



[Are "Green" Building Designations and Certifications Truly Necessary?](#)



As anyone who reads this construction blog on a regular basis knows, I believe that the move to newer [sustainable building practices](#) (while bringing about a new or different [set of potential risks](#)) is both necessary and laudable. Because of this fact, you may be asking why the headline for today's post. After all, I am a LEED AP and assisted in the drafting of the [LEED/Green Building addendum to the ConsensusDOCS](#) so I *must* be pro LEED (or any other) certification of buildings. To the extent that such certification encourages best practices and more sustainable building stock, I am pro certification.

However, certification is not a necessary carrot to bring builders around to such practices. As a [recent article in EcoHome Magazine](#) (thanks to Todd Hawkins at [BuilderFish](#) for alerting me to the article) points out, companies are already moving toward these practices with or without certification and it's added layer of expense. Economic, air quality, and moral ("its the right thing to do") factors are pushing executives to such practices. According to EcoHome Magazine, while LEED retains the lions share of green certifications, more and more companies are either using internal standards or trying out other certification programs, including [Energy Star](#).

As a [construction lawyer](#), I see this as a good thing. From a purely societal perspective, it shows an internalization of sustainable building. Companies are pursuing these practices without the necessity of a plaque on the door. For whatever reasons, money and the bottom line being a big one, companies see sustainable construction as a good thing to do.

From a legal perspective, I see more construction contracts using specific scopes of work requiring such practices without the "crutch" of simply calling for a certain level of [LEED certification](#). As I've said often, ["green" or "LEED Silver" is not a project spec](#). To the extent that forgoing a third party certification of the building leads to a more careful consideration of [the projects specifications and expectations](#), a move from third party certification could be a good thing and lead to less litigation.

In short, I have absolutely no issue with the USGBC or LEED in general. Without LEED and other rating systems, sustainable construction would not have gained much of the ground that it has. However, given the progress and internalization of such practices,

such rating systems are available but unnecessary to reach the goal of a sustainable building stock.

I hope to hear your perspectives. Where am I wrong? Do you agree? Have I forgotten to consider something? Let me know.

Image via [Wikipedia](#)

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