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Planning and Development Committee

March 6, 2009

Testimony of Martin Mador

In Favor of

HB 1033 An Act Establishing a Tax Credit for Green Buildings

I am Martin Mador, 130 Highland Ave., Hamden, CT 06518. I am the Legislative and Political Chair of the Connecticut Sierra Club, and am here today representing our 10,000 Connecticut members concerned about the health of our environment. I possess a Master's of Environmental Management degree from Yale. I am a LEED accredited green building professional, and have conducted research in green buildings at Yale. I am the editor and chapter author of Biophilic Design; the Theory, Science, and Practice of Bringing Buildings to Life (Wiley, 2008).

This bill would establish a program to grant credits toward state taxes for construction or renovation of buildings designed and built to green building standards.

Sierra recommends passage of this bill, but, given the current economic crisis, makes no comment about the date of these credits should become effective.

The use of tax credits to encourage green building construction is highly appropriate. Green buildings confer a host of benefits to society as a whole. They minimize impacts on the site where they are built. They minimize water consumption, thereby protecting our sources of potable water. They promote stormwater infiltration to the ground, thereby reducing the need for expensive infrastructure, and reducing the erosion of receiving waterways. They reduce electrical energy use dramatically, reducing the need for additional generation capacity. They can reduce fossil use, so minimize release of air pollutants and greenhouse gases. They emphasize high indoor air quality, keeping the building occupants healthier and more productive. They minimize generation of waste, reducing the need for landfill space. Each of these benefits has a direct public benefit, which far outweighs the cost of the tax credits contemplated in this bill.

The bill, however, to be acceptable needs revision in four areas.

(1) It needs to explicitly say that the credits are available only to buildings which have actually earned LEED certification at the Silver level or above. It must not say "or equivalent", as there is no existing equivalent standard which incorporates third party certification. Such certification is necessary to confirm that the building actually meets green standards as built. It must apply to the project as built, not as designed. The credit should thus be awarded only after certification has been granted.

(2) Section 1.(10)(c)(1)(B) must be re-written so that it is clear that the building's energy consumption is no more than 80 or 80 percent of code. The current language actually says the consumption can be 70 or 80 percent greater than code.

(3) The language in Section 1.(3) referring to bus transit and rail, light rail, streetcar or

ferry transit must be removed. This would limit credits only to green buildings associated with transit-oriented development. Sierra finds this unacceptable. While buildings sited near mass transit may be preferred, this is not necessary for the benefits of green buildings to apply. This restriction is inconsistent with the purpose of the legislation.

(4) The tax credits in section 1. (10)(c)(2) are so generous that only a few projects could exhaust the \$25million cap. If the goal is to encourage green building across the state, the credits available to a single project should be reduced.

The use of tax policy to encourage commercial construction of green buildings is highly appropriate public policy. Considerable societal benefits will accrue from passage of this bill.