

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

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Committee Meeting Notice

Resource Management and Climate Protection Committee (RMCP)

Date: Wednesday, **February 15, 2023**

Time: 3:00 p.m.

Location: Remote meeting via Zoom link below

On September 16, 2021, the Governor signed AB 361, which amended certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings remotely via telephonically or by other electronic means under specified circumstances. Thus, pursuant to Government Code section 54953(e), C/CAG Committee meetings will be conducted via remote conferencing. Members of the public may observe or participate in the meeting remotely via one of the options below.

Join by Zoom:

<https://us02web.zoom.us/j/81592976513?pwd=cExkVkl6d3N4ZzIjBTJViZlJTdzJlZz09>

Meeting ID: **815 9297 6513**

Password: **510953**

Join by Phone:

Call in Number: **(669) 900-6833**

Meeting ID: **815 9297 6513**

Find your local number: <https://us02web.zoom.us/u/kbevDz6xDd>

Persons who wish to address the RMCP Committee on an item to be considered at this meeting, or on items not on this agenda, are asked to submit written comments to kspringer@smcgov.org. Spoken public comments will also be accepted during the meeting through Zoom. Please see instructions for written and spoken public comments at the end of this agenda.

AGENDA

1. Brief Overview of Teleconference Meeting Procedures
2. Roll Call and Introductions
3. Public Comments on items not on the agenda
4. Approval of minutes of the January 18, 2023 RMCP Committee meeting.
(Kim Springer – Committee Staff) Action
5. Information on AB 2449 and Hybrid C/CAG Meetings
(Sean Charpentier – C/CAG ED) Information/Discussion
6. Discussion of future meeting topics for the RMCP Committee.
(Kim Springer – Committee Staff) Discussion
7. Presentation on Bay Area Air Quality Management District’s proposed amendments to Building Appliance Rules for residential and small commercial space and water heating.
(Amy Dao, BAAQMD) Information/Discussion
8. Update on residential electrification Case Studies and Real Estate Professionals Listening Session.
(Alero Moju, County OOS) Information/Discussion
9. Committee Member Updates
10. Next Scheduled Meeting Date: March 15, 2023

PUBLIC NOTICING: All notices of C/CAG regular Board meetings, standing committee meetings, and special meetings will be posted at the San Mateo County Court Yard, 555 County Center, Redwood City, CA, and on C/CAG’s website at: <http://www.ccag.ca.gov>.

PUBLIC RECORDS: Public records that relate to any item on the open session agenda for a regular Board meeting, standing committee meeting, or special meeting are available for public inspection. Those public records that are distributed less than 72 hours prior to a regularly scheduled meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members, of the Board or committee. The Board has designated the City/County Association of Governments of San Mateo County (C/CAG), located at 555 County Center, 5th Floor, Redwood City, CA 94063, for the purpose of making public records available for inspection. Such public records are also available on C/CAG’s website at: <http://www.ccag.ca.gov>. Please note that C/CAG’s office is temporarily closed to the public; please contact Mima Guilles at (650) 599-1406 to arrange for inspection of public records.

PUBLIC PARTICIPATION DURING VIDEOCONFERENCE MEETINGS: Persons with disabilities who require auxiliary aids or services to participate in this meeting should contact Kim Springer (650)393-9359, five working days prior to the meeting date.

Written comments should be emailed in advance of the meeting. Please read the following instructions carefully:

1. Your written comment should be emailed to kspringer@smcgov.org with the subject line: "RMCP Written Comments."
2. Your email should include the specific agenda item on which you are commenting or note that your comment concerns an item that is not on the agenda.
3. Members of the public are limited to one comment per agenda item.
4. The length of the emailed comment should be commensurate with the two minutes customarily allowed for verbal comments, which is approximately 250-300 words.
5. If your emailed comment is received at least 2 hours prior to the meeting, it will be provided to the C/CAG Committee members and made publicly available on the C/CAG Committee website along with the agenda and read aloud by C/CAG staff during the meeting. Emails received less than 2 hours before the meeting will be provided to the RMCP Committee members and included in the administrative record of the meeting as soon as practicable.

Spoken comments will be accepted during the meeting through Zoom. Please read the following instructions carefully:

1. The RMCP Committee meeting may be accessed through Zoom at the online location indicated at the top of this agenda.
2. You may download the Zoom client or connect to the meeting using an internet browser. If using your browser, make sure you are using a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer.
3. You will be asked to enter an email address and name. We request that you identify yourself by your name as this will be visible online and will be used to notify you that it is your turn to speak.
4. When the Committee Chair calls for the item on which you wish to speak, click on "raise hand." The Committee staff or Chair will activate and unmute speakers in turn. Speakers will be notified shortly before they are called on to speak.
5. When called, please limit your remarks to the time allotted.

