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## Court Dismisses LEED Performance Lawsuit

The United States District Court in New York City has dismissed in its entirety the lawsuit brought against the U.S. Green Building Council by Henry Gifford and others, holding that none of the plaintiffs in the action had alleged or could allege any legal interest (standing) to be protected by their lawsuit.

The Court dismissed the federal false advertising claims "with prejudice," meaning that the Court's dismissal of those claims is final and that plaintiffs are barred from filing a new suit based on those claims. The Court's ruling simultaneously dismissed plaintiffs' state law false advertising claims.

In October 2010, Henry Gifford filed a lawsuit against the United States Green Building Council alleging, essentially, that the USGBC had fraudulently represented the performance of LEED buildings, and doctored study results to support their claim that LEED buildings performed more efficiently than standard construction.

## ACEEE Offers Primer on Energy Efficiency Financing Programs

The American Council for an Energy Efficiency Economy (ACEEE) has issued a white paper on energy finance programs to make it easier for states, municipalities, utilities, and private lenders to learn from past experience and develop more effective energy efficiency programs. The primer highlights the types of financing partners in the marketplace and offers a guide to their individual interests, risk tolerances, and place in the financial services industry. [[More](#)]

## Community Planning Act Webinar Offered Aug 31

The University of Florida is hosting a "Community Planning Act: Challenges and Opportunities for Local Governments in FL" webinar on August 31 to explore the implications of the changes to Florida's planning and growth management system.

[New Energy Standards Set for Refrigerators](#)

[HUD Launches Foreclosure Web Mapping Service](#)

[FHC Annual Conference Set for Sept 26-28](#)

Quick Links

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Certification News

#### Local Governments

##### City of Winter Park

Certified: 8/25/11

Level: Gold

Points: 41%

##### City of St. Pete Beach

Certified: 8/11/11

Level: Silver

Points: 21%

#### Commercial Buildings

Pahokee Middle School

Certified: 5/16/11

Points: 51

#### "Florida Green" Homes

3,738 as of 8/15/11

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Calendar

#### September 26-28, 2011

##### Florida Housing Coalition

Affordable Housing

Conference

Rosen Shingle Creek

Orlando, FL

[www.flhousing.org](http://www.flhousing.org)

#### October 5, 2011

##### Charlotte County Energy

Options Conference

Charlotte Harbor Event

Center

75 Taylor Street

The 2011 Florida Legislature enacted sweeping changes to Florida's planning and growth management system. The Community Planning Act (HB 7207, now codified as Chapter 2011-139, Laws of Florida) dramatically modified the role of the state in the planning process while emphasizing the role of local government. This presents both challenges and opportunities to ensure that planning and growth management remain a viable and effective part of a local government's decision making process. This webinar is designed for elected and appointed planning officials and professional staff responsible for planning and growth management decisions. Earn 2 AICP CM credits. Registration is \$45 [\[More\]](#)

## Lantana Launches First Commercial 'PACE' Program

The Town of Lantana unanimously approved hiring a team led by EcoCity Partners, L3C to create the "GreenBiz Energy Collaborative Program." This new Program, the first of its kind in Florida, will provide property-assessed clean energy or "PACE" financing to businesses to complete energy efficiency or renewable energy projects on their buildings and facilities. The result is that the business will lower their energy costs and local contractors will be put to work.

The first PACE program in Florida - the Leon (County) Energy Assistance Program (or "LEAP") - focused on providing financing to homeowners. The Lantana Program will initially focus on commercial property retrofits.

Participation in PACE, which is voluntary, would provide upfront funds to pay for a building retrofit with repayment over 20 years through an assessment on the owner's property tax bill.

The Program is available to other municipal and county governments in Florida who want to opt-in and provide these benefits to their local businesses.

Florida passed its PACE legislation in 2010 with nearly unanimous bipartisan support. The original house bill was championed by Adam Hasner, now a Republican candidate for the United States Senate, who said, "PACE provides a no-cost to taxpayers, no-mandate, consumer opt-in approach to bringing clean energy technology to homeowners and businesses. PACE will help create jobs for Floridians at a critical time."

Residential PACE financing programs have been on hold

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**November 10, 2011**  
**FGBC Certifying Agent**  
**Annual Verification Course**  
Miami, FL  
[Register](#)

**FGBC Committee**  
**Meetings**

**Affordable Housing**  
3rd Thursday-monthly  
10 a.m.

**Board of Directors**  
3rd Wednesday-monthly  
3 p.m.

**Commercial**  
1st Tuesday-monthly  
3 p.m.

**Hi-Rise Residential**  
3rd Wednesday-monthly  
11 a.m.

**Homes**  
2nd Thursday-monthly  
2 p.m.

**Land Development**  
4th Wednesday-monthly  
4 p.m.

**Local Government**  
1st Tuesday-monthly  
10:30 a.m.

**Membership Committee**  
3rd Thursday-monthly

**Programs & Promotions**  
3rd Thursday-monthly  
1 p.m.

**The Top 9 Public**  
**Benefits Of Installing**  
**Solar Power**

Even as the costs of solar power continue to decline, a widespread perception from the public and many policymakers that solar is "too expensive" remains

following chilling regulatory action by Fannie Mae and Freddie Mac, who have taken issue with the seniority of the PACE lien. A bipartisan bill, the PACE Protection Act of 2011, has been introduced in Congress to stop this federal overreach from Fannie and Freddie - and allow State and local governments to offer voluntary PACE programs. The bill has quickly garnered strong bipartisan support, a rarity in Washington these days.

