

Green Legal News

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Green Building

Federal

The National Energy Technology Laboratory, on behalf of the Office of Energy Efficiency and Renewable Energy's Building Technologies Program, intends to accept entrants to the Bright Tomorrow Lighting Competition (L Prize(TM)). As outlined in The Energy Independence and Security Act of 2007 (EISA), the DOE is accepting entries of Solid-State Lighting (SSL) products for full performance evaluation which have the technical potential to qualify for one of two entrant categories: 60-watt incandescent replacement and PAR type 38 halogen replacement lamps. The DOE anticipates release of the twenty-first century lamp category at a future date. The entry period for the 60-watt incandescent and PAR 38 halogen replacement lamps is now open and will remain open until a qualified winner is announced. The L Prize Competition is intended to encourage development and deployment of highly energy efficient solid-state lighting (SSL) products to replace several of the most common lighting products currently used in the United States, including 60-watt A19 incandescent and PAR 38 halogen lamps. To significantly impact the national market and lighting use, the SSL products must perform similarly to the lamps they are intended to replace in terms of color appearance, light output, light distribution and lamp shape, size, form factor, appearance and operating environment. They must be reliable, available through normal market channels and competitively priced. Entries to each category will be evaluated against the respective performance criteria which are based upon the statutory requirements of the EISA. Full performance specification criteria and competition details can be found at <http://www.lightingprize.org>.

California

The California Air Resources Board released a draft plan Thursday to help implement the Global Warming Solutions Act of 2006. The law commits the state to cutting 30 percent of its greenhouse-gas emissions by 2020. Most emission cuts will be accomplished through government regulations. The remaining 20 percent will be accomplished through the new cap and trade carbon trading system developed by the Western Climate Initiative. The state is seeking a 30 percent reduction in greenhouse gas from automobiles. A third of California's electricity must come from renewable sources such as solar and wind power. The state will set tougher appliance efficiency standards, green building codes and water conservation measures. Over the summer, the ARB will take comments and make revisions before approving a plan in November. Then it will be implemented through government rule making.

A bill is pending that will allow utilities to implement a co-energy metering mechanism that is similar to net-metering. An eligible customer-generator will be required to utilize a meter, or multiple meters, capable of separately measuring electricity flow in both directions. All meters must provide "time-of-use" measurements of electricity flow, and the customer must take service on a time-of-use rate schedule. AB 1920.

Florida

Florida enacted an amendment to Section 553.9061 of the Florida Statutes to increase thermal efficiency standards. The statute requires increases in the energy performance of new buildings by at least 20 percent as compared to the energy efficiency provisions of the 2007 Florida building code adopted October 31, 2007; increase energy efficiency requirements by the 2013 edition

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of the Florida energy efficiency code for building construction by at least 30 percent as compared to the energy efficiency provisions of the 2007 Florida building code adopted October 31, 2007; increase energy efficiency requirements by the 2016 edition of the Florida energy efficiency code for building construction by at least 40 percent as compared to the energy efficiency provisions of the 2007 Florida building code adopted October 31, 2007; and increase energy efficiency requirements by the 2019 edition of the Florida energy efficiency code for building construction by at least 50 percent as compared to the energy efficiency provisions of the 2007 Florida building code adopted October 31, 2007.

Illinois

The Illinois Commerce Commission issued new net metering guidelines. For systems under 40kW, the customer will receive a credit for each kWh sold to the utility which can be used to offset usage. If there are excess credits at the end of each annual period, the credits will expire. For systems over 40kW, the customer will receive monetary payment equal to avoided costs.

The Department of Commerce was authorized to establish and administer a program to make grants to municipalities whose buildings conform with nationally recognized and accepted green building guidelines, standards or systems. Grants may be used for new construction, existing buildings, commercial interiors, core and shell development, homes, schools or neighborhood development. The grant program shall be permissive and subject to appropriation by the General Assembly. Municipalities receiving grant moneys under this section are encouraged to use local small businesses within the municipality whenever possible. 20 ILCS 605/605-981.

A neighborhood development project is eligible for a Green Neighborhood Grant if it achieves LEED-ND certification. The Grant can be as much as 1.5 percent of development costs. 30 ILCS 737/5 Louisiana

The Secretary of Revenue issued regulations for the tax exemption of wind and solar energy systems for homeowners. The tax credit is for 50 percent of the first \$25,000 of installation costs.

Oregon

The Department of Energy issued rules which allow LEED certified buildings to be eligible to receive Business Energy Tax Credits to offset the difference in cost of implementing LEED certification. 330-090-0120

Virginia

Virginia laws allow energy-efficient buildings, not including the real estate or land on which they are located, to be a separate class of property and constitute a classification for local taxation separate from other classifications of real property. The governing body of any county, city or town may, by ordinance, levy a tax on the value of such buildings at a different rate from that of tax levied on other real property. The rate of tax imposed by any county, city or town on such buildings shall not exceed that applicable to the general class of real property. An energy-efficient building is any building that exceeds the energy efficiency standards prescribed in the Virginia Uniform Statewide Building Code by 30 percent. Energy-efficient building certification shall be determined by any qualified licensed engineer or contractor who is not related to the taxpayer and who shall certify to the taxpayer that he or she has qualifications to provide the certification. An energy-efficient building may also be any building that (i) meets or exceeds performance standards of the Green Globes Green Building Rating System of the Green Building Initiative, (ii) meets or exceeds performance standards of the Leadership in Energy and Environmental Design (LEED) Green Building Rating System of the U.S. Green Building Council, (iii) meets or exceeds performance standards or guidelines under the EarthCraft House Program, or (iv) is an Energy Star qualified home, the energy efficiency of which meets or exceeds performance

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guidelines for energy efficiency under the Energy Star program developed by the United States Environmental Protection Agency. § 58.1-3221.2.

UpComing Conferences

- Green Real Estate 2008, Denver, CO, July 16-17, 2008
- Smart Green Showcase, Frederick, MD, July 18, 2008
- Connecticut Business and Industry Assoc., Effectively Controlling Your Energy Costs in Your Family Business, North Haven, CT, August 6, 2008
- ICSC Green Retail and Trade Expo, Addison, TX, September 15-16, 2008
- West Coast Green, San Jose, CA, September 25-27, 2008
- ULI Tour of Energy Freedom Pioneers Eco-Industrial Park, Pedricktown, NJ, October 8, 2008
- USGBC Greenbuild 2008, Boston, MA, November 19-21, 2008
- ICSC Centerbuild Conference, Scottsdale, AZ, December 3-6, 2008

- NAHB National Green Building Conference, Dallas, TX , May 8-10, 2009

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