



## **The Campaign for Fossil Free Buildings in Silicon Valley**

350 Silicon Valley, Acterra, Bay Area for Clean Environment, Carbon Free Silicon Valley, Carbon Free Palo Alto, Carbon Free Mountain View, Citizens' Climate Lobby San Mateo County, Citizens Environmental Council of Burlingame, Clean Coalition, Climate Reality: Santa Clara County, Coltura, Cool Block, Earthy B, EmeraldECO, Fossil Free Mid-Peninsula, GreenTown Los Altos, Kitchens of Life, Menlo Spark, Menlo Together, Mothers Out Front South Bay, Pacifica Climate Committee, Peninsula Interfaith Climate Action, Project Green Home, Redwood Energy, SIDCO Homes, San Carlos Green, San Francisco Bay Area Physicians for Social Responsibility, Sierra Club Loma Prieta Chapter, Sustainable San Mateo County, Sustainable Silicon Valley, Sunnyvale Cool, Silicon Valley Youth Climate Action, and Silicon Valley Youth Climate Strike.

June 8, 2020

San José City Council  
200 E. Santa Clara St.  
San José, CA 95113

*Via email: sam.liccardo@sanjoseca.gov, dev.davis@sanjoseca.gov, raul.peralez@sanjoseca.gov, lan.diep@sanjoseca.gov, sylvia.arenas@sanjoseca.gov, maya.esparza@sanjoseca.gov, charles.jones@sanjoseca.gov, sergio.jimenez@sanjoseca.gov, magdalena.carrasco@sanjoseca.gov, pam.foley@sanjoseca.gov, johnny.khamis@sanjoseca.gov*

**RE: Strong Support for Proposed Extension of Natural Gas Infrastructure Prohibition Ordinance** (as outlined in FILE: 20-618 for consideration on June 9<sup>th</sup>, 2020)

Dear Mayor Liccardo and Council Members,

On behalf of the Campaign for Fossil Free Buildings in Silicon Valley (FFBSV), this letter expresses our strong support for the proposed extension of the Natural Gas Infrastructure Prohibition Ordinance to all sectors, as staff discusses in the May 26<sup>th</sup> 2020 memo (File 20-618). We urge you to approve the proposal and direct staff to return with a fully developed ordinance for consideration by September. Although we are in unprecedented times with a pandemic, economic downturn, and civil unrest, the proposed policy is critically needed to address the magnitude of the climate, air quality, health, and safety impacts of current fossil gas use in homes and buildings. We recommend several specific elements for the policy as it progresses into an ordinance, including eliminating an automatic exemption for commercial kitchens. We recognize and are grateful for the significant effort of staff underpinning this policy.

FFBSV is comprised of the 33 organizations listed above, working together to support an accelerated phase out of fossil fuels in buildings.<sup>1</sup> A rapid transition away from fossil fuel use is necessary to avoid the very worst and irreversible impacts of climate change. Preventing the use of fossil fuels, including natural gas, in new construction will create more affordable, cleaner, healthier, and more resilient housing and buildings for communities throughout San Jose.

### ***Building Electrification is an Urgent Climate Action***

Although we are in the midst of a global pandemic with serious economic impacts, the depth of the climate crisis is worse than commonly understood and demands urgent action. In addition to devastating long-term climate consequences, San Jose faces significant present-day risks including flooding from sea level rise, increased vulnerability to wildfires and smoke, and more severe heat waves. In 2018, the Intergovernmental Panel on Climate Change (IPCC) concluded that ***we must dramatically reduce Greenhouse Gas (GHG) emissions by 2030***

***through rapid, far-reaching, and unprecedented measures.***<sup>2</sup> Since that report was issued, we have seen greater impacts from climate change than anticipated.<sup>3</sup> Current trends for carbon emissions and lack of action show that we are headed to *twice* the rate of warming that the Paris Climate Accord sought to contain. As the May 26, 2020 staff memo notes, and thanks to carbon free power serving all of San Jose by 2021, the proposed policy to prohibit Fossil Gas use in new developments would reduce over 600,000 tons of CO<sub>2</sub>, making this a key measure towards the city's Climate Smart goals.

