



# SIERRA CLUB

## LOMA PRIETA CHAPTER

SAN MATEO, SANTA CLARA & SAN BENITO COUNTIES

May 15<sup>th</sup>, 2022

Cupertino City Hall  
10300 Torre Ave,  
Cupertino, CA 95014

RE: Draft Climate Action Plan Update

Dear Cupertino Staff and Consultants working on the Climate Action Plan Update,

The Sierra Club Loma Prieta Chapter is in strong support of Cupertino's Climate Action Plan Update. The ICLEI numbers are likely underestimating the amount of fugitive emissions, making the decarbonization of buildings even more important than the figures imply. We support the strong building electrification measures contained in the CAP and the equity and outreach-based approach. We also support the City's emphasis on natural infrastructure solutions to mitigate the impacts of climate change to the community. We hope that you consider the following suggestions while making revisions to the Draft Climate Action Plan.

### **Please Update BE-4 to include a standalone municipal ordinance**

As Cupertino updates its Reach Code, it should consider transitioning these requirements into a standalone municipal ordinance existing outside of Title 24, as cities like San Jose and Morgan Hill have done. These requirements would exist outside of the 3-year code cycle and would not need to be re-evaluated during each adoption of the building code.

### **Increase Measure WW-1 target to 20%**

The CAP includes measure WW-1 to "Reduce per capita water consumption 15% compared to 2019 levels by 2030 and maintain through 2040." This is now the immediate goal under a water shortage emergency declared by Valley Water in June 2021. Therefore, it seems this goal can be increased, perhaps to 20%.

### **Develop Annual Water Conservation Performance Indicators**

The water conservation and local supply measures in the CAP are mostly actions being led by Valley Water and it's unclear what Cupertino is planning to do to expedite these actions (installation of conservation devices, brackish water desalination, etc.). At least, the CAP should include an additional measure to develop performance indicators and evaluate progress towards reaching those performance goals on an annual basis, with commitment to ramp up efforts if goals are not met.

### **Change action WW1.2 to include updating the ordinance code to implement Valley Water's Model Water Efficient New Development Ordinance (MWENDO). The following elements of MWENDO should be considered immediately:**

- for single family development, require compact hot water distribution systems with volume limit,
- Graywater Dual Drainage Plumbing with valves and stub-outs near landscaping; this action is already in the CAP but should be moved to Phase 1 rather than Phase 2,

- require homeowner’s associations that manage shared landscaping to use purple pipe water if available within 200 feet; it must be purple pipe ready if recycled water is planned to be available in the next 10 years,
- require pool covers,
- for multi-family and nonresidential uses, require faucet locks for publicly accessible exterior faucets and hose bibs,
- require submeters for any unit projected to consume more than 100 gal/day,
- for larger buildings, require dual plumbing systems to facilitate and maximize the use of Alternate Water Sources,
- require manually operated toilets and faucets (except in hospitals), and
- Cupertino should follow San Jose and update the Water Efficient Landscape Ordinance to ban non-functional turf; please note that this element was not included in the MWENDO but jurisdictions throughout the western states are adopting this restriction.

As an alternative to MWENDO, require new development to be water neutral. The most important part of this action would be to work with Valley Water and other local jurisdictions to develop a program for water offsets for new development within Santa Clara County.

**We encourage the following additional measures or actions to reduce energy use and associated emissions by reducing water use and increasing local water supplies:**

- increase use of recycled water, either by connection to purple pipes or through a program to encourage on-site or district scale recycling and stormwater capture (water micro-grids),
- along with action WW 1.4 to “Work with schools to educate youth about water conservation,” include an action to work with schools to convert non-functional turf to native pollinator gardens. Youth could get involved in hands-on projects as part of this effort, and
- elevate the priority to install advanced metering infrastructure; action WW 1.6 to “Work with Santa Clara Valley Water and Cupertino’s water retailers to provide Wi-Fi connected meters that citizens can check on phones and computers” is currently a Phase 3 action; this is one of the more innovative water conservation actions included in the CAP so we recommend this be a Phase 1 or Phase 2 action.

**Add Cupertino’s All-Electric Reach Code to the Climate Action History of the City**

Cupertino’s reach code is not present in Cupertino’s climate action history timeline, and should be added. Cupertino has an excellent reach code that has inspired many cities to take strong action in the 2020 code cycle. Thank you for creating such a strong code, and we hope you celebrate it in this section of the Climate Action Plan.

**Consider setting an end of flow date by 2040 or sooner to correspond with the City’s GHG reduction goals**

As Cupertino continues its transition away from fossil fuels, it should consider establishing an end-of-flow date for the citywide retirement of natural gas infrastructure. An end-of-flow date could send a strong market signal to Cupertino residents that gas appliances are on their way out, which could encourage more residents to purchase electric appliances upon replacement. This could reduce the number of future retrofits in Cupertino and encourage other jurisdictions to consider end-of-flow announcements.

## **Seek to Transition Away from Methane Gas Fuel Cells Entirely**

Apple facilities are identified in BE 5.1 as a significant source of energy consumption in the City. We ask that Cupertino help Apple explore solutions to transition away from fuel cells entirely and explore other green energy backup solutions. For future commercial projects, new gas fuel cells should not be permitted to be installed.

## **Pollinator Corridors should be coordinated across relevant measures, such as TR-1, CS1.2, and the Urban Forest Management Plan**

The Urban Forest Management Plan provides an opportunity for Cupertino to coordinate its tree-planting efforts with other planning efforts such as Measure TR-1 (Develop and Implement and Active Transportation Plan). The City's pedestrian and bicycle infrastructure should be designed with canopy cover and habitat linkages in mind. Pollinator corridors can be used to allow habitat connectivity throughout the city. For reference, please see the Green Corridor<sup>1</sup> and Urban Habitat Guidelines<sup>2</sup> created by our Chapter's Sustainable Land Use Committee.

We hope you consider our suggestions. Thank you for your work on this Climate Action Plan Update.

Sincerely,



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Chair, Water Committee  
Sierra Club Loma Prieta Chapter



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Co-Chair, Climate Action Leadership Team  
Sierra Club Loma Prieta Chapter



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<sup>1</sup> [Guidelines for Master Planning a Sustainable Green Streets Network](#)

<sup>2</sup> [Checklist For Urban Habitat Guidelines](#)