

RESPONSE TO COUNCIL QUESTIONS RE: JANUARY 14, 2025 AGENDA

Agenda Item 4. 24-907 Action on a Resolution Suspending Existing All-Electric Construction Requirements of the Reach Code and Request for Direction on Needed Amendments to the Reach Code and Climate Action Plan in Light of Recent Changes in Applicable Law.

Council Question:

Do we have any understanding if staff has consulted with our economic development committee or planning commission in regard to the suggested adoption of the single margin approach? Consultation of 'people on the ground' will be one of my priorities (go ethnographers!) but I want to be sure that this is the space to bring that question forward and understand if these are committees we would rely on for that expertise.

Staff Response:

The City Council has the sole authority over changing the City's Reach Code ; neither the Economic Development, Communications, and Marketing Committee (which has been on hiatus since September 2021), nor the Planning Commission have purview over review of the Reach Code.

Outreach will be conducted to the development community and stakeholders after Council has provided direction on the likely approach of the revisions to the Reach Code. This will provide stakeholders a more specific approach to react to as well as an opportunity to provide broader feedback on any changes. Feedback received from outreach will be provided back to the City Council and will inform the revisions to the Reach Code which will be brought back for adoption to City Council.

1/14/2025

Item 4

Melissa Lee

From: Wendy Chou <wendy.chou@acterra.org>
Sent: Monday, January 13, 2025 1:16 PM
To: Mayor and Council
Subject: public comment: Agenda item 4

You don't often get email from wendy.chou@acterra.org. [Learn why this is important](#)

I'm on the staff of the nonprofit organization Acterra, headquartered in Santa Clara County, which is a strong proponent of beneficial electrification for all Bay Area residents.

I commend the council's interest in exploring policies to encourage the further adoption of electric appliances in buildings. We need look no further than to our neighbors in southern California to witness the severity of the climate crisis — which is caused by the burning of fossil fuels and the related increase in atmospheric greenhouse gas emissions. As we know from our own experience of drought, floods, heat waves, and fires, Bay Area cities are now much more vulnerable to extreme climate-driven disasters that both endanger human life and damage property. Preventive action is needed on the part of policy makers at every level. New buildings with their particularly long lifetimes are an excellent candidate for motivating the phaseout of fossil gas through local ordinances, thereby avoiding decades of dangerous GHG emissions.

In the wake of the challenge to all-electric reach codes caused by a decision by the Ninth Circuit Court of Appeals, the "Single Margin" approach — which requires a building to exceed a certain basic energy use threshold — is a reasonable alternative. Importantly, if the margin is set high enough it will ensure that avoidance of gas (i.e., reliance on electrification) is not only strongly incentivized but essentially needed to attain the benchmark.

The Single Margin approach is relatively straightforward to implement, since building applicants are likely already familiar with the concept and the compliance software. The Single Margin approach is also easy for jurisdictions to administer as compliance can be easily assessed (that is, did the building's calculated score meet the threshold set in the code). The Single Margin approach should successfully reduce greenhouse gas emissions, especially so if the bar is set such that a "dual fuel" approach would be for all practical purposes too difficult or costly to implement.

At the same time, another approach that shows promise is one that was taken by the City of Campbell. In October 2024 Campbell approved a "Zero-NOx" ordinance preserved most of the elements of their 2022 all-electric reach code and thus did not challenge or change any of the underlying requirements; simply the mode of justification was altered.

Nitrogen oxides (known as NOx, including NO and NO2) — along with Particulate Matter (PM2.5) and Ozone (both of which are formed downstream of NOx pollution) — are all harmful to human health. This group of pollutants is associated with impaired lung function, coughing wheezing, increased asthma attacks, cardiovascular harm, lower birth weight, increased emergency room and hospital admissions, increased risk of respiratory infections, and premature death. The Zero NOx approach satisfies the goal of achieving high reductions in greenhouse gas emissions while ensuring better air quality by restricting the emissions of a category of known dangerous pollutants. This air quality approach poses no known conflicts with EPCA.

In my opinion, a Zero NOx approach should be carefully studied and ideally replicated by other communities.