Since San Jose adopted a strong reach code and prohibition on gas use for new homes, ADUs and Municipal buildings last Fall, many other local cities have followed with policies to prevent new uses of fossil gas, in an effort to transition away from fossil fuel use to address the climate crisis. The policies have generally evolved to be much stronger over time, with Cupertino, Menlo Park, Mountain View, and San Mateo County opting to require commercial kitchens to go electric with narrow exemptions for special circumstances that require review and approval by city officials. Further, the City of Santa Cruz recently joined Morgan Hill and Berkeley in prohibiting gas use in new construction for all buildings including restaurants. For this reason, ***we strongly recommend that commercial kitchens be included within the new policy prohibiting gas use in new construction.*** As the May 26, 2020 staff memo including supporting materials notes, there is ample electric equipment available for commercial kitchens that can save money and create healthier and safer work environments. Instead of a blanket exemption, restaurants with highly specific needs for Fossil Gas use could apply for an exemption (*as allowed in the Berkeley, Cupertino, Menlo Park, Morgan Hill, Mountain View, San Mateo County, and Santa Cruz policies noted above*).

Policies that prohibit fossil gas use have many benefits to community health, safety, and a stable climate future, including:

- **Economic:** All-electric homes are less expensive to build (saving roughly \$3,000 or more for each new apartment unit). In all of the buildings analyzed by the 2019 Nonresidential New Construction Reach Code Cost Effectiveness Study, all-electric versions cost less to construct than their mixed-use counterparts. **All-Electric buildings are also more efficient.** For example, according to the California Energy Commission, a modern high efficiency heat pump electric water heater (available now at major retailers) costs roughly one third less on utility bills to operate than the most efficient gas water heater.<sup>4</sup> In addition, all-electric buildings include air conditioning combined with heating, resulting in less equipment, reduced maintenance costs and greater climate resilience.
- **Public Safety:** Natural gas is highly flammable. In the past ten years, 9,000 gas explosions in the U.S have killed over 500 people, and gas leaks have displaced and sickened thousands of people.<sup>5</sup> Gas caused half the fires after two major California earthquakes.<sup>6</sup>
- **Public Health:** Gas stoves release smog-like NO<sub>2</sub> pollution that doubles risks for heart and lung disease and triples the use of asthma medications.<sup>7</sup> Improperly vented gas appliances lead to carbon monoxide poisoning that results in thousands of emergency room visits and several hundred deaths every year.<sup>8</sup> In fact, replacing all residential gas appliances throughout California with clean electric alternatives would cut particulate matter pollution enough to result in roughly 350 fewer deaths each year, 900 fewer cases of bronchitis each year, and \$3.5 billion in health savings each year.<sup>9</sup>
- **Climate:** All-electric buildings are a highly visible and practical step forward to address the climate crisis, by breaking the cycle of fossil fuel dependency in buildings. The 600,000 tons of CO<sub>2</sub> that would be reduced by this policy would go a long way towards meeting Climate Smart San Jose goals.
- **Construction Time Savings:** All-electric buildings are generally faster to design, permit, and build. They save design time, the code is easier for building and planning staff to apply, and it is also easier for everyone to understand.

- **Resilience:** All-electric code today prevents a complex, costly and likely inevitable switch to electricity in the future, since gas prices are expected to rise sharply, and California is planning to eventually end gas distribution. PG&E has asked for a 24% gas rate increase and SoCalGas, a 42% increase, over the next couple years, and this is just the beginning. **Building all-electric now will help future-proof San Jose.**

For all of these reasons stated above, we believe the staff proposal for a prohibition on natural gas infrastructure for new development is a timely and critically needed policy. Please consider our recommendation to limit exemptions. We would be happy to provide examples of the best code language that limits exemptions, while allowing some flexibility.

Thank you for considering our comments. We would be pleased to provide additional information or respond to any questions that might arise.

Sincerely,

Linda Hutchins-Knowles, Co-founder, Mothers Out Front South Bay

Jenny Green, volunteer, Mothers Out Front South Bay

Amanda Bancroft, 350 SV San Jose

Hoi Y. Poon, Silicon Valley Youth Climate Action, Bay Area for Clean Environment

Ruth Merino, Chair, San Jose Community Energy Advocates

Robert M. Gould, MD, President, San Francisco Bay Area Chapter, Physicians for Social Responsibility

Lauren Weston & Logan Spalding, Acterra

Dashiell Leeds, Sierra Club Loma Prieta Chapter

Bruce Karney, Chair, Carbon Free Mountain View

James Tuleya, Chairperson, Carbon Free Silicon Valley

Hilary Noll, AIA, Mithun

Abhimanyu Jayaraman, SV Youth Climate Action, High school student and San Jose Resident

Jamie Minden, Silicon Valley Youth Climate Strikes co-founder, Sunrise Silicon Valley Coordinator, Saint Francis High School Student

Peri Plantenberg, co-lead of Sunnyvale team for SV Youth Climate Action, co-founder of SV Youth Climate Strike, high school student.