If you have any questions about this agenda, please contact C/CAG staff:

Executive Director: Sean Charpentier scharpentier@smcgov.org

RMCP Committee Staff: Kim Springer kspringer@smcgov.org

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Draft Meeting Minutes

Resource Management and Climate Protection Committee (RMCP)

Date: Wednesday, January 18, 2023

Committee Members in Attendance:

Donna Colson – Burlingame (Chair)
Tom Francis – BAWSCA (Vice Chair)
Deborah Ruddock – Half Moon Bay
Sue Beckmeyer – Pacifica
Ortensia Lopez - El Concilio
Jeff Smith – Sares Regis Group
Alex Fernandez – Filoli
Christine Kohl-Zaugg – Sustainable San Mateo County

Committee Members not in Attendance

Rick DeGolia - Atherton
Bill Chiang - PG&E

Additional Attendees

Kim Springer – C/CAG
Sean Charpentier – C/CAG
Susan Wright – County OOS
Sultan Hensen – County OOS
Janet Borgens – Public
Ann Schneider – Councilmember Millbrae
Andrew Rubang – CPUC
Nicole Sandkula - BAWSCA
Michael Barber – Supervisor Pine Staff
Peter Dreckmeier – Tuolumne River Trust
Jesse Flores – CWFB Presenter
Rafael Aguilera – CWDB Presenter
Carl Schwab – Pacifica - Public

Note: All presentations for this meeting have been posted on the C/CAG RMCP Committee website:
<https://ccag.ca.gov/committees/resource-management-and-climate-protection-committee/>

Meeting called to order at 3:02 P.M.

1. Brief Overview of Teleconference Meeting Procedures

Committee staff provided a brief overview of teleconference meeting procedures.

2. Roll Call and Introductions

Committee staff completed Roll Call and a quorum of eight Committee members was achieved, allowing voting on agenda action items.

3. Public Comments on items not on the agenda

There were no public comments.

4. Approval of minutes of the November 16, 2022 RMCP Committee meeting.

There were no requested change or public comments. The Committee voted to approve the minutes of the November 16, 2022 Committee meeting minutes through a roll call vote. Motion by Committee member Lopez, with second by member Beckmeyer, passed (7,0,1). Member Zaugg abstained.

5. Approval of RMCP Committee meeting dates for February 2023 through January 2024.

Committee staff reviewed the dates proposed in the staff report, which align with the usual third Wednesdays of each month for the Committee. Staff noted an error in December and the Committee motioned to accept the meeting dates with the removal of the December 2023 meeting. Motion made by Member Ruddock and seconded by Lopez. A roll call vote was taken and the motion passed (8,0,0).

6. Election of RMCP Committee Chair and, potentially Vice Chair.

Vice Chair Colson explained the need for election of Chair and Vice Chair for the Committee is based on retirement of past Committee Chair Derwin. Chair and Vice Chair positions may be either elected or sector members. There was a short discussion about the current recruitment for three vacant elected seats.

Member Lopez nominated Vice Chair Colson to be Chair. Member Francis seconded the motion. A roll call vote was taken and passed, (8,0,0).

Member Colson nominated Member Lopez for Vice Chair. Member Smith nominated Member Frances for Vice Chair. Member Lopez acquiesced to Member Francis for the nominate and a roll call vote was taken. Motion passed, (8,0,0).

Member Colson is now Chair and member Francis is now Vice Chair.

7. Presentation by California Workforce Development Board on grant programs for developing climate action and adaptation workforce.

Committee staff provided an introduction about internal discussions at C/CAG about the workforce development needs across multiple climate mitigation and adaptation initiatives. Staff then introduced Jesse Flores and Rafael Aguilera from the California Workforce Development Board, who provided a presentation on their grant program, its goals and requirements, and some example programs that have been funding through their grant programs. The presentation was on the CWFD Board High Road Training Partnerships program.

The High Road Training Partnership seeks to support the intersection of Equity, Climate, and Jobs to build resilience in communities, deliver quality jobs, and to advance economic opportunity. To accomplish the goals of the program, the CWDB looks at the whole “ecosystem” of workers, employers, training organizations, and the communities. The program is a statewide success and

Item 4

continues to build on successful models. Mr. Flores and Aguilera shared multiple examples of successful programs. They also shared information about an upcoming webinar on the program and the funding available in budget year 2022/23.

