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August 16, 2022

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, California 94903



SUBJECT: Response to 2021-22 Grand Jury Report "Electrifying Marin's Buildings: A Countywide Approach" (June 6, 2022)

Dear Board Members:

RECOMMENDATION: Concur in and adopt the attached proposed response to the FY 2021-22 Marin County Civil Grand Jury Report regarding building electrification and authorize the Board President to forward the response to the Presiding Judge of the Marin County Superior Court.

SUMMARY: The 2021-22 Civil Grand Jury Report published a report entitled "Electrifying Marin's Buildings: A Countywide Approach" (June 6, 2022). The report included a request for response from your Board. Attached for your consideration, in accordance with §933 of the California Penal Code, is a proposed response. A copy of the Grand Jury report is also attached for your information.

FISCAL IMPACT: None.

ALTERNATIVE: The Board may amend any suggested response.

REVIEWED BY:

☒	County Counsel	☐	N/A
☐	Human Resources	☒	N/A
☐	Dept. of Finance	☒	N/A

Respectfully Submitted,

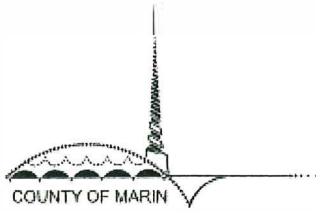
Daniel Eilerman
Assistant County Administrator

Reviewed By,

Matthew Hymel
County Administrator

Attachments: Report

CC: Tom Lai, Director, Community Development Agency (CDA)
Dana Armanino, Principal Planner, CDA



RESPONSE TO GRAND JURY REPORT FINDINGS AND RECOMMENDATIONS

REPORT TITLE: "ELECTRIFYING MARIN'S BUILDINGS: A COUNTYWIDE
APPROACH"
REPORT DATE: June 6, 2022
RESPONSE BY: County of Marin Board of Supervisors

GRAND JURY FINDINGS

- We agree with the findings numbered: **F1-F3 and F5-F6**
- We disagree partially with the finding numbered: **F4**

GRAND JURY RECOMMENDATIONS

- Recommendations numbered **R1 and R2** have not yet been implemented but may be implemented in the future. These recommendations will go before the Board of Supervisors for consideration in October or November of 2022. If adopted, they would go into effect on January 1, 2023.
- Recommendation numbered **R3** requires further analysis.

Date: August 16, 2022

Signed: _____

Kate Du
President, Board of Supervisors

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8/16/22



County of Marin Response to Grand Jury Report Findings and Recommendations
"Electrifying Marin's Buildings: A Countywide Approach"
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RESPONSE TO GRAND JURY FINDINGS

F1. With the building sector accounting for approximately 34 percent of greenhouse gas emissions in Marin County, it will be necessary to substantially reduce emissions from that sector if the county and its cities and towns are to meet their 2030 greenhouse gas reduction goals.

Response: Agree.

F2. Reducing or eliminating natural gas as a fuel source in buildings will dramatically reduce greenhouse gas emissions from Marin County's building sector.

Response: Agree.

F3. The use of natural gas in buildings gives rise to health and safety risks, including adverse health effects attributed to exposure to natural gas, and safety risks posed by pipeline leaks, ruptures, and explosions. These health and safety risks serve as additional reasons to eliminate natural gas as a fuel source in new and existing buildings.

Response: Agree.

F4. The timely reduction of greenhouse gas emissions from Marin County's building sector will require in-depth, comprehensive, and coordinated planning. A countywide planning process, coordinated by Marin Climate and Energy Partnership or the County's Sustainability Team, would be an effective and efficient means of sustaining focus and leveraging the resources needed for developing a Countywide Building Electrification Plan.

Response: Partially Disagree.

Although we agree that countywide collaboration is important in achieving significant timely reductions in greenhouse gas emissions from Marin County's building sector, this collaboration is already underway via the Marin Climate and Energy Partnership, County Sustainability Team, and Bay Area Regional Energy Network (BayREN). These collaborations have resulted in the launch of the Electrify Marin incentive program and the development of the model all-electric new construction ordinance and flex-path efficiency tool. Steps are already being taken to progress decarbonization and electrification efforts throughout the county.

A Countywide Building Electrification Plan may bolster the work already underway, but could also divert limited resources from initiatives underway and delay development and implementation of some of electrification measures identified in the County's Climate Action Plan 2030.

F5. Underserved communities and lower income households have greater vulnerability to rising energy costs and will likely require extra financial support to mitigate those costs



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and reduce household greenhouse gas emissions through measures that require significant up-front investment.

Response: Agree.

F6. The timely electrification of existing buildings will likely require one or more mandatory measures, supported where necessary by financial subsidies and rebates.

Response: Agree.



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RESPONSE TO GRAND JURY RECOMMENDATIONS

The Marin County Civil Grand Jury recommends the following:

R1. On or before January 1, 2023, Marin County and each of its cities and towns that have not already done so should adopt a reach code banning natural gas connections in newly constructed buildings.

This recommendation has not been implemented but may be in the future.

The County of Marin is in the process of developing an all-electric requirement for newly constructed buildings. A proposed ordinance will be presented to the Board of Supervisors for consideration in October or November of 2022. If adopted, it would go into effect on January 1, 2023. Details on the proposed ordinance can be found at:

www.marincounty.org/greenbuildingcodes.

R2. On or before January 1, 2023, Marin County and each of its cities and towns that have not already done so should adopt a reach code requiring energy efficiency measures in connection with renovations of existing residential buildings. The reach code should specify the size of the renovation that will trigger the requirement and provide flexibility by allowing the applicant to choose from a list of energy efficiency measures, including electrification of gas appliances.

This recommendation has not been implemented but may be in the future.

The County of Marin is in the process of developing a reach code that would require energy efficiency measures in connection with renovations of existing residential buildings. For remodels of existing residences, including single and low-rise multifamily, the County is developing requirements that renovations use a flexible measures compliance pathway tool developed by the State. If adopted, this performance-based pathway will facilitate projects of a certain size to meet a target energy score using a point system that allows for a flexible range of building measures and presents opportunities to favor electric heat pump space and water heaters.

The proposed ordinance will be presented to the Board of Supervisors for consideration in October or November of 2022. If adopted, it would go into effect on January 1, 2023. Details on the proposed ordinance can be found at: www.marincounty.org/greenbuildingcodes.

R3. Marin County and each of its cities and towns, collaborating through the Marin Climate and Energy Partnership or otherwise, should develop a comprehensive Countywide Building Electrification Plan to be completed on or before January 1, 2024. The Plan should identify those strategies, programs, and concrete actions necessary to bring about an equitable, prompt, and material acceleration of building electrification throughout the county.

This recommendation requires further analysis.

While we can only respond on behalf of the County of Marin, as previously noted the County Sustainability Team regularly collaborates with sustainability staff from Marin’s cities and towns via the Marin Climate and Energy Partnership (MCEP). It is possible the MCEP could



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collectively decide to incorporate the development of a Countywide Building Electrification Plan into its workplan for 2023, but the County cannot commit to that work on behalf of the Partnership.

Additionally, the County will need to evaluate the best use of the Sustainability Team's resources to maximize progress towards Climate Action Plan goals. If staff time is devoted to the development of an Electrification Plan, then other projects and programs may have to be delayed. The County will need to consider the costs and benefits of the potential Plan relative to these other measures to determine the best course of action. Once the 2022 Green Building Code update is complete by the end of 2022, the County will consider the most effective next steps toward building electrification and will continue our collaboration with our cities and towns.