Bruce Naegel, Sustainable Silicon Valley, Carbon Free Silicon Valley, Carbon Free Mountain View

Greg Larkins, Sustainable Silicon Valley

Debbie Mytels, Peninsula Interfaith Climate Action

Terry Nagel, Chair, Sustainable San Mateo County

Carol Cross, Fossil Free Mid-Peninsula

Janelle London, Coltura

Bruce Hodge & Bret Andersen, Carbon Free Palo Alto

Gary Latshaw, Chair of the Guadalupe Regional Group, Sierra Club

Raymond Larios, Peninsula Clean Energy Citizens Advisory Committee\*

Robert Whitehair, San Mateo

Sven Thesen, Project Green Home

Ellyn Dooley, Citizens' Climate Lobby San Mateo County Chapter

Diane Bailey, Executive Director, Menlo Spark

*\* For identification purposes only*

Cc:

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<sup>1</sup> Learn more about the FFBSV Campaign and find resources at [www.FossilFreeBuildings.org](http://www.FossilFreeBuildings.org)

<sup>2</sup> <https://www.ipcc.ch/sr15/> Also see: WRI blog for a roundup of the landmark reports of 2018 & a comparison of climate impacts in a 1.5 deg.C v. 2 deg.C world: <https://www.wri.org/blog/2018/12/2018-year-climate-extremes>

<sup>3</sup> For example, the 2019-2020 Australian wildfire that destroyed over 10,000 buildings and killed at least 34 people, and a massive global bleaching event for coral reefs impacting hundreds of millions of low income people who rely on fisheries for their food or livelihoods. See: A roundup on the latest global reports showing a worsened outlook than previously understood, including an estimated 3-5 degrees C of likely warming by the end of the century, [here](#):

[https://docs.google.com/document/d/1-LHZe9kFhLymXE7CaVZmgQTx8VEfbGKAVOSK\\_x4TcDo/edit?usp=sharing](https://docs.google.com/document/d/1-LHZe9kFhLymXE7CaVZmgQTx8VEfbGKAVOSK_x4TcDo/edit?usp=sharing)

[This WRI blog](#) discusses the state of international climate negotiations as of COP25 and what is required moving ahead:

<https://www.wri.org/blog/2019/12/cop25-what-we-needed-what-we-got-whats-next>

[This NYT OpEd](#) discusses why climate action is essential in the midst of the COVID-19 pandemic and how to integrate a climate response into the economic recovery required: <https://www.nytimes.com/2020/04/15/opinion/climate-change-covid-economy.html?smid=em-share>

<sup>4</sup> Rider, Ken, Email correspondence, ken.rider@energy.ca.gov. March 2020.

<sup>5</sup> Joseph, George. "30 Years of Oil and Gas Pipeline Accidents, Mapped." Citylab. November 30, 2016

Sellers, F., Weintraub, K. and Wootson, C. (2018). "Thousands of residents still out of their homes after gas explosions trigger deadly chaos in Massachusetts." Washington Post. [https://www.washingtonpost.com/national/thousands-of-residents-still-out-of-their-homes-after-gas-explosions-trigger-deadly-chaos-in-massachusetts/2018/09/14/802ff690-b830-11e8-94eb-3bd52dfe917b\\_story.html](https://www.washingtonpost.com/national/thousands-of-residents-still-out-of-their-homes-after-gas-explosions-trigger-deadly-chaos-in-massachusetts/2018/09/14/802ff690-b830-11e8-94eb-3bd52dfe917b_story.html)

<sup>6</sup> Los Angeles in 1994 and San Francisco in 1989, according to the California Seismic Safety Commission. (2002). "Improving Natural Gas Safety in Earthquakes." SSC-02-03

Taylor, Ann. "The Northridge Earthquake: 20 Years Ago Today." The Atlantic. January 17, 2014.

