

An open letter to the Pacifica City Council:

I'm writing to express my disgust at the ludicrous, fact-free and logic-free City Council decision on the Harmony @1 project.

Council persons Nihart, Ervin, and O'Neill, **shame on you** for your lack of research, disregard for factual input, and misplaced reliance on four sadly misinformed staffers (city manager, city attorney, planning director, and consultant), and one obviously self-interested developer representative -- whose manipulation of the "information" he presented to benefit his client was entirely transparent. Who *is* the project owner, by the way? His/her notable absence from the meeting clearly demonstrates the level of (non-)dedication to the well-being of the town of Pacifica.

The fundamental question on the table at the 7/13 meeting was, "Can a project achieve a LEED Gold standard, absent certification?" The answer is a clear and resounding NO. There are no points, there is no legitimate LEED achievement, there is no 'meeting a LEED standard,' without engaging in the actual certification process. 'Meeting the LEED standard' by its nature *requires* validation of performance through a rigorous process of third-party verification by a qualified LEED Green Rater. That rater is bound by quality assurance standards established by the U.S. Green Building Council (USGBC) through a demanding, multi-year, multi-stakeholder consensus process (which I organized and chaired). The Rater's work is subject to regular review and audit by the USGBC and its designees, and this quality assurance framework is the exclusive means by which the customer (builder, developer, home buyer) is assured of receiving a home that meets the claimed specifications. There is no legitimate "equivalent." Any claim to such is either ignorant or an outright sham.

LEED stands for Leadership in Energy and Environmental Design. The goal of LEED is to distinguish projects that exemplify leadership. GreenPoint Rated (CA-specific program) was developed with an entirely different goal from LEED: to provide a very accessible bar for entry for novice green builders. This is also an admirable goal, but it is no secret that GPR sets a much lower bar for performance. And as consultant Miles Hancock correctly noted, even for a high-scoring GPR project, there is only rough parity with LEED, no direct correspondence between a given LEED score or rating level and a GreenPoint Score.

It is possible for a project to elect measures in GPR that *resemble* LEED measures. *If* that were the developer's intention, it would require exactly the same verification – and costs, and time commitment – as pursuing certification in LEED for Homes. There is no "huge bureaucracy" to LEED that GPR replaces; the two bureaucracies are quite comparable to one another. There is no "New York" authority to which projects are submitted. In fact, USGBC has Providers all over the US, and dozens of Bay Area Raters, many of whom are dual-qualified in LEED and GPR and provide the same basic services at about the same rates, for homes with the same sets of features and same time requirements for verification.

Same work, same verifiers, same performance = same cost, or pretty darned close – only \$475 apart, to be precise (this information is readily available on the internet).

So where does this fictitious "\$25,000 for LEED" number come from? There are a couple of possibilities. It could be a complete figment. It could be an off-the-cuff quote from someone

who has experience with the LEED commercial building programs, which are fundamentally different from LEED for Homes in many respects, including cost. It very likely might reflect a significant *consulting* scope, not to be confused with LEED certification-related activities. Incidentally, if the developer needs that consulting support, he will equally need it to hit the performance targets set out in LEED, notwithstanding the absence of formal certification – so that cost is irrelevant to the certification discussion.

As to the differences between LEED and GPR, they are substantial. The maximum LEED score is just north of 100 points; GPR offers >350 points – and the rating measures differ in significant ways. GPR has 3 prerequisites (mandatory measures); LEED has 19, including many in-field quality assurance tests that are mandated to protect both the builder and the home buyer. If the developer truly intends to meet the performance standards detailed in all those prerequisites, it's a puzzle why certification would not be sought as recognition for that substantial achievement. As Council member O'Neill so aptly quipped, "This is like going to college, doing all the coursework and passing, but not bothering to apply for a diploma?" Yes, Mike, that's exactly right. And equally stupid and self-defeating.

Let's play out that analogy. That puts the City in the role of the college counselor who determines whether the student has or has not met the graduation requirements. Those requirements, in this case, to be even marginally faithful to the original Harmony@1 conditions of approval, would be all the mandatory measures in LEED for Homes, plus enough optional measures – exactly as specified in LEED – to achieve a Gold rating. I could list all those measures here, but all that's also readily found on the Net ([www.usgbc.org](http://www.usgbc.org)). Now let's assume that the City is sufficiently committed to this evaluation to hire someone who knows what these measures are and how to verify that they have been met.

