



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
PRESTON NIBLACK, DIRECTOR
FISCAL IMPACT STATEMENT**

PROPOSED INTRO. NO: 476-A

COMMITTEE: Environmental Protection

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to benchmarking the energy and water efficiency of buildings.

Sponsor: By Council Members Mark-Viverito, Recchia Jr., Avella, Brewer, Fidler, Gentile, James, Liu, , Nelson, Seabrook, Weprin, White Jr., Garodnick, Lappin, Yassky, Sears, Mendez, De Blasio, Katz, Mitchell, Vann, Gioia, Vacca, Vallone Jr., Jackson, Ferreras, Koppell and Comrie.

SUMMARY OF LEGISLATION: The legislation will require buildings that exceed 50,000 square feet or 100,000 square feet if two buildings are on the same tax lot, to benchmark its total use of energy and water for the previous calendar year. The benchmarking tool that will be used to compile this information has been developed by the United States Environmental Protection Agency with interfaces designed by the Mayor's Office of Long Term Planning.

Energy and water usage data must be compiled by property owners on or before May 1st, 2010 and every May 1st thereafter. A direct upload link from the owner's utility company will be facilitated by the Mayor's Office of Long Term Planning whenever possible. A building that does not have automated water metering is exempt from the water usage benchmarking requirement. It is estimated by the Mayor's Office of Long-term Planning and Sustainability that most of data compilation can be done in house by existing agency staff, but in situations where this is not possible \$500,000 is the estimate for consulting fees per year.

The department of finance shall make information generated by the benchmarking tool available to the public on the internet no later than September 1, 2011, and no later than every September first thereafter for city buildings. Information generated by the benchmarking tool for the 2009 calendar year for city buildings, for the 2010 calendar year for covered buildings, and for the 2011 calendar year for covered buildings whose primary use is residential, as determined by the department of finance, shall not be disclosed. A further reporting requirement states that no later than December 31 of 2011, 2012 and 2013, respectively, the Mayor's Office of Long-term Planning and Sustainability shall prepare, submit to the mayor and the speaker of the city council, and post on the internet a report reviewing and evaluating the administration and enforcement of this article and analyzing data obtained from the benchmarking tool.

EFFECTIVE DATE: This law shall take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:

FISCAL IMPACT STATEMENT:

	Effective FY10	FY Succeeding Effective FY11	Full Fiscal Impact FY10
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$250,000	\$500,000	\$250,000
Net	\$250,000	\$500,000	\$250,000

IMPACT ON REVENUES: Fines for non-compliance have not yet been established.

IMPACT ON EXPENDITURES: There would be no impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: Not Applicable

SOURCE OF INFORMATION: The Department of Citywide Administrative Services, the Mayors Office of Long-term Planning and Sustainability and the City Council Finance Division.

ESTIMATE PREPARED BY: Jonathan Rosenberg, Deputy Director
Nathan Toth, Assistant Director

HISTORY: Introduced as Int. 476 by Council and referred to the Committee on Environmental Protection on November 15th, 2006. On June 12th, 2008 the legislation was re-referred to the Committee. On June 27th, 2008 the Committee held a hearing, an amendment was proposed, and Int. 476 was laid over. On June 26th, 2009 the Committee held another hearing and Int. 476 was laid over. An amendment has been proposed, and the bill will be considered by Committee as Proposed Int. 476-A on December 8, 2009.