

# NAIOP

COMMERCIAL REAL ESTATE  
DEVELOPMENT ASSOCIATION

## NAIOP VIEWPOINT

### ENERGY EFFICIENCY

- Federally-mandated energy-efficiency targets ignore differences between local markets. Energy-efficiency legislation should rely on incentive-based and voluntary approaches to drive market changes.
- Improving energy efficiency is an important consideration in modern commercial real estate markets. Voluntary and incentive-based programs, such as EPA's Portfolio Manager, encourage increased energy efficiency in the private sector and should be continued.

### ENVIRONMENT

- Opponents of development sometimes use the Endangered Species Act (ESA) only to delay development projects, without the existence of a true threat to an endangered species.
- Commonsense reforms to the ESA are needed to prevent abuse of the law and to incentivize voluntary conservation efforts.

## ENERGY EFFICIENCY AND ENVIRONMENT

**OUR POSITION:** Federal legislation advancing building code efficiency goals should be based on economic and technological feasibility. Incentive-based and voluntary approaches to advancing energy efficiency, such as EPA's Energy Star Portfolio Manager, should continue. NAIOP supports commonsense reforms to the Endangered Species Act (ESA), which codify and incentivize voluntary conservation efforts, and curb abuse of the Act by reducing instances of false reporting.

### ENERGY EFFICIENCY

- Local economic conditions, tenant preferences and project development costs determine which energy efficiency measures can realistically be absorbed in a given market. Arbitrary nationwide energy mandates that ignore local market conditions would create disincentives to new development where the costs cannot be absorbed.
- NAIOP supports legislation that takes a sensible approach to incentivizing energy efficiency without imposing new mandates. Federal legislation that encourages states to update energy efficiency codes must include provisions for realistic payback schedules and requirements that the provisions be technologically and economically feasible.
- Portfolio Manager, part of EPA's Energy Star program, is a voluntary program that enables owners to track and monitor a building's total energy usage. Eliminating the program would cause confusion and compliance challenges in states, cities and municipalities that require building owners to use Portfolio Manager to comply with local energy efficiency ordinances. Congress should therefore ensure continued funding of this program.

### ENVIRONMENT

- The ESA should not be used solely to delay or stop development projects that pose no threat to an endangered species. Abusive delaying tactics should be curbed to the greatest extent possible. Individuals found to have intentionally reported false or fraudulent species sightings should face fines or further legal sanctions.
- Voluntary conservation programs – including Species Recovery Agreements and Habitat Reserve Agreements – allow the federal government to partner with private landowners to promote conservation of endangered species. These longstanding practices should be formally codified and further incentivized by establishing grant programs for private parties and state and local governments to facilitate implementation of such agreements.

### FOR MORE INFORMATION, CONTACT:

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