



# SIERRA CLUB

LOMA PRIETA CHAPTER

SAN MATEO, SANTA CLARA & SAN BENITO COUNTIES

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## **RE: Comments on City of Millbrae Draft Climate Action Plan**

We are living in the midst of a climate crisis which threatens the survival of organized human life on Earth. Meanwhile, the federal government is weakening environmental regulations and accelerating the construction of fossil fuel projects. Our best opportunity for climate action is for cities to lead the way with strong local policies.

The Loma Prieta Chapter of the Sierra Club is pleased to submit the following comments on the proposed update to Millbrae's Climate Action Plan.

Our organization and our thousands of members in the Bay Area are all working to protect the San Francisco Bay Area from the adverse impacts of climate change as it affects our cities and also the Bay ecosystems.

**The following is an outline of our comments.**

### **Top Priorities to achieve GHG reduction goals:**

- 1) Adopt GHG reduction targets that are more aggressive than those outlined by the state.**
  - a) Establish a GHG emissions reduction target of 70% below 2005 levels by 2030.
  - b) Establish a goal to become carbon negative by 2050.
- 2) Add specificity to the CAP measures.**
  - a) Each specific measure needs estimates of staff time, resources required and clear ownership.
  - b) Each specific measure needs elaboration on which measurable metrics constitute success. Feasible mitigations should be quantified to show how they will achieve the target within the required time period.

- c) The Environmental Programs Staff should report on implementation progress more often than every 1-2 years, and the GHG inventory should be performed more often than once every five years.
- 3) Plan for a natural gas phase-out and halt investing in new fossil fuel infrastructure.**
- a) Establish a goal to pass an All-Electric Reach Code by the end of 2021, similar to those passed by Mountain View, Cupertino, and San Mateo County.
  - b) Establish a new measure within 3.1.1 setting a goal to pass a “replace upon burnout” ordinance prohibiting the installation of new gas appliances in existing buildings.
  - c) Establish a new measure within 3.1.1 setting a goal to pass an ordinance that limits the amount of embodied carbon in construction materials for new construction and major remodels
  - d) Immediately establish City policies that prohibit the City purchase of any asset that uses fossil fuels. Divest from any financial assets tied to fossil fuels.

**The following are also measures that should be included in the CAP:**

- 4) Elaborate on sea level rise adaptation actions and include specific language to protect Millbrae’s ecosystems.
  - a) Sea Level Rise adaptation actions should appear in the main document, not in the appendix.
  - b) Include specific language to protect Millbrae’s ecosystems, such as establishing riparian corridor setbacks.
- 5) There are more opportunities for improvements in GHG reduction through transportation policy.
  - a) We hope that the area around the existing downtown could be included in the station area plan to provide more affordable housing opportunities near the transit hub.
  - b) When the city creates policies relating to EV infrastructure, we recommend that the city encourage/build out that infrastructure in areas where people can charge during the day, when clean, affordable solar energy is abundant on California’s electricity grid.
- 6) There are opportunities to implement lessons learned from COVID-19.
  - a) We recommend our Green Streets/Green Corridors Policy as a guide for creating sustainable walkable and bikeable infrastructure.
  - b) Create public access to robust internet service to facilitate telecommuting from home

**Below, in the order of the outline, are further details for each of the six items above:**

## **1. Adopt GHG reduction targets that are more aggressive than those outlined by the state.**

Learning from our experience with COVID-19, every day counts. The infection outcomes for cities varied drastically based on how early they took action to combat the spread of the virus. Likewise for climate change, any action a city takes right now will have a much greater effect than actions taken 10 years from now. As we get further out, the critical actions we need to take to combat climate change will get increasingly harder. Every day sooner that we act will reduce the amount of economic and ecological devastation brought by climate change. For these reasons we recommend the following emissions reduction targets:

- a) Establish a GHG emissions reduction target of 70% below 2005 levels by 2030.**
- b) Establish a goal to become carbon negative by 2050.**

## **2. Add specificity to the CAP measures:**

- a) Each specific measure needs estimates of staff time, resources required and clear ownership:**

We find the draft CAP to be severely lacking in information regarding staffing resources, budget, time and clear ownership for the individual measures.

In section 4.3: Management of GHG Reduction Strategy, the staffing responsibilities for the CAP actions are briefly described in terms of assigning departments to categories of measures. Specific details are not included, such as any estimate of staff resources required for specific measures.