The Committee discussed past offerings and how they compare with the successful programs being presented, such as apprenticeships, other program opportunities such as building urban forest or installation of solar. The presenters also shared the importance of political will at the local level for workforce development and restated the need for job quality and access for those trained, as well as a career.

8. Bay Area Water Supply and Conservation Agency update on winter storms and water supply and drought conditions in San Mateo County.

Tom Francis, Committee Vice Chair and Water Manager at BAWSCA, provided a presentation on the water supply outlook. Member Francis shared how the recent rainfall contributed to the water needs of the region and the State and the level of reservoirs across the state, but that we are still in voluntary rationing and that the State remains in drought. In terms of Hetch Hetchy precipitation, we are in our wettest year on record including Sierra snowpack, so far this year. The Hetch Hetchy water system, with eventual snow melt should completely fill. Water deliveries have started off lower than average, likely due to large reductions in outdoor watering, and reducing outdoor water use is the best opportunity to reduce water use.

Committee members and the public commented that rain barrels, though small, do provide some flood resilience in storms, how the SFPUC considers water supply and drought and how the risk of drought has changed significantly with reduced water use, how a residential form of green infrastructure could help reduce runoff as would below ground cisterns, and how indoor plumbing might be used to refill rain barrels throughout the year.

9. Update on recruitment of three elected official seats to the RMCP.

Committee staff provided an update on the status of Committee recruitment and encouraged Committee members to reach out to elected officials they believe would be interested in participating and contributing to the RMCP Committee. Sean Charpentier also commented on open seats on C/CAG's Committees and thanked the Committee for their participation.

10. Committee Member Updates

Sean Charpentier, C/CAG ED, shared that the C/CAG Committees and Board will be going back to in-person meetings in March, with a virtual opportunity for public participation. The RMCP Committee will meeting at 155 Bovet Rd., the location primarily used prior to the pandemic, or at County Center in Redwood City as a fallback. Chair Colson shared that she could check with City of Burlingame for the Committee to meet in the new community center.

11. Next Scheduled Meeting Date: February 15, 2023

Meeting adjourned at 4:40 P.M.

Note: All presentations are posted on the C/CAG RMCP Website at:

<https://ccag.ca.gov/committees/resource-management-and-climate-protection-committee/>

C/CAG AGENDA REPORT

Date: February 15, 2023
To: Resource Management and Climate Protection Committee
From: Sean Charpentier, Executive Director
Subject: Information on AB 2449 and Hybrid C/CAG Meetings

(For further information, contact Kim Springer at kspringer@smcgov.org)

RECOMMENDATION

That the RMCP Committee accept this information regarding AB 2449 and hybrid C/CAG Board meetings.

FISCAL IMPACT

None.

BACKGROUND

In response to the COVID-19 pandemic, the Governor issued a number of Executive Orders that adjusted the rules for online meetings of Brown Act bodies, and the Legislature followed up with adoption of AB 361. Under these authorities, a meeting can be conducted online under streamlined procedures for remote participation under AB 361 as long as a state-declared emergency remained in effect and the local agency finds that requiring participants to attend in person would present imminent risks to public health and safety.

On September 13, 2022, Governor Newsom signed AB 2449 into law. The bill authorizes a member of a legislative body to participate remotely for “just cause,” or allows the legislative body to consider and take action on a request from a member to participate remotely in a meeting due to “emergency circumstances.” The new law goes into effect on January 1, 2023 and will remain in effect until January 1, 2026.

In addition, Governor Newsom announced that the COVID-19 State of Emergency will end on February 28, 2023. As a result, Brown Act bodies will no longer be able to conduct remote meetings under the provisions of AB 361 after February 28, 2023, unless the State of Emergency is unexpectedly extended or renewed.

DISCUSSION

I. Summary of AB 2449

Starting January 1, 2023, AB 2449 will allow a member of a Brown Act body (for C/CAG, this includes the C/CAG Board of Directors and C/CAG standing committees) to participate remotely under the streamlined teleconference procedures in either of the following two circumstances:

1. The member unilaterally notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of the member's need to participate remotely for “**just cause**,” including a general description of the circumstances relating to their need to appear remotely at the given meeting.

“**Just cause**” means any of the following: (a.) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely; (b.) A contagious illness that prevents a member from attending in person; (c.) A need related to a physical or mental disability not otherwise accommodated; (d.) Travel while on official business of the legislative body or another state or local agency. This method may not be used by any member of the legislative body for more than two meetings per calendar year.