<sup>7</sup> Utah Dept. of Environmental Quality. (2018). "Understanding Utah's Air Quality":

<https://deq.utah.gov/communication/news/featured/understanding-utahs-air-quality>

Jarvis et al. (1996) "Evaluation of asthma prescription measures and health system performance based on emergency department utilization." <https://www.ncbi.nlm.nih.gov/pubmed/8618483>

<sup>8</sup> USDN, Methane Math, [https://sfenvironment.org/sites/default/files/fliers/files/methane-math\\_natural-gas-report\\_final.pdf](https://sfenvironment.org/sites/default/files/fliers/files/methane-math_natural-gas-report_final.pdf)

<sup>9</sup> UCLA School of Public Health: Effects of Residential Gas Appliances on Indoor and Outdoor Air Quality and Public Health in California. <https://coeh.ph.ucla.edu/effects-residential-gas-appliances-indoor-and-outdoor-air-quality-and-public-health-california>

**From:** Michael Kutilek  
**Sent:** Friday, June 5, 2020 8:24 PM  
**To:** City Clerk <city.clerk@sanjoseca.gov>  
**Subject:** Agenda Item #2.10

Dear Mayor Liccardo and Council Members:

I urge the Council to vote to instruct staff to write a policy to extend San Jose's gas infrastructure prohibition ordinance to all buildings, including high rises, which are currently exempted. Once passed, this policy will further reduce our GHG's and be an important added means of combatting climate change.

Thank you,

Michael Kutilek

**From:** Mohit Jaggi

**Sent:** Sunday, June 7, 2020 4:26 PM

**To:** Housing - CSJ <housing.csj@sanjoseca.gov>; Clements, Kristen <Kristen.Clements@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>

**Cc:** District Two <district2acts@gmail.com>; baskingridgeforum@yahoogroups.com

**Subject:** "Five-Year Funding Plan for the Permanent Local Housing Allocation Program Funding from the California Department of Housing and Community Development

Re: agenda item 2.10 titled

"Five-Year Funding Plan for the Permanent Local Housing Allocation Program Funding from the California Department of Housing and Community Development."

The proposal arbitrarily earmarks money for BHC and EIHC. There is no reasoning provided for the numbers. More importantly, there is no accountability. The taxpayers deserve accountability and are frustrated with their governments' irresponsible spending on expensive, unproven and dangerous experiments that do nothing to help the homeless and are excuses to enrich the homeless-industrial-complex. We would like the proposal to be amended with sections outlining how the money will be spent and how return on investment will be calculated.

- What is the definition of success?
- What is the plan to mitigate failure?
- Who will oversee the project and spending? How often?
- Can the money be diverted to other expenses?

Mohit.

**From:** Jenny Green

**Sent:** Sunday, June 7, 2020 8:41 PM

**To:** Agendadesk <Agendadesk@sanjoseca.gov>; City Clerk <city.clerk@sanjoseca.gov>; The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>

**Subject:** Fw: In Support of the Item 2.10: Proposed Extension of Natural Gas Infrastructure Prohibition Ordinance and Amendments to Title 24 of the San José Municipal Code Related to Mixed Fuel Buildings

Dear Mayor Liccardo, Vice Mayor Jones, and City Council Members Arenas, Carrasco, Davis, Diep, Esparza, Foley, Jimenez, Khamis, and Peralez:

On behalf of Mothers Out Front South Bay, we would like to express our organization's support for Item 2.10 on the council meeting agenda for June 9: "Proposed Extension of Natural Gas Infrastructure Prohibition Ordinance and Amendments to Title 24 of the San José Municipal Code Related to Mixed Fuel Buildings."

Thank you for proposing to extend the ordinance to include high rise buildings. As mothers concerned about the climate crisis and the future of all children, we appreciate that you are continuing to move forward with combating climate change even while so many other crises are happening. As our society faces a pandemic, racial injustice, and social upheaval, we are grateful that you are also continuing to work to mitigate the existential threat of climate destabilization.

By making new buildings all-electric, you are also protecting public health by reducing air pollution, and promoting equity, by ensuring that residents of new multi-family buildings are not locked into poor air quality in their units. Since air pollution has been shown to increase morbidity from COVID-19, we encourage you to learn more about the [health impacts of gas appliances](#) in general and the [health impacts of gas stoves](#) in particular.

With regard to the proposed exemption for restaurants, hospitals, industrial, and manufacturing facilities, we hope that you will require businesses to apply for those exemptions when no electric alternatives are feasible rather than making the exemption automatic.

Businesses that are able to go all-electric should be encouraged to do so. The time to solve the climate crisis is short and the stakes are very high.

Thank you all for your tireless public service to our community.

Sincerely,

Jenny Green, Mothers Out Front volunteer and South Bay chapter coordinator  
Linda Hutchins-Knowles, California Senior Organizer, Mothers Out Front