Thank you for your time and consideration.

Sincerely,
Wendy Chou

Coalition and Project Senior Manager
Acterra: Action for a Healthy Planet
wendy.chou@acterra.org
acterra.org

1/14/2025

Item 4

Melissa Lee

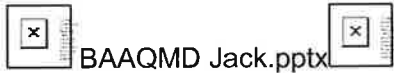
From: Gary Latshaw <glatshaw@gmail.com>
Sent: Saturday, January 11, 2025 5:20 PM
To: Mayor and Council
Subject: Reach Code Comments

You don't often get email from glatshaw@gmail.com. [Learn why this is important](#)

Mayor and Councilmembers:

I am a former Member of Cupertino's Sustainability Commission and a long-term activist on climate change. I was a member of the Commission when Cupertino adopted its reachcode. So I am well aware of the political, climate, and health consequences of using natural gas in buildings.

The "All-Electric" Requirements to Santa Clara's Reach codes regarding new construction should be maintained for the several health and economic reasons:



BAAQMD Jack.pptx

(Note: Burning natural gas results in the formation of (NOx) Nitrogen Oxides, which produces asthma and other respiratory diseases. NOx is a major component of Smog).

This eliminates the cost of installing main gas lines to the facility and distribution lines within the facility.

- The. Usage of natural gas is a direct detriment to public health both inside and outside a building.
 - According to the California Air Resources Board, the burning of natural gas in buildings contributes almost as much Nitrogen Oxides (NOx) as vehicle traffic state-wide.
 - According to the California Air Resources Board, the burning of natural gas in buildings produces 21 ton/day of NOx – almost three times that of vehicle traffic (8 tons/day).
 - The indoor effects of burning natural gas indoors are:
 - 42% increased risk of Asthma
 - 24% increased lifetime risk of Asthma
- Gas appliances increase the risk of fires developing from earthquakes and nearby fires.
- Summary prepared by Jack Smith, Chief Air Pollution Officer:
 - *There is growing consensus that building electrification is the most viable and predictable path to zero-emission buildings. The consensus is due to the availability of off-the-shelf, highly efficient technologies (such as heat pumps) and the continued reduction of emission intensities in the electric sector.*
 - *By Jack Smith, Chief Air Pollution Officer, 2018*

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The climate crisis is real. \$150 billion in climate-related damages in 2023 up from several billion in 1980 (corrected for inflation).

Gary Latshaw, Ph.D.
408-499-3006

Item 4

Marisa Welling

From: Nora Pimentel
Sent: Tuesday, January 14, 2025 11:43 AM
To: Nora Pimentel
Cc: Vinh Nguyen; Marisa Welling
Subject: FW: Recommendation for Reach Code - Public Hearing 4. #25-907

Good morning Mayor and Councilmembers,

The Clerk's office received the email below for Council item #4 for tonight's meeting. This will form part of the public record and post meeting materials.

Thank you

Nora Pimentel, MMC | Assistant City Clerk | City Clerk's Office
City of Santa Clara, California
1500 Warburton Ave. | Santa Clara, CA 95050
(O) 1.408.615.2222 | (F) 1.408.241.6771
npimentel@santaclaraca.gov | www.santaclaraca.gov



**City of
Santa Clara**
The Center of What's Possible

You don't often get email from robertwhitehair2@gmail.com. [Learn why this is important](#)

Dear Mayor and Council.

Reach Codes are one of the best ways for all of us to fight climate change.

Santa Clara's adoption of strong Reach Codes will:

- Create a pathway for the next round of Reach Codes, including existing buildings, effective January 1, 2026.
- Cut carbon emissions from new buildings
- Improve indoor air quality for residents

Please ask staff to come back with options that include the One Performance Margin as well as the NOx Reach Code as adopted by the City of Campbell, and options such as Air Conditioning unit conversion to Heat Pumps.

Thank you

Robert Whitehair(he, him)
San Mateo

Acknowledgement: We reside on the unceded lands of our indigenous ancestors, while benefiting from racial privilege. We begin making reparations by accepting only a kinship view of our place on the planet: All life is interconnected, interdependent, and interrelated.