



June 24, 2022

California Air Resources Board
1001 I Street
P.O. Box 2815
Sacramento, CA 95812

Submitted online at: <https://ww2.arb.ca.gov/applications/public-comments>

Re: Comments on Draft 2022 Scoping Plan

Dear Board Members and Staff,

The San Francisco Bay Area Regional Energy Network (BayREN) Codes and Standards Program is pleased to submit these comments and recommendations on CARB's Draft 2022 Scoping Plan. BayREN is a collaboration of the Association of Bay Area Governments (ABAG) and the nine Bay Area counties, funded by California ratepayers under the auspices of the California Public Utilities Commission (CPUC). One of nine program administrators and four Regional Energy Networks (RENS) in the state, BayREN operates six programs and has awarded \$55.4 million in incentives and avoided 156 million tons of carbon.¹ BayREN's Codes and Standards Program works to save energy by improving compliance with the Title 24 Parts 6 and 11, and by supporting and encouraging local energy policies such as reach codes. We work closely with local government staff, particularly those from building departments and sustainability offices.

The Draft 2022 Scoping Plan is intended to lay out the roadmap for California to achieve carbon neutrality no later than 2045. As such, this plan is ambitious and wide-ranging, pulling together an impressive amount of data and modeling. Drafting this plan clearly took significant effort and analysis, and we appreciate CARB's efforts. BayREN Codes & Standards Program offers the following specific recommendations and comments related to the Draft 2022 Scoping Plan:

Refine the Proposed Scenario

For the Final Draft of the 2022 Scoping Plan, BayREN Codes & Standards recommends that CARB staff and stakeholders work to refine the proposed scenario so that it truly represents the best path forward towards carbon neutrality. The four scenarios were originally developed as a range of approaches to analyze in order to identify the impacts of each approach. With that analysis completed, the next step is for CARB to refine and strengthen the Proposed Scenario. This work should include fine-tuning and adding more detail to the components of the scenario, as well as considering whether certain aspects of other scenarios could be brought in.

¹ 2021 BayREN Annual Report, available online at: <https://www.bayren.org/sites/default/files/2022-05/2021%20BayREN%20Annual%20Report-11x17.pdf>

BayREN Codes & Standards hopes to see an increased emphasis on energy efficiency, including efforts to improve the efficiency of existing buildings, which will provide health benefits, improved resilience, and reduced impacts on the electrical grid. While the Draft Scoping Plan acknowledges the role of energy efficiency in decarbonization, more consideration needs to be given to how to maximize efficiency before, or in tandem with, electrification. The Proposed Scenario could also be refined by improving its focus on environmental justice and frontline communities, by bringing in aspects of Scenario 1 and ensuring that investments in infrastructure and other improvements for decarbonization occur in these areas first. In addition, actions related to embodied carbon would help to strengthen the Proposed Scenario. These were left out of the Draft Scoping Plan because of accounting difficulties (p. 37), but addressing these emissions is essential given the global scale of climate change. Bay Area local governments are already working on this, and some have even adopted low-carbon concrete ordinances. Finally, a refined Proposed Scenario should minimize the dependence on Carbon Capture and Sequestration (CCS) and Carbon Dioxide Removal (CDR) given the uncertainties of these technologies.

Create a true collaboration between state, regional and local government agencies

The Draft 2022 Scoping Plan notes that the “Legislature and state agencies will continue to collaborate...” and that they “will need to draw upon the assistance of regional and local governments...” (p. 215). BayREN Codes and Standards suggests that what is really needed is a true collaboration between government agencies at all levels of government, in order to ensure aligned action towards a common goal and prevent siloed and duplicative efforts. Too often, state agencies view local governments as barriers or assistants rather than full partners. To improve communication and collaboration, we suggest two approaches: first, that each state agency designate one or more staff members to serve as local government liaisons; and second, that the state develop a sustained collaboration effort with local governments. BayREN Codes and Standards already works in this space by collaborating with Bay Area local governments as well as regularly meeting with staff from the California Energy Commission in order to facilitate discussions about developing and enforcing the Energy Code and reach codes. BayREN also works with the seven Community Choice Aggregators in the Bay Area as well as other agencies, and we would be pleased to assist CARB with this effort.

Set the foundation for effective local and individual action

Certain state-level actions are necessary to enable action at the local and individual levels, and these should be prioritized. One is the development of an expanded and reliable electric grid, coupled with appropriate electric rates to support electrification. Another is the need to reduce the number and extent of wildfires in California. While many local agencies have adopted reach codes to require all-electric buildings or established natural gas bans, many others are hesitant to do so because of concerns about the capacity and reliability of the electric grid, the potential impact of wildfires on electricity service, and the cost impacts to residents. Prioritizing these state-level actions will make it possible for more local governments and individuals to take action.

Support local governments

The Draft 2022 Scoping Plan calls for local governments to take a number of actions, including decarbonizing their municipal buildings and adopting building decarbonization reach codes. BayREN Codes and Standards works to support local governments on these actions, and we have learned that staff capacity is a significant barrier. For example, in terms of municipal building

upgrades, many local governments are barely able to keep up with ongoing maintenance and do not have the capacity or the technical knowledge to design and implement complex building renovation projects. BayREN has proposed to the CPUC a new Public Program to start in 2024 to start to address these issues in the Bay Area, but additional help is needed. The State can assist local governments with these and other actions by making funding available to enable them to increase staffing and technical expertise. Another type of support that would be helpful would be for CARB to carry out GHG inventories for local governments, perhaps initially as a pilot project in one region to test and develop the methodology.

Build on existing efforts

Incentive programs are mentioned as “one of the most important tools the state has in advancing our low carbon future” (p. 216), and the Draft Scoping Plan calls for increased incentives for a variety of technologies and situations. In 2019, BayREN received a grant from the Bay Area Air Quality Management District to develop a regional midstream incentive program for heat pump water heaters. Through that process, we learned that incentive programs need to be carefully designed to layer and work together, in order to simplify and streamline the process for both property owners and contractors. New state incentives will be necessary, and to see the maximum benefit from these, the incentives need to build on and work with existing incentive programs so that all incentives are aligned and easy to access, and the potential for customer confusion regarding different programs is minimized.

Implementation is key

We understand that the 2022 Scoping Plan is a high-level planning document, intended to set the direction for future action, and the Plan acknowledges that significant future work will be needed. At the same time, BayREN Codes and Standards recommends that the final version of the Scoping Plan include more consideration of what will be needed for implementation. A significant part of our work involves working with local governments to enforce the California Energy Code, so that the energy and greenhouse gas savings anticipated by the code will actually be achieved. Through that work, we have learned that implementation is essential, and that actions which are theoretically strong but difficult to enforce may not realize the modeled savings.

One place where the Scoping Plan should consider implementation is related to the recommendation to prohibit sale of gas-fired appliances. Without consideration for how this will be implemented and enforced, contractors could easily purchase appliances in other states to offer to consumers. Some options that could be considered are a state-wide appliance registry or time-of-sale gas appliance disclosures or compliance checks,

Conclusion

Thank you for the opportunity to provide this input, and for your careful consideration of these comments. We look forward to continuing to be involved in these important issues.

Respectfully submitted,



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