Section 4.3 leaves too many specifics to be determined in the future, stating: “The Environmental Programs staff will coordinate outreach to appropriate City staff to review the elements of this Plan and outline which measures are in their department or division.” This outreach should be completed as part of the CAP drafting process, not afterwards. This outreach should also include an inquiry to estimate staff time and resources. These findings should be included for each measure in the draft CAP.

- b) Each specific measure needs elaboration on which measurable metrics constitute success. Feasible mitigations should be quantified to show how they will achieve the target within the required time period.**

Many of the CAP measures do not include specific and measurable metrics and targets.

Measuring the metric tons of GHG is important but not sufficient on its own for many of these measures. With the GHG inventory being done only once every 5 years, and the long time lag (as long as two years) in receiving data, there is little opportunity to check in at regular intervals to make sure that progress is on track. Given that many assumptions are built into the GHG inventory, and that emissions are a lagging indicator, it is necessary to define a small and measurable set of key metrics to assess progress on the CAP measures.

Some possible examples of these metrics are: gasoline sales in gallons, percentage of vehicles registered that are Zero Emission (EV's), per capita electricity and gas usage, percentage of permits issued for electric space and water heating compared to total (gas and electric), percentage of trips taken in solo vehicles versus all modes (including transit, carpooling, bike, and walking).

These measurements would allow for success to be more clearly defined, and for progress to be more tightly tracked.

- c) The Environmental Programs Staff should report on implementation progress more often than once every 1-2 years, and The GHG inventory should be performed more often than once every five years.**

A plan with frequent reporting and check-ins has a higher likelihood of success. A report every 1-2 years may be insufficient to drive the necessary progress on each measure. Frequent reporting will be more accessible once specific metrics have been identified for each measure, as recommended above in 2 (b).

### **3. Plan for a natural gas phase-out and stop investing in new fossil fuel infrastructure.**

The CAP currently lacks a plan or timeline for a **Natural Gas Phase-Out**, which will be necessary to achieve Millbrae's GHG reduction targets. Such a plan should be included in the CAP, and should guide the City in its measures towards reducing emissions. The recommended actions below could be key steps in this plan:

- a) Establish a goal to pass an All-Electric Reach Code by the end of 2021, similar to those passed by Mountain View, Cupertino, and San Mateo County.**

Section 3.1.1 measure "Residential Green Building Ordinance" states: "The City adopted the 2019 CALGreen code and will consider adopting reach codes for all new commercial and residential construction."

The CAP should specifically identify the adoption of reach codes as a goal, rather than being merely identified as a consideration by the City.

Section 3.1.1 measure “Residential Green Building Ordinance” states that the City “will consider implementing a reach code that makes it easier for all electric construction to comply with code.”

In the paragraphs below, the CAP states: “The goal of these reach codes would be to encourage all-electric new construction, as opposed to mixed-fuel new construction that relies on both natural gas and electricity”

The goal of Millbrae’s reach code should go beyond “encouraging” electrification. A mixed-fuel code, which allows for the construction of new gas pipelines, does not go far enough to meet our climate goals. Even though all-electric homes are cheaper to build, healthier to live in, and cleaner for the environment, developers have significant inertia when it comes to changing the way they build. Many may be reluctant to change their already established relationships in their supply chain, even with the incentive to go all electric.

An all-electric requirement is the only way to ensure that no new unnecessary and dangerous gas lines are built in Millbrae. Every new gas connection and gas supply pipeline that we allow is a liability and a tragedy that the City will need to deal with to meet its climate goals.

Compared to mixed fuel codes, the code language for all-electric new construction requirements adopted in Mountain View<sup>1</sup>, Cupertino<sup>2</sup>, and San Mateo County<sup>3</sup> is much more concise and easier to understand for residents, as well as for the developers and City staff who will navigate the code. An all-electric requirement, especially when originating from multiple cities, sends a clear market signal that will aid in the market transformation away from gas appliances to cleaner, healthier electric appliances. This market transformation will aid in meeting Millbrae’s GHG reduction targets for the building sector, as well as helping other cities meet their own targets.

**We propose changing the language in 3.1.1 “Residential Green Building Ordinance” to read as follows:** “The City will continue to adopt the latest version of the CALGreen Code for residential new construction and major remodels and will consider implementing a reach code **requiring all-electric new construction.** [ . . .]”

