

Tampa Bay Regional Planning Council:
Greenwashing, Green Building &
Renewable Energy

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[What is Greenwashing?]

Green-wash (grēn'wōsh', -wōsh') – *verb*: the act of misleading consumers regarding the environmental practices of a company or the environmental benefits of a product or service





“I guess it is easy being green.”

Presenting the 36-mpg Ford Escape Hybrid, the most fuel-efficient SUV on Earth.* Plus, it comes with an extended 8-year/100,000-mile hybrid warranty! www.fordvehicles.com

ESCAPE HYBRID 

*Based on Automobile Review, Transport Canada and US EPA. EPA estimated 36 city/31 hwy mpg, FWD. Actual mileage will vary. †Unique hybrid components covered under the 8-year/100,000-mile warranty are: high-voltage battery (non-green states) eCVT and DC/DC converter. 10-year/150,000-mile hybrid battery warranty in CA, ME, MA, NY and VT. ©The Muppets Holding Company, LLC. All Rights Reserved.



[Is This Greenwashing?]



<http://www.treehugger.com/files/2009/07/gm-blue-logo-might-go-green-greenwashing.php>



Combat Greenwashing

[The Federal Trade Commission]

- FTC Enforcement
- Purpose of Green Guides
- Green Guides Review



Green Packaging Claims



[Vague Terms]

Recyclable

Sustainability

Natural

Organic

Green

Safer

Recycled

[Recyclable vs. Recycled]



[Safer]

Stronger, safer, smarter paint.™



Advertisement:

“Mythic Paint is a non-toxic, ultra low odor paint that provides the durability and coverage you expect from a premium paint without cancer-causing toxins and VOCs.”

<http://www.nadreview.org/DocView.aspx?DocumentID=7374>

Environmental Seals & Certifications





Green Building

Tampa Bay Local Governments: Green Building Provisions

- Hillsborough County (Land Development Code & Development Procedures)
- Sarasota County (Code of Ordinances)
- St. Petersburg (Code of Ordinances)
- Tampa (Code of Ordinances)
- St. Pete Beach (Land Development Code)

See Index of Green Building Provisions in Florida Municipal Codes (2009) available at
<http://www.carltonfields.com/newseventspubs/publications/detail.aspx?publication=682>

[FGBC Certified Projects]

- Homes - 2,101
- Developments – 10
- Local Governments – 11
- Commercial Buildings – 3
- Hi-Rise Residential – 0

As of September 17, 2009

Tampa Bay USGBC Certified Projects 27+ & counting with many more registered!

Project Name	Owner	City	State	Country	LEED Rating
100 North Tampa	Prudential	Tampa	FL	US	Silver
Chancey Office Building	CDP Holdings, LLC	Tampa	FL	US	<u>Certified</u>
Gensler		Tampa	FL	US	Silver
USAA SE REGIONAL OFFICE	USAA	Tampa	FL	US	Gold
Walker Brands	Walker Brands	Tampa	FL	US	Gold
Woodland CI/ Liberty Property Trust		Tampa	FL	US	Gold
Woodland Corp Center Office Building	Liberty Property Trust	Tampa	FL	US	Gold
Eckerd College Iota Residence Complex	Eckerd College	St. Petersburg	FL	US	Certified
Atlantis International	Grady Pridgen Inc.	St. Petersburg	FL	US	<u>Silver</u>

Greenwashing: Green Buildings & Textiles



- Misleading “Does Not Contain” Claims
- Claims Regarding Organically Grown and Natural Textile Products
- Toxic vs. Non-toxic
- Adherence to a standard without certification review



Renewable Energy

Going green in a red state

...are his global warming initiative is unpopular with some in his party.

News Flash



tampabay.com

FLORIDA'S BEST NEWSPAPER

Friday, July 13, 2007

Fla. enters warming deals

At a climate change summit, Gov. Crist makes deals with the United Kingdom and Germany.

on climate and global warming," said Matthias Machnig, Germany's state secretary for the environment.

mate change. The California governor said states had to forge their own global warming agreements because the White House

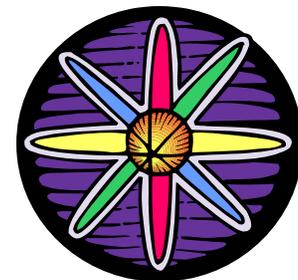
British officials took pains Thursday to point out that they weren't trying to go behind the White House's back in signing

Going 'green' could save Florida \$28B

Floridians have \$28-billion in found money, the American Council for an Energy Efficient Economy says. That's how much the state could save by 2023 by using energy-efficient measures, like compact fluorescent light bulbs and Energy Star appliances,

[2009 PSC RPS Rule]

- Renewable Portfolio Standard
- In response to 2008 Energy Act, the FPSC adopted a RPS rule & presented it to the 2009 legislature
- 2009 Legislature did not enact? Why?
 - Redefinition of renewable energy to clean energy
 - Nuclear issue

