

Fact Check with USGBC's Brendan Owens: USA Today

Published on **25 Oct 2012**

Written by **Brendan Owens**

Posted in **LEED**

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There's a lot not to like about the *USA Today* articles written by Thomas Frank and posted earlier this week. To be fair however, there is some to like as well. And, just to put it out there, my list of things that could be better in [LEED](#) is a whole lot longer than Tom's – trying to fix them is why I work here.

A friend and colleague, who's much smarter than me, once told me that you never get into an argument with someone who buys ink by the barrel. But, there's one particular aspect of the article which is flat out untrue and insofar as it serves as a lead in to some of the larger points Tom has tried to make in the article, I feel compelled to address it directly.

In Tom's article he asserts that USGBC "sidestepped its own policy and allowed smoking in the Palazzo Casino." This is not true. We didn't sidestep an existing rule for Palazzo.

In the couple of times I spoke to Tom while he was researching his piece on USGBC and LEED, we spent considerable time on the subject of LEED-certified casino properties. Here's what I attempted to convey to Tom:

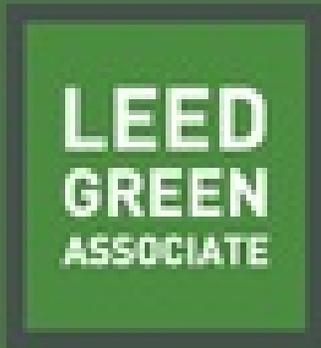
The Palazzo was awarded LEED certification in March 2008. Projects the size and scope of the Palazzo (of which there aren't many) take time to design and build. Our records indicate that the Palazzo project registered its intent to seek LEED certification in November 2006 and I recall conversations with the project team about the feasibility of a project like the Palazzo achieving LEED certification as early as 2004. In 2004, we had about 200 LEED certified projects. It's an understatement to say that the project like Palazzo was unusual when compared to the "typical" LEED project of the time. Having never conceived of a project as complex as the Palazzo (or the Pentagon, or a data center, or a hospital, or a laboratory) using LEED when LEED was initially written, and out of a desire to ensure that we didn't burden the administration of LEED with a regulatory mindset absent any compelling reason to do so, project boundary definitions were left to the discretion of the project team.

When the Palazzo project team proposed a project boundary definition that essentially divided the project into three separate buildings and drew the project boundary so that it excluded the casino floor from the project, we didn't have a policy that prohibited the team from doing this. We did take, what at the time were, extraordinary steps to ensure that the separate ventilation systems would ensure no cross contamination between the LEED-certified and uncertified portions of the complex. But there was no policy to "sidestep." I don't think that this is just a semantic difference but I do acknowledge that it's arguable that the spirit of LEED was somehow compromised. In hindsight maybe it was, but keep reading.

In fairness to Tom's coverage of the Palazzo certification, he does correctly state that, with the establishment of Minimum Program Requirements that were created based on the successes and failures of the way LEED had been used and abused, we no longer allow project teams to define project boundaries the way the Palazzo did in 2004. We weighed the pros and cons of not having a rule to prevent this type of activity, decided the cons outweighed the pros and prohibited this type of project boundary definition. The system learned, as it has on a thousand different issues over the 12 years it's been in the market, and it is, in my opinion, better for it.

Looping back around on the spirit of LEED – I think the fact that we learned from this project and thousands like it, is a strength, not a weakness.

LEED's not perfect, it never will be, but it will always be dynamic and, at least I hope, we're not going to build it to be unnecessarily restrictive. Flexibility encourages innovators to innovate and as a result creativity in LEED projects flourishes. We learn valuable lessons on the way, some are more uncomfortable than others, but we learn and we move forward.



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