop and recommend additional no-cost and low-cost management and conservation measures which may be implemented by the Department of General Services and Commonwealth agencies.

(3) Assist the Department in developing and implementing long-range management and conservation plan goals and options to be applied in Commonwealth facilities.

(d) The Department of Conservation and Natural Resources shall:

(1) Offer technical assistance and references on green building and site design, low-water landscaping, and related topics.

(2) Provide demonstrations of its high-performance buildings and sites and alternative energy and transportation installations and operations.

(3) Continue to invest in green building and sites projects on state parks and forest lands and in communities.

§ 5.1007. Independent agencies, State-affiliated entities, and State-related entities.

Independent agencies, state-affiliated entities, and State-related agencies are encouraged to participate in the goals and provisions of this subchapter.

§ 5.1008. Effective date.

This subchapter shall take effect immediately and shall remain in effect until amended or rescinded by the Governor.

§ 5.1009. Rescission.

Executive Orders 1998-1 and 2004-12 are hereby rescinded.

[Pa.B. Doc. No. 19-131. Filed for public inspection February 1, 2019, 9:00 a.m.]
