

March 29, 2010

## **EPA and DOE strengthen embattled Energy Star**

*DOE - Mar 19*

The EPA and the DOE outlined a series of steps to strengthen the embattled Energy Star label. In addition to third-party testing, EPA and DOE launched a two-step process to expand testing of qualified products. The moves are meant to prop up confidence in Energy Star, which has faced controversy in recent years. In 2008, [Consumer Reports tested refrigerators](#) and found many consumed more energy than specified. Currently, congressional auditors posing as fictitious companies received the Energy Star label on more than a dozen bogus products (Click on [Energy Star Program Audit -- Fake Products Deemed Energy Savers](#) – Mar 26 (New York Times)).

### **Green Building Focus**

#### **From Green to Seeing Red**

*ARCADIS Newsletter - March 26*

The four stages to the green building movement include (1) Green for Green's sake: to improve the environment; (2) Green for Greenbacks: to earn green market premiums; (3) Green for Red Tape: to comply with regulatory mandates; and (4) Green seeing Red: to overshadow (1) through (3), above, with liability costs from "failed" green projects. Unfortunately, stage (4) is playing a larger role in green projects. Strategies to protect against green liabilities are as follows: (1) Owners should (a) hire competent green professionals; (b) negotiate contracts that fairly allocate risk to the owner, designer and builder; and (c) monitor the work and modify goals if necessary; (2) Designers should (a) not oversell green capabilities; (b) negotiate contracts carefully, and (c) provide ongoing design services to help meet green goals; and (3) Contractors should (a) negotiate contracts to describe the additional level of green work and diligence needed and allocate design issues to designers; (b) maintain the skills to perform the required green-related work; (c) build supervisory capability to oversee green subcontractors; and (d) confirm the local area is capable of supplying and absorbing the various materials for the project.

#### **Study: green construction improves bottom line**

*Pittsburgh Post-Gazette - Mar 16*

Developers are finding gold in green. Going green has improved the bottom line, according to a 2008 study by McGraw-Hill Construction which found that green building cut operating costs by 13.6% and increased building value by 10.9%. Developers are using green building practices not only to save money and help the environment, but because of customer demand.

#### **UK Study: green buildings may not improve quality of life**

*edie newsroom - Mar 15*

A new report claims the UK's fixation on greening its building stock is not improving the quality of life of workers. The report, Building Quality of Life, was conducted by University College London and environment consultants BRE on behalf of property firm Development Securities. The report includes the finding that "green buildings are not always better for occupants."

## **ASHRAE 189.1 and IGCC converge; will CALGreen follow?**

*BuildingGreen.com - Mar 16*

Many worried about competition between ANSI/ASHRAE/USGBC/IES Standard 189.1 and the International Green Construction Code (IGCC) developed by the International Code Council (ICC) with AIA and ASTM

Subscribe

Have a suggestion?  
[Tell us what you think](#)

[Bryan C. Jackson](#)  
Editor

[Michael Kostecka](#)  
Associate Editor

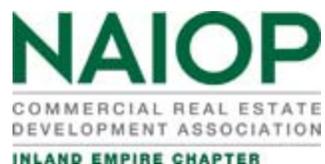
Connect with  
Allen Matkins on:



**Allen Matkins**  
**#1 Real Estate Law Firm**  
**in California**  
2002-2009

Allen Matkins is a full-service law firm with over 230 attorneys practicing in seven offices throughout California. Some of the areas of focus at Allen Matkins include green and sustainable construction, construction, corporate, real estate, project finance, business litigation, taxation, land use, environmental, bankruptcy, creditors' rights, intellectual property and employment and labor law. [More...](#)

Sponsors



International. But, instead of competing, the IGCC included 189.1 as an alternate compliance path within the IGCC which reaches all 50 states and local jurisdictions. Also, while California's Green Building Standards Code or "CALGreen," is not part of the IGCC, it was a reference document for the IGCC. Further, informal conversations are underway to possibly include CALGreen in the IGCC.