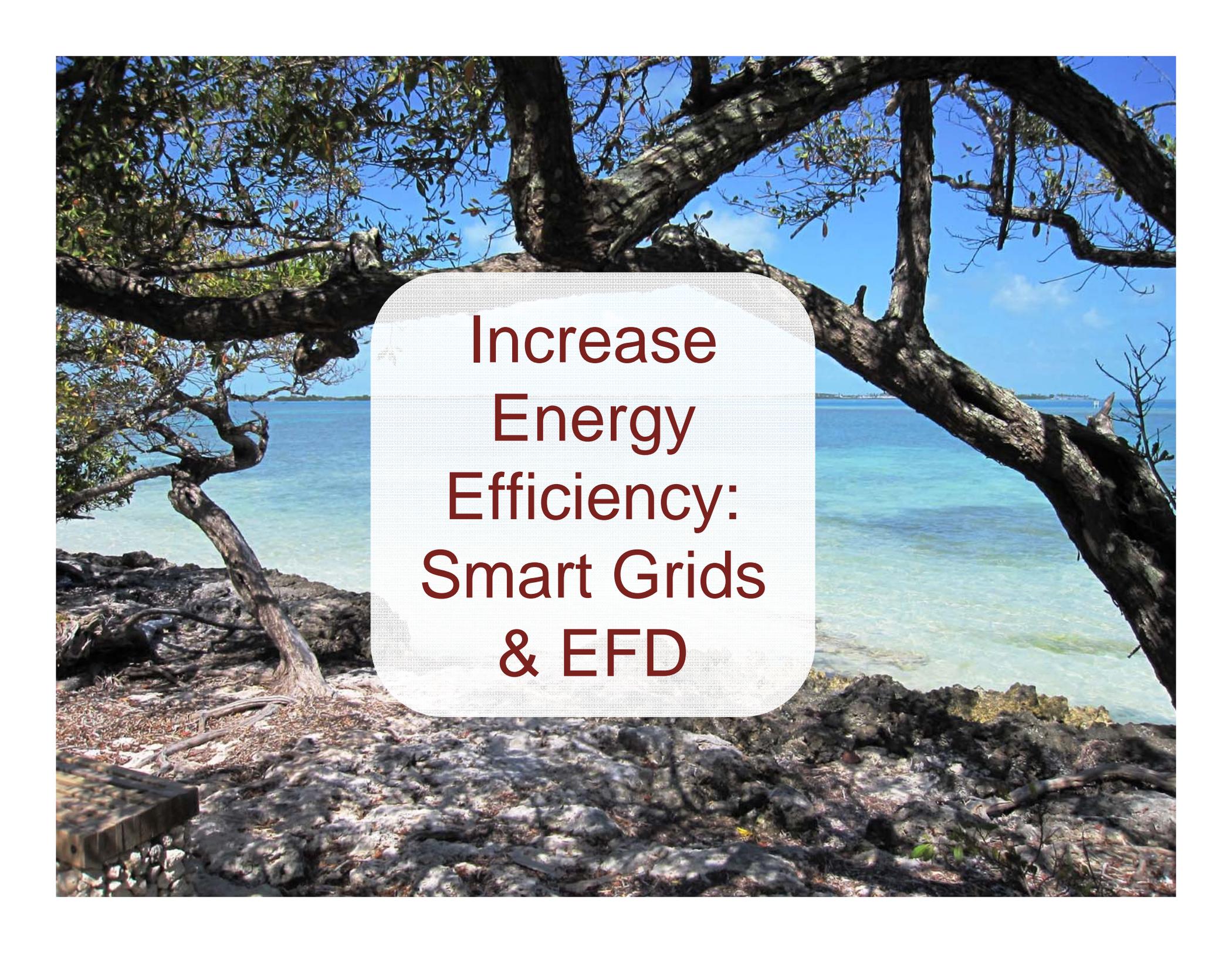


[Impacts of RPS]

- Once adopted (either FL or Fed), IOU will be required to meet % of renewables
 - Likely won't be able to meet the % themselves
 - Will need to purchase REC
- Property owners generating power have two benefits:
 - Reduced power bill by generated power
 - Separately saleable REC

[Florida Incentives]

- Renewable Energy PTC - Production Tax Credit
- Renewable Energy Technologies Investment Tax Credit
- Solar Energy Systems Equipment Sales Tax Exemption
- Renewable Energy Equipment Sales Tax Exemption
- Renewable Energy Technologies Grants Program



**Increase
Energy
Efficiency:
Smart Grids
& EFD**

Greenwashing:
Carbon Offsets & Renewable Energy Certificates



Greenwashing & Green Building References

Green Marketing Generally

- FTC Green Guides - <http://www.ftc.gov/bcp/grnrule/guides980427.htm>
- Green Seal – website - <http://www.greenseal.org/>
- ISO - <http://www.iso.org/iso/home.htm>
- Kevin Poloncarz, “It’s Not Easy Going Green,” <http://www.bingham.com/Media.aspx?MediaId=6617>.
- “Proposed Rules,” 72 Federal Register 227 (27 Nov. 2007), http://bulk.resource.org/gpo.gov/register/2007/2007_66096.pdf
- “The Seven Sins of Greenwashing,” TerraChoice, <http://sinsofgreenwashing.org/findings/greenwashing-report-2009/>

Carbon Offsets

- “A Consumer’s Guide to Retail Offset Providers,” Clean Air Cool Planet, <http://www.cleanaircoolplanet.org/ConsumersGuidetoCarbonOffsets.pdf>

Building & Development

- Audubon International Signature Programs - <http://www.auduboninternational.org>
- Florida Green Building Coalition (FGBC) - <http://www.floridagreenbuilding.org>
- Green Globes - <http://www.thegbi.org>
- U.S. Green Building Council (USGBC) - <http://www.usgbc.org>

[Renewable Energy Resources]

- Incentives: <http://www.dsireusa.org/>
- Florida Energy & Climate Commission - <http://myfloridaclimate.com/>
- Florida Renewable Energy Association (FREA) - <http://www.cleanenergyflorida.org/>
- Florida Solar Energy Center - <http://www.fsec.ucf.edu/en/>
- Florida Alliance for Renewable Energy - <http://www.floridaallianceforrenewableenergy.org/>

[Questions?]

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ATTORNEYS AT LAW



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