2. The member requests the legislative body to allow them to participate in a particular meeting remotely due to “**emergency circumstances**” and the legislative body takes action to approve the request.

“**Emergency circumstances**” means a physical or family medical emergency that prevents a member from attending in person. The legislative body shall request a 20-word general description of the circumstances relating to their need to appear remotely at the given meeting. The request can be made by the member and acted upon by the legislative body at the beginning of the meeting to which the request applies. The prohibition on taking action on items not appearing on the timely-posted agenda is suspended for purposes of approving a request.

Both provisions require that at least **a quorum of the Board or the committee be physically present in the same room** where the public may attend and give comment, and also permit remote public participation, including public comment.

As an example, AB 2449 limits the number of times a member may participate remotely to no more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year. The C/CAG Board has 11 regular meetings per year, thus **the maximum times a C/CAG Board member may participate remotely is limited to two meetings per year.**

With the anticipated end of the COVID-19 State of Emergency on February 28, 2023, AB 2449 will be the only alternative to the traditional, pre-covid Brown Act teleconference procedures, which require any members participating remotely to post an agenda and allow members of the public to attend at all remote location(s).

II. C/CAG Hybrid Board and Committee Meetings

C/CAG staff are preparing to return to in-person meetings beginning in March 2023. Before the pandemic, C/CAG Board meetings and Committee meetings were not televised or streamed online. Staff are testing the audio visual system at the SamTrans auditorium in preparation for returning to in-person C/CAG Board of Directors meetings in March. For the C/CAG Committees, staff are planning

to use “OWL” technology to facilitate the streaming and remote participation for the public and to comply with AB 2449. C/CAG is not required to provide a remote participation option, but staff believes it is important to stream the meetings to allow the public and staff to participate remotely, and to allow Committee members to take advantage of the limited ability to participate remotely under AB 2449. Not all jurisdictions are supporting remote meeting options for their advisory boards, commission, or committees.

Because Board and Committee members will be limited to remote participation in no more than approximately two meetings per year (based on the number of public meetings), staff recommends use of the “just cause” procedure to participate in a meeting remotely. The grounds for remote participation due to “just cause” are broader than those provided for “emergency circumstances.” AB 2449 limits “just cause” remote participation to two meetings per year, but C/CAG Board members will already be subject to this two-meeting limitation.

Staff recommends the following procedure for a Board member to request to participate remotely for just cause:

1. At the earliest opportunity possible notify Kim Springer and Sean Charpentier via email of the member’s need to participate remotely for “just cause,” including a general description of the circumstances relating to their need to appear remotely at the given meeting.
2. Staff will monitor the number of requests, and if the number reaches a quorum of the C/CAG Board, will inform the last requestor of the quorum concern. Staff may reach out to others requesting remote participation in an effort to achieve a quorum.
3. At the beginning of the Board meeting where any member is participating remotely pursuant to AB 2449, the Chair will request that all such members (1) provide a general description of the circumstances relating to their need to appear remotely at the given meeting, and (2) disclose whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member’s relations to such individuals. The Clerk of the Board will confirm that a quorum of the Board is participating in person and issue a reminder that those participating remotely must participate through **both audio and visual technology**.
4. All votes will be conducted via roll call when any member is participating remotely.
5. Staff will maintain a log of remote participation per calendar year.

Staff notes that, pursuant to the traditional, pre-covid Brown Act teleconference procedures, the Board could meet at more than one public location. Each public meeting location must be publicly accessible and duly noticed on the agenda. Staff is aware of discussion regarding the possibility of a second public meeting location where Board or Committee members could attend and members of the public could provide testimony via streaming. AB 2449 complicates this option because if any member invokes remote participation under AB 2449, the law requires a quorum of the Board to be present at a “singular physical location.” This option would also require significant staffing resources to manage a second public meeting location.

III. Next Steps

C/CAG will prepare for in person Board and Committee meetings, with remote participation from the public, staff, and members utilizing AB 2449 for the meetings starting in March. C/CAG Committees are accustomed to meeting remotely for almost three years. Staff are concerned that returning to in person meetings might present challenges for Committee participation and achieving quorum.

C/CAG has submitted a letter to the San Mateo County State delegation requesting remote meeting flexibility for regional or Countywide organizations with appointed Board members, and Committees that are solely advisory and do not make binding decisions. Please see the attachment to this agenda item for a copy of that letter.