**We also recommend a specific timeline be attached to this goal, for the reach code to be in effect by the end of 2021.**

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<sup>1</sup> <https://mountainview.legistar.com/LegislationDetail.aspx?ID=4224240&GUID=7C7CEF76-FC98-4AC4-A558-3A610BE0F5D7&Options=&Search=>

<sup>2</sup> <https://cupertino.legistar.com/LegislationDetail.aspx?ID=4307537&GUID=0A5BED3B-958A-4C2F-872D-EE73852ACF1D&Options=&Search=>

<sup>3</sup> <https://sanmateocounty.legistar.com/LegislationDetail.aspx?ID=4337182&GUID=761FC72B-95F7-41E2-8872-615B6DBEC4E4&Options=&Search=>

**b) Establish a new measure within 3.1.1 setting a goal to pass a burnout ordinance prohibiting the installation of new gas appliances.**

Almost half of the GHG emissions that Millbrae must eliminate come from existing buildings, but the actions that target existing buildings are vague and weak. The suggestion of enacting a RECO/BESO is promising, but only addresses buildings that change ownership during the plan timeline. Millbrae's goal of 80% GHG reduction by 2050 can only be achieved if every natural gas appliance is replaced with an electric version or other non GHG-emitting device. Every gas furnace that burns out today is most likely being replaced with another gas furnace that will be in service for 30 years, until 2050. Until this is changed, Millbrae is undermining its ability to achieve its 2030 and 2050 GHG reduction targets.

**Millbrae must swiftly enact a burnout ordinance prohibiting the installation of new gas appliances** or else the City will not be able to meet its goals without forcing building owners to prematurely retire gas appliances between now and 2050. Now is the time to outlaw new gas appliances in existing buildings, a measure that other cities are considering.

Outside financial support already exists to ease the transition into a burnout ordinance. On May 28th, PCE approved a 4 year 6.1 million dollar building electrification program, which includes 2.8 million dollars in appliance incentives.<sup>4</sup> This program, in addition to the BayRen incentives, will support the community transition to electric appliances. As electrification continues to ramp up in nearby cities, even more support will likely become available.

Once a burnout ordinance has been implemented, we recommend that Millbrae look into a Cash for Clunkers style program to buy back gas appliances. This will help accelerate the appliance replacements needed to achieve the necessary GHG reductions.

**c) Establish a new measure within 3.1.1 setting a goal to pass an ordinance that limits the amount of embodied carbon in construction materials for new construction and major remodels**

In addition to the appliances used in buildings, the materials used in construction must also be taken into account as Millbrae seeks to reduce GHGs in its building sector. We recommend that Millbrae look into establishing an ordinance that limits the amount of embodied carbon in construction materials.

**d) Immediately establish City policies that prohibit the City purchase of any asset that uses fossil fuels. Divest from any financial assets tied to fossil fuels.**

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<sup>4</sup> <https://www.peninsulacleanenergy.com/wp-content/uploads/2020/05/2020-05-28-PCE-BOD-Agenda-Packet.pdf>

With the knowledge that we have about the impacts of fossil fuels on our climate and public health, it is absolutely clear that fossil fuels no longer have a place in the future of our society, particularly in areas where electric and non GHG-emitting options already exist.

Investing in fossil fuel assets puts the City's financial resources at risk, given that fossil fuel assets face an uncertain future and the overall trend of society is to move away from fossil fuels.

Given the negative impacts of fossil fuels outlined in the CAP it is incumbent upon Millbrae to stop using its own resources to purchase or invest in new fossil fuel assets. Such expenditures run contrary to the City's goal to protect the health, safety, and environment of its residents and will ultimately become a cost burden that the City must rectify.

**We strongly recommend establishing City policies that prohibit the City from purchasing any asset that uses fossil fuels, as well as policies that require the City to divest from any financial asset tied to the fossil fuel industry. These should be included as urgent measures within 3.1.1 to be enacted as soon as possible.**

#### **4. Elaborate on sea level rise adaptation actions and include specific language to protect Millbrae's ecosystems.**

- a) **Sea Level Rise is an immediate and dangerous threat and adaptation actions should appear in the main document, not in the appendix.**

We recommend that specific mitigation measures from the 2019 Millbrae Sea Level Rise Adaptation Assessment should be included in the CAP as measures and should not be confined to the appendix.

From the Sample Adaptation Measures in table 27, we especially support:

- "Establish local land use policies that decrease flood risk; avoid building in high-risk areas"
- "Avoid new development in areas at risk based on sea level projections."

We also recommend the following:

- Implement stricter development standards to elevate and protect structures.
- Flood prone areas should include resilient landscaping in parks and open space.
- Managed retreat from Sea Level Rise designed into the Transfer of Development Rights should quantify the carbon sequestration in the landward migration of wetlands.

