



January 22, 2020

To the board members restaurants of the California Restaurant Association,

On behalf of the more than 600,000 members of the organizations listed above, we are writing to express concern about the lawsuit brought by the California Restaurant Association (CRA) against the City of Berkeley regarding their decision to transition to all-electric new homes and buildings. We request that you reconsider your support of the lawsuit and would be happy to meet to discuss this matter further.

While cities' current efforts only apply to new construction, there may be a time in decades to come when gas as a fuel source is phased out altogether. We'd love to work with the CRA to develop opportunities to make this transition easier on restaurants. Indeed, we urgently need to build dialogue with these important stakeholders, but we cannot do that in the face of aggressive litigation seeking to stall climate action.

Since you are a board member of CRA, we want you to have all the facts about this issue as you weigh your decision, including the undue influence that the fossil fuel industry may be putting on CRA to the detriment of board members restaurants' standing in the community.

Below is some background and our concerns.

Berkeley's unanimous decision to prohibit new gas hookups for new residential and commercial construction beginning January 1, 2020 was made after over a year of research, public review and stakeholder engagement. Ultimately, the city decided to restrict expansion of the gas system to reduce air and climate pollution, protect public health, improve access to affordable clean energy sources, and empower residents to take advantage of California's abundant and affordable renewable energy.

- **Public Health:** Studies show that gas stoves harm the respiratory function of both children and adults. [Children who grow up in homes with gas stoves are 42% more likely to develop asthma when compared to children who grow up in homes without gas stoves.](#)
- **Affordability:** We can build all-electric homes and buildings more quickly and affordably compared to building with gas. California regulators and utilities found that [all electric new construction saves thousands of dollars and lowers the monthly operating costs of appliances in homes and buildings.](#) Gas rates are quickly escalating and are [projected to keep increasing over the next decades at a much higher rate than electricity.](#) In the midst of a housing affordability crisis, we need to be supporting and uplifting cost-saving policies like this, not attacking them.
- **Climate Change:** Gas has just become the largest source of climate pollution in the U.S. and here in California, we burn more gas in appliances in our homes and buildings than we do in all of our power plants. California has committed to a 100% clean energy future, but to get there, we need to implement policies that replace polluting fossil fuels with our increasingly affordable and abundant clean electricity. Berkeley - like dozens of other cities - is taking necessary and responsible steps to achieve this goal. The CRA should not stand in the way of local democratic action to support the state's climate goals in the face of an urgent global climate crisis that threatens us all.

We are concerned that this lawsuit is a very unhelpful way for CRA to engage in the planning process. Neither CRA nor any local Berkeley restaurants chose to participate in the public stakeholder process that preceded this law. What's more, the law only applies to *new construction* and we expect it will impact very few restaurants in Berkeley. Existing restaurants, restaurants that change hands, and major restaurant renovations *are not impacted by the new policy.*

Therefore, we are asking you, as individuals and business owners interested in appealing to California's climate-conscious customers, to consider the position that your restaurant is taking by being part of this lawsuit. By carrying out this lawsuit, CRA is positioning themselves in alliance with oil and gas industry executives, and not on the side of the [majority of Californians](#) who support solutions to the climate crisis.

The media is [increasingly covering](#) the stealthy ways that the gas and oil industry is seeking to attack cities for empowering their residents to power their lives with clean energy. Alliances with SoCalGas, [their front group Californians for Balanced Energy Solutions](#), and other fossil fuel companies are coming under increased scrutiny - both by the [media](#) and by concerned communities.

We request that your company meet with us to discuss this issue further and make a statement in opposition to the lawsuit.

Please consider this information as you re-evaluate your support for this lawsuit. We see an opportunity for CRA board members restaurants and California's culinary community to be constructive participants in our state's long but essential transition off polluting fossil fuels to sustainable, renewable energy. We hope, for your best interests and your customers', that you'll choose to be part of the solution, not perpetuate the problem.

Sincerely,

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Climate Reality Project Bay Area Chapter - Wei-Tai Kwok & Steve Richard, Co-Chairs
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