ATTACHMENTS

1. C/CAG Letter to the San Mateo County State delegation



**CITY/COUNTY ASSOCIATION OF GOVERNMENTS
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January 30, 2023

C/CAG Legislative Delegation
State Capital
Sacramento, CA
Transmitted via Electronic Mail

RE: Brown Act Amendment Request

Dear C/CAG Legislative Delegation Members:

On behalf of the City/County Association of Governments of San Mateo County, I write to respectfully ask that you please consider sponsoring a limited extension to the permissions granted in AB 361 (Rivas) [Chapter 165, Statutes of 2021) for the remote convening of legislative bodies. We are requesting the Legislature consider a bill that would allow the following to continue to meet remotely without having to follow the specific quorum, location notification, and accessibility requirements required by the Brown Act and/or AB 2449 (Rubio) [Chapter 285, Statutes of 2022]:

1. Advisory bodies that can take no action or establish policy on behalf of a local elected body.
2. Countywide or regional multi-jurisdictional organizations whose members are appointed rather than directly elected.

C/CAG, as you may know, employs several advisory committees to help guide its work, such as the Congestion Management Program Technical Advisory Committee and the Bicycle and Pedestrian Advisory Committee, which consist of local elected officials, city government employees, and members of the public, most of whom work outside jobs unrelated to the effort they put in for C/CAG to better San Mateo County. We believe this proposal will result in a much-needed cost-savings to local agencies without jeopardizing public participation.

C/CAG has one Board of Directors and nine standing advisory committees with a total of 146 seats or members from all points in the County. In the past, many members would travel significant distances to attend meetings. Prior to the current remote meeting flexibility, C/CAG Committee members that live on the Coast would have to drive across the Santa Cruz Mountains or members would have to drive the length of the County during commute hours for a 30-minute committee meeting.

Notably, allowing remote meeting flexibility for advisory bodies would further our goals to reduce trips, vehicle miles traveled, and greenhouse gas emissions. It will provide additional flexibility for these non-decision-making advisory bodies to continue to meet remotely while maintaining agenda notification requirements. Virtual public access will enable C/CAG and other local agencies to incentivize

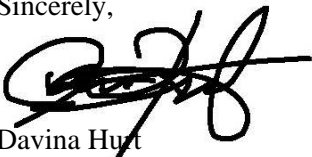
participation from well-qualified, interested individuals while allowing participating individuals to maintain unrelated commitments relating to work, school, and their families.

For these reasons, C/CAG respectfully asks that you please consider authoring this proposal and support these efforts during the 2023-34 Legislative Session.

In addition, many of our member agencies are requesting amendments to AB 2449 to improve the ability to provide flexibility in certain cases. We have also attached a representative letter from the City of San Carlos requesting remote meeting flexibility, which we are also supportive of for optimal public meeting participation.

Thank you for your consideration. Please contact Sean Charpentier, C/CAG Executive Director at scharpentier@smcgov.org if you have any questions.

Sincerely,



Davina Hunt
C/CAG Chair



Dear Assemblymember Rubio:

Thank you for your leadership in the State Assembly on critical issues ranging from pre-school education and safe drinking water, to continuous medical care for children under the age of five and transparency and flexibility in public meetings. We appreciate your inclusive approach to addressing the needs of all Californians and empowering communities to come together to create positive change for all.

We are writing to request that Assembly Bill ("AB") 2449 be amended to allow city councils, their standing committees, and regional boards more flexibility to establish their own teleconference requirements related to quorums, just cause and emergency requirements, and limitations on the number of remote meetings members may attend.

In March 2020, the Governor issued Executive Order N-90-20, giving local agencies more flexibility to deploy teleconferencing, and it was a monumental success. It protected the health and safety of civil servants and the public, while effectively and efficiently conducting the public's business.

Teleconferencing during the pandemic increased public participation, reduced single occupancy vehicle trips and travel costs, and decreased greenhouse gas (GHG) emissions.

We believe there are several unintended consequences of AB 2449 and respectfully request that the following requirements be considered for amendment:

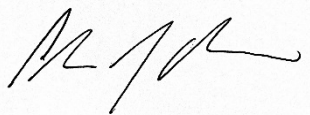
- 1. Just cause travel.** Local city councils and their standing committees are often comprised of individuals with full-time occupations. AB 2449's "just cause" requirement unfairly allows travel while on business "of the legislative body or another state or local agency," but not travel related to an individual's occupation. This raises an equity concern that participation in local and regional government would be limited to officials at a certain socioeconomic level. Travel for a member's occupation should be allowed under "just cause."
- 2. Cap on number of remote meetings allowed.** The limitation on the number of meetings that may be attended remotely appears arbitrary. The State could consider mandating a "floor" for in-person meetings, i.e. at least two meetings per year must be in person, and allow regional boards and standing committees maximum flexibility in determining the "ceiling" or "cap" on the number of remote meetings permissible. To contrast, local officials serve in the communities in which they live and the return to in-person meetings for local jurisdictions is not an issue. Nonetheless, local jurisdictions and their constituents are best suited to decide whether to host in-person or virtual meetings and to decide the limitations of those meetings.

