

Green Building Update

an Allen Matkins
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publication

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San Jose adopts mandatory green building standards

San Jose Business Journal - October 7

San Jose has adopted mandatory green building standards for all new construction. The standards, intended to reduce water and energy usage, will apply to all housing developments with 10 or more units. On the commercial side, buildings under 25,000 square feet will be required to meet basic LEED standards. Buildings larger than 25,000 square feet must meet the LEED silver designation.

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Bryan C. Jackson

Editor

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Economic stabilization package includes energy tax credits

US Department of Energy - October 8

The \$700 billion Emergency Economic Stabilization Act of 2008 (H.R. 1424), extended and enhanced critical tax credits and financing for renewable energy and energy efficiency. The Energy Improvement and Extension Act of 2008, which was attached to H.R. 1424, provides a one-year extension of the production tax credit (PTC) for wind energy. Further, the bill provides a two year PTC extension for electricity produced from geothermal, biomass, and solar energy facilities, as well as trash-to-energy facilities, small hydropower facilities using irrigation water, capacity additions to existing hydropower plants, and hydropower facilities added to existing dams.

Report: Green building is growing despite down market

PR Newswire - October 10

SmartMarket's new report, *The Green Home Builder: Navigating for Success in a Down Economy*, covers market opportunities, key triggers and obstacles, and trends in green home building practices from 2001 to 2007. "Green building has definitely reached its upper tipping point," said Harvey M. Bernstein, McGraw-Hill Construction vice president of Industry Analytics, Alliances and Strategic Initiatives. "Builders can no longer ignore the benefits and market advantages of green building. Especially considering today's market and current economic situation, builders need to differentiate themselves from their competitors and hold steady or prosper in the down economy. Green building gives builders that opportunity to expand their market share and ride out this economic slump."

About Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP, founded in 1977, is a California law firm with over 240 attorneys practicing out of seven offices in California. The firm's broad based areas of focus include construction, corporate, real estate, project finance, business litigation, taxation, land use, environmental, bankruptcy and creditors' rights, and employment and labor law. [More...](#)



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California's SB375 reduces emissions by reducing sprawl

US Green Building Council - October 10

California passed SB375, which hopes to reducing urban sprawl. USGBC believes SB375 is significant because sprawl is a major drawback to reducing greenhouse gas emissions. The USGBC says transportation (primarily automobiles) generates one-third of U.S. greenhouse gas emissions. Green buildings cannot reduce greenhouse gas emissions on their own. Between 1980 and 2000, 1.2 vehicles were added to the roads

for every 1 person increase in the population. Also, because of ever-expanding sprawl, most cars are being driven longer distances too.

Albuquerque's green building code on hold

The Dallas Morning News - October 7

A federal judge granted a preliminary injunction against the city of Albuquerque's green building code. U.S. District Judge Martha Vazquez stopped the city from enforcing the new code, which outlines a host of energy-efficient measures for homes and businesses. She ruled that the code "infringes on an area pre-empted by federal law." Critics believe the green building code is vague and will drive up the cost of replacing home appliances.

A recession could damage cleantech sector

New York Times - October 13

The New York Times questioned how badly a recession could hurt cleantech. Investors who pumped tens of billions of dollars into cleantech over the past three years did not expect a serious recession. Yet with one on the horizon, it looks as if heavily funded technologies like wind and solar power could get hit. The obvious danger is a slowdown in venture funding, as pointed out in a leaked Sequoia Capital presentation and a contributor piece from Advanced Technology Ventures' Todd Kimmel. Companies without funding will struggle to commercialize their products, especially mid-stage cleantech outfits, who need a lot of capital to move from pilot demonstrations to commercial installations.

Notable green building projects...

California Academy of Sciences awarded LEED platinum

The California Academy of Sciences obtained LEED platinum, making it the "greenest museum in the world". The new building houses an aquarium, planetarium and natural history museum and opened to the public on September 27. Sustainability is built into its physical structure and exhibits.

San Mateo Main Library achieves LEED gold

The San Mateo Main Library received LEED Gold certification, according to the U.S. Green Building Council. The \$65 million, 90,000-square-foot public library, funded from a local bond measure, a state grant and donor contributions, held its grand opening in August 2006.

Proximity named first LEED platinum hotel

Proximity Hotel, in Greensboro, NC, has been awarded LEED Platinum status by the U.S. Green Building Council. In addition to energy and water savings, Proximity also recycled 87 percent of its construction debris, sourced 40 percent of building materials and 90 percent of furniture locally, and provided natural lighting to 97 percent of occupied spaces.

Community Hospital South in Indiana receives LEED gold

Community Hospital South in Johnson County Indiana announced that its emergency room expansion project was awarded LEED NC Gold

Certification by the U.S. Green Building Council. Community Hospital South is the first hospital to receive gold certification in Indiana.

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