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Environmental LAW

Sustainability in concept and practice

One of the more confusing and abstract terms in the environmental dictionary is "sustainability."

We have trouble defining the concept, and even greater difficulty trying to reduce our understanding into actions.

Few reasonable people dispute that sustainability is a laudable goal. In the abstract, it means meeting the needs of the present without compromising the ability of future generations to meet their own needs. We do not need to look at very many generations to give the concept a frame of reference.

Have the baby boomers and their parents before them used up so many resources that we have shortchanged our own grandchildren? Can earth's once seemingly limitless bounty be used up in the space of just four generations? The fear that such thoughts could be true, and the emerging reality that, in the course of using our resources, humans are altering the global climate in ways we do not fully understand, has got us thinking. In a real and practical way, it is becoming apparent that everything we do today affects tomorrow — how we get to work, what we recycle or throw away, what kind of food we eat and what kind of buildings we inhabit.

When we look beyond sustainability as an ideological buzzword, practical connections begin to emerge. In law and business, the concept of sustainability has begun to break through as a way of thinking about the things we do that can lead to innovations to reduce our dependence on foreign oil and other finite resources and improve our sense of national security.

Beyond the range of daily sound bytes, people's perceptions and, through them, the marketplace, have begun to change. At the global level, organizations such as the World Business Council for Sustainable Development — which includes bread and butter businesses such as GM, DuPont, Coca-Cola and Wal-Mart. Dow Jones among its members — track the performance of environmentally friendly companies through sustainability indices. Corporate policies to reduce environmental impacts, and to make money because of — not in spite of — such actions, are now common.

Rochester has been at the forefront of such developments at the grassroots level. The Rochester Green Business Network counts more than 70 member companies and provides a forum for members



to share ideas and practical experiences to improve environmental performance. RGBN operates under the umbrella of the Center for Environmental Information, a leading voice in environmental education for more than 30 years. RGBN is considering expanding from a local to a regional forum with chapters in Buffalo and Syracuse.

The added membership and prominence from a regional expansion could catapult the organization into the forefront of the sustainability movement and make Upstate a more attractive place for investment in "green" research and development.

Growth in that direction already has been considerable. The establishment of the Pollution Prevention Institute at RIT has added a further dimension, providing business leaders with a resource in the academic world.

The concept of sustainability also is finding its way into laws and regulations. Green building standards are penetrating zoning, tax and building laws. The U.S. Green Building Council launched the Leadership in Energy and Environmental Design (LEED) green building certification program in 2000. Green Building laws incorporating LEED in some fashion already are coming into effect. The USGBC has compiled a database of green building mandates and incentives that can be searched online. The USGBC, American Institute of Architects and others also are collaborating on an ANSI-certified standard for design, construction and operations performance of commercial buildings (proposed Standard 189.1P). Once finalized, the new standard is expected to be incorporated into building codes throughout the country.

Sustainability has rhetorical and conceptual appeal, but also practical implications. Green building standards may be the most concrete and easiest to grasp and quantify. Organizations such as the RGBN, especially if it grows to become a regional forum, provide a way to ride the wave.

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