3. **Quorum.** Requiring a quorum at a single physical location for regional boards and their subcommittees, and mandating that members of these bodies travel long distances to attend in-person meetings, contradicts the State's efforts to curb GHG emissions and seems arbitrary and particularly burdensome when regional boards are comprised of a geographically diverse membership of cities and counties. Regional boards, as well as standing committees of a city council should be allowed to stay 100% remote, with the option of deciding as a body, how many meetings should be attended in-person versus remote.
4. **Webcasting technology.** Unlike local city councils, regional boards meet in a variety of locations that often are not equipped with webcasting technology to enable hybrid meetings. Under AB 2449 regional boards will need to pivot from online meetings to in-person meetings.
5. **Disclosure.** The requirement to publicly disclose any individual in the room over the age of 18 is a privacy violation. For example, if a member is under the care of an at-home nurse, this should not need to be shared publicly.

We have serious concerns regarding AB 2449's measures to limit remote teleconferencing to a handful of emergency or restrictive just cause approvals. Without amendment, these measures will result in unnecessarily long travel times to meetings, suppressed attendance, and difficulty reaching quorum, which will in turn negatively impact the governing body's productive work.

We respectfully request that AB 2449 be amended to provide more flexibility to regional agencies and local governing bodies. The Brown Act ensures that officials and their constituents can have open and transparent meetings, which we now know can occur using modern technology. As representatives of local governments and regional boards, we believe in the benefit of increased access in our communities. We look forward to collaborating with you to promote greater flexibility and participation in the decision making process by incorporating the changes we have proposed. Thank you for your time and consideration of this important matter that impacts all of us.

Sincerely,



Adam Rak, Mayor, City of San Carlos
Sara McDowell, Councilmember, City of San Carlos

cc: Senator Josh Becker
Assemblymember Diane Papan

C/CAG AGENDA REPORT

Date: February 15, 2023
To: Resource Management and Climate Protection Committee
From: Kim Springer, Committee Staff
Subject: Discussion of future meeting topics for the RMCP Committee

(For further information contact Kim Springer at kspringer@smcgov.org)

RECOMMENDATION

That the RMCP Committee take part in discussions about future meeting topics for the RMCP Committee

FISCAL IMPACT

None

BACKGROUND/DISCUSSION

At the January 18, 2023 RMCP Committee meeting, the Committee Chair, Donna Colson suggested that an item be added to the following (February) agenda to discuss possible meeting topics for the new calendar year. Chair Colson also mentioned the idea of having public Committee Members present on the work they are doing within their organizations.

The RMCP Committee provides information and recommendations to the Congestion Management and Environmental Quality (CMEQ) Committee and the C/CAG Board on items related to resource conservation and climate action. The Committee also tracks the progress of two main C/CAG programs, the San Mateo County Energy Watch (SMCEW) and the Regionally Integrated Climate Action Planning Suite (RICAPS). The Committee also seeks to integrate equity into resource conservation and climate actions, including workforce development, access by constituents, and inclusion of community-based organizations.

The following are some categories of past presentations or themes to help guide a discussion with the Committee at this meeting. The Committee could identify those they feel are most important, add additional ideas, etc.

Water:

- Water Supply and Drought updates (BAWSCA)
- One Water and Water Reliability Roundtable
- One Water asset mapping for SMC
- Laundry to Landscape Proposal
- Status of CA regulations for onsite water recycling
- Stormwater Capture
- Groundwater

Energy:

- Transition or Efficiency of Buildings
 - Residential Electrification – Case Studies, resources, building code
 - San Mateo County Energy Watch updates
 - Appliance technologies
 - Reach Codes
 - Integration of equity
 - Permit Streamlining
 - Solar and Battery
 - Energy Storage technologies
 - Energy management for peak shaving and time of use management
 - Microgrids
 - Hydrogen home
 - PG&E interconnection process
 - Grid capacity
- Transportation Electrification
 - Charging infrastructure
 - EV marketplace
 - Permit Streamlining
 - Incentives
 - Integration of equity
 - Deployment of Hydrogen
 - E-bike and infrastructure
- Climate Action and Adaptation
 - Countywide Carbon Neutrality planning
 - Workforce Development for climate-related economic opportunities
 - PCE Program Planning and Strategic Plan
 - Carbon sequestration
- General Topics
 - RICAPS updates
 - Grant opportunities
 - Requests for State or Federal funding
 - Committee-related Actions
 - Legislation

ATTACHMENTS

None

C/CAG AGENDA REPORT

Date: February 15, 2023

To: Resource Management and Climate Protection Committee

From: Kim Springer, Committee Staff

Subject: Presentation on Bay Area Air Quality Management District's proposed amendments to Building Appliance Rules for residential and small commercial space and water heating.

