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Connecticut takes the "LEED" in sustainable development: Part 1

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The "green" building movement is here to stay in the state of Connecticut (the state). Effective January 1, 2009, the state has statutorily required, with some exceptions, that buildings constructed by both the state and the private sector attain LEED silver certification or its equivalent (the "CT LEED Requirements"). In this article, the first of a two-part series, I will examine the LEED Green Building Rating System, which provides the new regulatory paradigm for building construction in the state.

The LEED Green Building Rating System

The LEED Green Building Rating System was developed by the United States Green Building Council (USGBC), a nonprofit organization based in Washington D.C. and is the most widely accepted and used green development rating system. As of May 1, 2008, over 3.5 billion s/f of building projects have registered intent with the USGBC to seek certification under a LEED Green Building Rating System.

LEED stands for Leadership in Energy and Environmental Design. The LEED Green Building Rating System is a voluntary, consensus-based national standard for developing high-performance sustainable buildings. The USGBC developed the LEED Green Building Rating System to provide real estate developers with a way to facilitate positive results for the environment while also achieving financial return. The LEED Green Building Rating System was also developed in an effort to prevent false or misleading claims of environmental responsibility by defining what "green" means through educating the real estate development industry and by establishing a set of guidelines for what constitutes sustainable design practices in the United States.

According to the USGBC, the LEED Green Building Rating System fosters a development that consumes less energy, conserves natural resources, is more comfortable and healthier for its occupants, and is easier and less costly to maintain. Studies have supported the USGBC's claims by showing LEED certified buildings to be more energy efficient. Furthermore, evidence is growing that LEED certified buildings are achieving higher rents, higher occupancy rates and higher sale prices, thus indicating an increased demand for LEED certified buildings by property investors and tenants.

The LEED Green Building Rating System examines the entire life cycle of a building: its design, construction, and operation. There are currently nine (9) LEED Green Building Rating Systems: LEED for New Construction & Major Renovations; LEED for Existing Buildings: Operations & Maintenance; LEED for Commercial Interiors; LEED for Core & Shell; LEED for Schools; LEED for Retail; LEED for Healthcare; LEED for Homes; and LEED for Neighborhood Development. The LEED certification process is administered by the USGBC through a two step certification process that allows for review at the design and construction phase of a project. A project seeking

certification under any of the aforementioned LEED Green Building Rating Systems earns points for the implementation of measures that encourage high performance energy efficiency and environmental stewardship that meet the requirements of various LEED credits in five areas: sustainable site development, water savings, energy efficiency, materials selection and handling, and indoor environmental quality. A sixth area for innovation and design allows developers to achieve credits through the establishment of their own unique green practices. The number of points attained for meeting LEED credit requirements in each of the aforementioned categories determines whether the project will attain LEED certification, and if so, what level of certification. Each LEED Green Building Rating System has its own distinct point scale and the USGBC is the final arbiter regarding the achievement of LEED credits. There are four progressive levels of certification under each LEED Green Building Rating System: certified, silver, gold, and platinum.

For 2009, the USGBC has proposed a comprehensive revision of its LEED Green Building Rating Systems that will become effective throughout the year. LEED 2009 includes changes to technical components such as energy usage and green house gas emission; changes to the LEED point scale; and changes to LEED credits in order to address regional environmental challenges. Most importantly, the 2009 changes to the LEED Green Building Rating Systems include a re-weighing of LEED credits to ensure that credits which have the most beneficial impact on the environment and energy efficiency allow for the achievement of the most points for LEED certification.

Part II will appear in the March issue of this publication.

1 Conn. Gen. Stat. Â§Â§ 16a-38k and 29-256a.

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