So we have two possible outcomes:

1. The pseudo-rater (it's hardly a legitimate Rater role, given the circumstances) will dutifully perform all the same diagnostic testing, visual verifications, and document checks, and be absolutely as rigorous as USGBC would require, therefore charging the same fee as if certification were sought – and the developer achieves a non-rating, a non-marketing-worthy, pallid and lukewarm GreenPoint Rating. The low-bar program label. Wow. How excruciatingly underwhelming. In this scenario, we have a good project – possibly even very good – with poor PR value, for essentially the same price the developer would have paid for LEED. In the same time frame. (These are facts; they are readily checked by anyone who would care to do the minimal research required. I can point anyone interested to all the websites, phone numbers, etc., in 2 minutes.)

OR

2. A pseudo-rater of dubious qualifications (since a qualified rater isn't required) performs some form of verifications (for which no standard exists), without oversight, accountability, or any possible repercussions to his/her nonexistent rater status – and charges the same fee that would be charged in Scenario #1. No rigorous assurance of performance, no audits, no label, no certificate. Same poor outcomes as above, with the added "bonus" of likely reductions in performance. Pathetic.

All for the whopping savings of \$475 on administrative fees for a \$4 million house (about 0.01% of project cost).

And what has been sacrificed to save this \$475? The faith of the community. A tremendous PR and marketing opportunity. A nationally-recognized, prestigious merit badge. Bragging rights for all.

That's the logic-free part.

The fact-free parts of the hearing were the innumerable occasions upon which various council members cast their eyes about the room, asking, "Can someone clarify this?" Why yes, someone could have. Nancy Hall could have, and did – to no avail. Tait Coward could have, if he cared to. Rich Campbell could have, and did – also to no avail. And I would have been delighted to provide in-depth, fact-based, verifiable information on any number of points where confusion was expressed about LEED and GPR. Instead, misinformation and/or incomplete information was provided in response, by all of the aforementioned, under-qualified parties. For some unfathomable reason, direct knowledge and genuine expertise was evidently not considered to be relevant.

Miles Hancock, the City's hired consultant, by his own admission was only knowledgeable about GPR, not about LEED; to his credit, he attempted to provide fair information but was hampered by inadequate knowledge of the topics under discussion. And so unfortunately, reliance on him was not a good decision on the part of City staff. In a court of law, the Council's nonsensical avoidance of factual information would not be tolerated. And in fact, the Council is acting in judicial capacity, and has a similar obligation to make fact-based decisions, an obligation that appears not to weigh heavily upon Nihart, Ervin, and O'Neill. I'm tempted to review the recording of the meeting and catalog the plethora of verifiably erroneous statements made by the four staffers and the developer's representative. I wonder, what is the validity of public decisions made based on inaccurate information provided to the decision-makers? Would those decisions hold up in court?

I have been attempting for 20 years to bring green practices to the City of Pacifica. I recently unearthed 1997 files from the Economy & Ecology Partnership, wherein fellow residents and I brought bona fide sustainable development experts to Pacifica in attempts to move the town in that direction. You might think by now I had learned my lesson. That effort bore no more fruit than Harmony @1 evidently will bear. This is a kick in the gut to the many individuals who invested countless volunteer hours working to craft the original Harmony @1 conditions of approval. Pacifica deserves better.

John and Sue, thanks for your efforts. You tried to shed light on the developer's dissembling and your colleagues' lack of knowledge and dearth of logic. But the deck was stacked. It's clear that the other council members and staff weren't truly interested in the truth or in serving their constituents.

Council members Nihart, Ervin, and O'Neill, clean up your act. Do your homework. Get your facts straight. Don't insult us with your pathetic, developer-pandering, fact-free, Keystone Cops antics. You are an embarrassment.

Very sincerely,

Ann Edminster

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(I don't normally trot out that highly abbreviated list of qualifications in local circles – after all, who cares? – but on this occasion it seems warranted.)