## DOE Launches New Tools to Accelerate Adoption of Electric Vehicles

The U.S. Department of Energy announced the launch of two online tools designed to help communities better prepare for widespread adoption of plug-in electric vehicles (EVs).

DOE has developed a template to help local governments design permits for residential EV charger installations and accelerate the approval process. Currently, many cities lack a standardized permitting process specific to EV charger installations. DOE's new permitting template can be adapted by local governments to develop their own residential charging station permits.

DOE has also released a training video to provide inspectors and electricians with a guide to facilitate inspections and installations of home EV chargers. These tools aim to create more favorable conditions for EV businesses, including infrastructure providers and installers, to thrive as more plug-in electric vehicles come to the market. [[Tools](#)]

## World's First Fuel Cell Station Commissioned

The world's first tri-generation fuel cell and hydrogen energy station was recently commissioned to provide transportation fuel to the public and electric power to an industrial facility, located at the Orange County Sanitation District's wastewater treatment plant in Fountain Valley, California. The fuel cell is a combined heat, hydrogen, and power system that co-produces hydrogen in addition to electricity and heat, making it a tri-generation system. The hydrogen produced by the system is sent to a hydrogen fueling station that will be open to the public and can support between 25 and 50 fuel cell electric vehicle fill-ups per day. The fuel cell also produces approximately 250 kW of power for use by the wastewater treatment plant. This on-site approach to hydrogen production advances hydrogen infrastructure technologies that will accelerate the use of this renewable fuel.

The Fountain Valley fuel cell system could offer a pathway to

stubbornly in place - much to the frustration of advocates and industry professionals.

A new study challenges this assumption by delving into the numbers to compare the actual costs and benefits of solar power projects. The report, authored by Richard Perez at the University of Albany, Ken Zweibel at the GW Solar Institute and Thomas E. Hoff of Clean Power Research, focuses on tangible benefits that solar power generation delivers to utilities, ratepayers and taxpayers. [\[More\]](#)

### Philips LED Wins DOE Lighting Competition

The U.S. Department of Energy announced that Philips Lighting North America has won the 60-watt replacement bulb category of the Bright Tomorrow Lighting Prize (L Prize) competition. The Department of Energy's L Prize challenged the lighting industry to develop high performance, energy-saving replacements for conventional light bulbs that will save American consumers and businesses money.

Submitted in 2009, the Philips LED bulb successfully completed 18 months of intensive field, lab, and product testing to meet the rigorous requirements of the L Prize competition - ensuring that performance, quality, lifetime, cost, and availability meet

low-cost hydrogen and also demonstrates the versatility of fuel cells to utilize multiple feedstocks, such as biogas and natural gas, to produce power and renewable hydrogen that can be used to fuel light duty vehicles such as forklifts or as backup power in applications such as cell phone towers. Primarily running on biogas, the system can also use natural gas to sustain a consistent feedstock in the case of any disruption in biogas availability or quality. [\[Fuel Cell Tax Credits\]](#)

### Sheehan Tapped to Lead Office of Energy

Putnam named Congressional policy veteran Patrick Sheehan to serve as director of the Office of Energy. HB 7215, signed by Gov. Rick Scott on June 21, transferred the Governor's Energy Office to the Florida Department of Agriculture and Consumer Services. Environmentalists supported the move in the hope that Putnam would provide leadership on renewable energy issues they said was lacking from the Legislature and Scott. Although Sheehan has no background in energy issues, Putnam said he has broad experience in an array of federal issues that will help the state.

### DEP Names New Water Policy Directors

Florida Department of Environmental Protection Secretary Herschel Vinyard announced two key hires in the agency. Vinyard named Gregory Munson as deputy secretary for water policy and ecosystem restoration and Ann Shortelle as water policy director. The two employees are scheduled to start their jobs later this month.

The two new DEP officials will be charged with working with water management districts at a time when Gov. Rick Scott says many of them have strayed too far from what he calls their core mission.

"One of my top priorities is getting Florida's water right, and DEP is committed to helping Florida's water management districts focus on their core mission responsibilities," said Vinyard in a statement. "This means that DEP will take a more active role in water management district water supply program development, protection of water resources and regulatory policies."