- b) Include specific language to protect Millbrae’s ecosystems, such as establishing riparian corridor setbacks.**

Millbrae’s natural resources should be protected with recognition of the community benefits of carbon sequestration and public health. Nature should also be protected in its own right.

**In line with these values, please include aspirational as well as intermediate goals to increase the Urban Canopy, establish new parks, and protect natural resources.** Include specific goals for canopy coverage and green infrastructure in development guidelines.

**As the life-blood of many species and the connecting fabric of many habitats, riparian corridors should also be protected. We recommend that Millbrae consider adopting riparian setbacks to protect these corridors from encroaching development.**

## **5. There are more opportunities for improvements in GHG reduction through transportation policy.**

- a) We hope that the area around the existing downtown could be included in the station area plan to provide more affordable housing opportunities near the transit hub.**

We particularly acknowledge that Millbrae has a good Station Area Plan for high density transit oriented development including mixed use with affordable housing. There is good capacity for new development to be accommodated near the station area. In the future, we hope that the area around the existing downtown could be included in the Station Area Plan to provide more affordable housing opportunities near the transit hub.

- b) When the city creates policies relating to EV infrastructure, we recommend the city encourage/build out that infrastructure in areas where people can charge during the day.**

Overall, we like the city’s emphasis on EVs. When the city creates policies relating to EV infrastructure, we recommend the city encourage/build out that infrastructure in areas where people can charge during the day, given that the electricity sourcing is cleaner during the day than it is at night.



## **6. There are opportunities to implement lessons learned from COVID-19.**

- a) **We recommend our Green Streets/Green Corridors Policy<sup>5</sup> as a guide for creating sustainable walkable and bikeable infrastructure.**

This is geared to reducing GHG emissions by reducing driving while increasing access to nature, removing toxic pollutants from stormwater runoff, using bioswales and green infrastructure, before emptying storm water into the creeks and bay, reducing energy use by cooling from transpiration of trees in an improved urban canopy, improving health such as asthma by improving air quality, and promoting a healthier lifestyle.

**We recommend our Green Streets/Green Corridors Policy as a guide for creating temporary “Slow Streets” during the coming year.** This is geared to providing residents with physical exercise options in their neighborhoods and promoting a healthier lifestyle.

Survey after survey shows that walking is the most popular form of exercise. Making a clear hierarchy of streets (green walkable slow-traffic streets versus faster drive-thru arterials, as many cities have decided to do post-COVID-19), reflects the realization that our public rights-of-way need to be more equitably used. Our largest public asset needs to be useful for people walking, and by bikes as well as by cars and other vehicles. COVID-19 has done in two weeks what cities have been trying to do for 20 years - get people out of their cars and taking to walking and biking, resulting in lowered GHG, clean air, appreciation of tree lined streets in their neighborhoods versus sun-baked streets with few trees, and a healthier lifestyle. The existing measure “Free or Subsidized Shade Tree Program” can be integrated into the Green Streets plan.

- a) **Create public access to robust internet service.**

The COVID pandemic has highlighted the importance of access to robust high-speed internet systems as a Climate Change necessity and for equity. As employers and schools increasingly shift to enable work/study from home, cities should seriously consider increasing the capacity of their internet infrastructure, as well as making this affordable for those who can't afford it. A high-speed broadband internet service allows effective telecommuting from home for employees and businesses. It is critical as a business infrastructure.

It is also critical for education, as students without access to the internet no longer have access to schools and colleges. Schools and colleges will be impacted for at least a year with reduced

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<sup>5</sup> [Green Corridor/ Green Streets Guidelines](#) covers greening the city, active transportation network, green infrastructure, urban canopy, green linkages

or cancelled normal classes and little or no access to libraries with computer facilities. For students, access to free internet is a critical short-term need as well as a long-term necessity.

Telemedicine, which is being practiced these days during the pandemic, is an essential service as long as clinics remain partially closed, and it, too, requires access to robust internet. Telemedicine is here to stay.

Therefore, in the short term, the City needs to provide free access using hot spots at public facilities, to provide residents with access to this essential utility.

**Coordinate with other cities within San Mateo County to enable equitable access to high-speed, broadband internet service**

**Provide free public “hot spots” using public buildings to provide temporary high-speed internet access for students and workers.**

Thank you for taking the time to consider our suggestions. The Sierra Club Loma Prieta Chapter supports the strongest CAP possible, and we are available to support the City of Millbrae in making this happen.

Respectfully submitted,



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