### **State of Washington embraces green building**

*Mother Nature Network - Mar 16*

The State of Washington is embracing green building with the help of the Washington Department of Ecology's Green Building Group and the Department of General Administration who joined forces to develop a video: Green Building: Jobs of the Future. The video is available [here](#).

### **Employing LEED best practices for hospitals**

*MedAssets - Mar 15*

MedAssets and e-Builder launched a MedAssets program, to help hospitals gain the most value from limited capital budgets. The new program enables hospitals to save money over the life of a construction project by keeping projects on time and under budget and employing LEED green-building best practices.

### **USGBC offers green building tours**

*USGBC - Mar 16*

The USGBC and the Sierra Club are joining forces to offer green building tours as part of the "Green Buildings for Cool Cities" project. As part of the project, the two organizations will be offering green building tours in cities across the country. Members of the public will be able to take a tour of green homes, banks, schools, commercial buildings, and even neighborhoods that have either received LEED certification or are in the process of pursuing certification.

### **SEMINARS: UK's "Sustainability Now" virtual event**

*Sustainability Now - Mar 16*

The Sustainability Now virtual event enables green professionals to network and gather information from the comfort of their own desks. In its fourth year, the event will offer a mix of content and interaction. The event is free and is taking place 12-13 May.

### **LA Business Council Annual Sustainability Summit**

*LA Business Council - March 29*

#### **Notable Green Building Projects**

##### **California Campus earns first LEED Platinum for Schools**

*Greener Buildings - Mar 18*

The new Michael J. Homer Science and Student Life Center at Sacred Heart Schools has earned the first LEED Platinum rating for Schools. The 44,000-square-foot science center has 73 skylights, a 40K photovoltaic system, a living roof and dozens of other eco-friendly design elements.

##### **LEED Platinum and reduced permit fees for restaurant**

*Azo Cleantech - Mar 19*

Claire's on Cedros bakery and cafe located in Solana Beach, California, is San Diego's first LEED Platinum restaurant and is a Certified Green Restaurant. Claire's is the first project in San Diego County granted a reduction on Coastal Commission permit fees.

##### **LEED Silver for Transcontinental**

*Azo Cleantech - Mar 22*



Enhancing value for commercial real estate



Bringing industry professionals together to build networks, teams and project successes.



[Association of Environmental Professionals](#)

A non-profit organization of professionals working to improve our skills as environmental practitioners and natural resource managers.



INLAND EMPIRE

Transcontinental Northern California earned LEED-NC Silver for its new printing plant in Fremont, California. The 338,000-square-foot facility was opened in July 2009 and is among the first printing facilities to be constructed per LEED standards.

**[Chrysler earned LEED Gold in Michigan](#)**

*Azo Cleantech - Mar 20*

Chrysler Group's new facility in Trenton, Michigan, earned LEED Gold. It is the only engine manufacturing plant to receive this award in the world.

**[Baylor's football practice facility earns LEED Silver](#)**

*Baylor University - Mar 16*

Baylor's Allison Indoor Football Practice Facility earned LEED Silver – a first in the nation. Environmental features include building automation, regional materials and construction waste management.

**[Las Vegas resort earns LEED Gold and starts energy savings program](#)**

*GreenerBuildings - Mar 17*

The Venetian Resort and Sands Expo earned LEED Gold and launched its [Sands Eco 360 degrees](#) program which promises to save enough electricity to power more than 6,500 American homes a year plus a commitment to sustainable water, energy, cleaning, recycling and waste management policies.

© 2008-10 Allen Matkins Leck Gamble Mallory & Natsis LLP. All rights reserved. This email is intended for general information purposes only and should not be construed as legal advice or legal opinions on any specific facts or circumstances. This email was sent by: Allen Matkins Leck Gamble Mallory & Natsis LLP, 515 S. Figueroa Street, 7th Floor, Los Angeles, California 90071. To stop receiving this publication, just reply and enter "unsubscribe" in the subject line.