(For further information contact Kim Springer at kspringer@smcgov.org)

RECOMMENDATION

That the RMCP Committee receive a presentation on Bay Area Air Quality Management District's proposed amendments to Building Appliance Rules for space and water heating.

FISCAL IMPACT

None

BACKGROUND/DISCUSSION

The RMCP Committee regularly receives presentations related to building retrofits and cleaner appliances as a key approach to reducing greenhouse gas emissions and both indoor and outdoor air pollution.

The Bay Area Air Quality Management District staff is proposing amendments to two Rules related to residential space heating and water heating: Rule 9-4 and Rule 9-6. These rules govern point of sale emission standards for small, typically residential and commercial, water and space heating systems. Emissions of nitrogen oxides from burning of natural gas impacts local and regional air quality, contributing to the formation of ozone as well as particulate matter in our atmosphere.

The Air District hosted a public workshop on October 7, 2021 to discuss draft language of regulatory amendments. In May of 2022, the Air District released a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) and an Initial Study, as well as revised draft rule amendments. In December 2022, the Air District released a Notice of Public Hearing, California Environmental Quality Act (CEQA) Notice of Availability, CEQA Draft EIR, proposed amendments to Rules 9-4 and 9-6, Staff Report, and other supporting materials for public review and comment. Links to all of these documents are provided as attachments to this staff report.

The Air District Board of Directors will conduct a public hearing to consider adoption of the proposed amendments and certification of the EIR on March 15, 2023 at 9:00 AM.

Amy Dao, Senior Planner at the BAAQMD, will provide a presentation on the proposed rule changes, where the Air District is in the process, how this will likely impact the transition to electrification.

ATTACHMENTS

1. Links to multiple documents related to BAAQMD's proposed amendments to Rules 9-4 and 9-6:

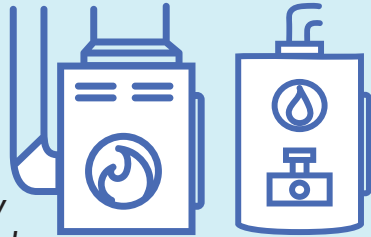
- [Fact Sheet – Proposed Amendments to Rules 9-4 and 9-6](#)(332 Kb PDF, 1 pg, posted 1/26/2023)
- [Notice of Public Hearing and Notice of Availability of DEIR](#)(268 Kb PDF, 2 pgs, posted 12/19/2022)
- [Staff Report – Proposed Amendments to Building Appliance Rules – Regulation 9, Rule 4 and Rule 6](#)(1 Mb PDF, 51 pgs, posted 12/19/2022)
 - [Appendix A: Proposed Amendments to Rule 9-4](#)(581 Kb PDF, 7 pgs, revised 12/20/2022)
 - [Appendix B: Proposed Amendments to Rule 9-6](#)(437 Kb PDF, 6 pgs, revised 12/20/2022)
 - [Appendix C: Socioeconomic Impacts Analysis](#)(1004 Kb PDF, 37 pgs, revised 12/20/2022)
 - [Appendix D: Electric Infrastructure Impacts from Proposed Zero NOx Standards](#)(1 Mb PDF, 38 pgs, revised 12/20/2022)
 - [Appendix E: Assessing Ambient Air Quality and Health Impacts from Natural Gas Building Appliances in the Bay Area](#)(5 Mb PDF, 40 pgs, posted 12/19/2022)
 - [Appendix F: Exposure and Equity Assessment of Natural Gas Appliances in the San Francisco Bay Area](#)(17 Mb PDF, 17 pgs, revised 12/20/2022)
 - [Appendix G: Draft Environmental Impact Report](#)(10 Mb PDF, 295 pgs, posted 12/19/2022)

Air District Appliance Rules – Furnaces and Water Heaters

Proposed amendments to two Air District rules will support improvements to regional air quality and public health –

Regulation 9, Rule 4: Nitrogen Oxides from Fan Type Residential Central Furnaces, and Regulation 9, Rule 6: Nitrogen Oxides Emissions from Natural Gas-Fired Boilers and Water Heaters.