State legislators earlier this year ordered districts to slash the property taxes they charge by \$210 million - a move that has forced some of them to lay off employees. The loss of property tax revenue prompted one credit rating agency to

expectations for widespread adoption and mass manufacturing. If every 60-watt incandescent bulb in the U.S. was replaced with the 10-watt L Prize winner, the nation would save about 35 terawatt-hours of electricity or \$3.9 billion in one year and avoid 20 million metric tons of carbon emissions. [\[More\]](#)

### Florida Energy Summit Announced

For the past five years, the Department of Agriculture and Consumer Services (DACS) hosted the Farm to Fuel Summit. In 2011, the Florida Legislature moved the responsibilities of the Florida Energy and Climate Commission to DACS, creating the Department's Office of Energy. With the new addition of the Office of Energy, DACS is expanding its role in the energy sector. As such, the Farm to Fuel Summit has been expanded to the Florida Energy Summit in order to encompass not only agricultural based fuels, but also all renewable energy and conservation activities in the state." [\[More\]](#)

### DOE Funding Programs

DOE has wide range of funding programs available for renewable energy projects that use solar , geothermal or wind.

Check out these websites

downgrade the rating for the South Florida Water Management District.

### DEP Cuts \$700 Million from Water Districts

Department of Environmental Protection Secretary Herschel Vinyard touted more than \$700 million in budget cuts approved by Gov. Rick Scott for the state's five water management districts. SB 2142, signed by Scott on May 26, directed four of the districts to cut their property taxes by a combined \$210 million. Scott touted the bill as a tax-cutting accomplishment from his first legislative session but environmental groups warned the cuts would harm Everglades restoration and water protection.

Letters sent by Scott to each of the districts stated there were \$702.8 million in cuts, but only \$407 million in cuts were identified in the letters. A DEP spokeswoman referred questions about the remaining \$295 million to the districts. Of the \$407 million in cuts identified, \$245 million were from avoided spending on land acquisition and \$96.7 million by the South Florida Water Management District was from avoided borrowing for Everglades restoration.

Vinyard said the tentative budgets, to be adopted following public hearings next month, maintain the districts' core missions of maintaining water supply, flood protection, water quality and natural systems protection. "The districts will continue to manage and protect Florida's waters," Vinyard said. "They still spend over \$1 billion in the coming year for that protection." [\[More\]](#)

### New Energy Standards Set for Refrigerators

The Department of Energy issued final energy efficiency standards for home refrigerators and freezers that will improve their efficiency by about 25 percent by 2014. These new standards, developed through a consensus process with manufacturers, consumer groups, and environmentalists, are expected to deliver more than \$200 in electricity bill savings for the typical consumer over the lifetime of the refrigerator. Nationally, consumers are expected to save more than \$21 billion on their energy bills through 2043 as a result of the standards.

Once the new standards take effect in 2014, a typical fridge that exactly meets the new standards will use \$215 to \$270 less per year in electricity than a comparable unit that met the first state standards set in 1978.

[\[More\]](#)

for eligibility and details:

[Loan Programs](#)

[Geothermal](#)

[Solar](#)

[Wind & Water](#)

**Home Energy  
Challenge Launched  
by DOE**

In the America's Home Energy Education Challenge, participating schools compete for more than \$200,000 in prizes. The program, which runs from September through December 2011 is designed to teach students and their families about energy, energy use, and the correlation between saving energy and saving money to encourage them to implement energy savings techniques at home. Teachers, students and families can participate in two ways: (1) Home Energy Challenge and, (2) Energy Fitness Award. This looks like a great awareness campaign for our future generation. Get your kids or grandkids involved. [\[More\]](#)

## HUD Launches Foreclosure Web Mapping Service

The U.S. Department of Housing and Urban Development launched a new Web-based mapping tool that displays the location of all foreclosed properties held by Fannie Mae, Freddie Mac and the Federal Housing Administration. The REO Portal is designed to help local communities, homebuyers and investors acquire properties and accelerate efforts to stabilize local housing markets. [\[Website\]](#)

## FHC Annual Conference Set for Sept 26-28

The Florida Housing Coalition (FHC) is hosting their annual affordable housing technical assistance conference at the Rosen Shingle Creek in Orlando on September 26-28, 2011. Emphasis is on re-evaluating housing strategies to effectively assist Floridians in obtaining and sustaining affordable housing. Four educational tracks focus on:

- Neighborhood Stabilization in Florida Recovery and Reinvestment - Progress overview; new HUD guidance; upcoming tasks and milestones; and training for program design;
- Affordable Green Housing - Integrating design; establishing initiatives and policies; and creating effective partnerships;
- Preservation - From HUD to USDA: Focus on identifying and acquiring existing assisted rental housing; and
- Foreclosure Prevention - Hardest-Hit Program update and other foreclosure alternatives.

In addition other training sessions include the nuts and bolts of housing finance and development; housing finance and development for the expert; case studies and success stories; legislative advocacy; community organizing; and new tools for accessing funding opportunities. [\[More\]](#)

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