The proposed rule changes will not apply to gas appliances used for cooking, such as gas stoves.



If adopted, the rule amendments will affect Bay Area households that use natural gas appliances – roughly about 2/3 of all households currently – and will:

- Improve overall regional air quality from the outdoor venting of these appliances
- Prevent up to 89 premature deaths per year
- Lower PM_{2.5} exposure, particularly in communities of color
- Save up to \$930M per year in reduced health care costs and lost work due to PM_{2.5} exposure:
 - About 60% of benefits can be achieved through elimination of NO_x and secondary PM_{2.5} emissions by switching to zero-NO_x appliances.
 - About 40% of benefits can be achieved through additional elimination of primary PM_{2.5} emissions by switching to fully zero-emission appliances.
 - Currently, the only zero-NO_x appliances available are electric appliances.

Health impacts from short- and long-term exposure

NO_x

- Coughing, wheezing, difficulty breathing
- Asthma
- Increased susceptibility to respiratory infections



PM_{2.5}

- Asthma and other respiratory conditions
- Neurological disease
- Heart attack
- Stroke
- Lung cancer
- Premature death



Compliance Timeline

The rule amendments would apply only to new appliances, and do not mandate retrofitting of existing appliances.

2027 – only zero NO_x water heaters can be sold or installed in the Bay Area.

2029 – only zero NO_x furnaces can be sold or installed in the Bay Area.

2031 – only zero NO_x large commercial water heaters can be sold or installed in the Bay Area.



For more information:
baaqmd.gov/building-appliances



**BAY AREA AIR QUALITY
MANAGEMENT DISTRICT**

BAAQMD.gov

C/CAG AGENDA REPORT

Date: February 15, 2023
To: Resource Management and Climate Protection Committee
From: Alero Moju, County Office of Sustainability
Subject: Update on residential electrification Case Studies and Real Estate Professionals Listening Session.

(For further information contact Kim Springer at kspringer@smcgov.org)

RECOMMENDATION

Receive an update on residential electrification Case Studies and Real Estate Professionals Listening Session.

FISCAL IMPACT

None. Funding is provided through the ABAG BayREN Program for this project, to the County Office of Sustainability (OOS).

BACKGROUND/DISCUSSION

The Bay Area Regional Energy Network (BayREN) is a collaboration of the nine counties in the San Francisco Bay Area. The program is led by the Association of Bay Area Governments (ABAG) and provides regional-scale energy efficiency programs, services, and resources. BayREN is funded by utility ratepayer funds through the California Public Utilities Commission, as well as other sources.

The County Office of Sustainability (OOS) contracts with ABAG for BayREN programs in San Mateo County. The BayREN program has many sub-programs being delivered in San Mateo County, including single family, residential green labeling, multifamily, water/energy nexus, commercial, and codes and standards.

At the January 20, 2021 RMCP Committee meeting, staff reported on a project to develop single-family home electrification case studies. The case studies would evaluate the challenges, opportunities, and costs of individual electrification elements (heat pump water heater, electric dryer, etc.) as well as those for adding solar, battery storage, and electric vehicle charging. At the March 17, 2021 RMCP Committee meeting, Susan Wright (OOS) updated the committee on the proposed structure of the RFP and contract for the consultant's role in the project. On October 20, 2021 the consultants provided an update on very early results from the project. On July 20, 2022 the Residential Electrification Case Studies project was again presented to share the results of an individual home, including the cost analysis. At the November 16, 2022 meeting, Tom Kabat, project consultant, provided an update on the preliminary results of the Case Studies combined data, which provided an important comparison between individual home studies.

The Case Studies have now been completed and the details posted on the County OOS website. In addition, a webinar was held to launch the outreach phase of the project.

In a collaboration between PCE and the Office of Sustainability, and with support from Peninsula Conflict Resolution Center, a Real Estate Professional Listening Session was held on February 1, 2023, to better understand the real estate perspectives on residential electrification.

Alero Moju, Energy Sustainability Specialist with County OOS, will provide and update and learnings from both of these efforts: the Cost Studies and the Real Estate Professionals Listening Session. A link to the Decarbonizing Homes page and Cost Studies on the County OOS website is provided as an attachment to this staff report.

ATTACHMENTS

1. Link to Decarbonizing Homes page and Cost Studies on the County OOS website:
<https://www.smcsustainability.org/energy/decarbonizing-homes/>