Sustainability Plan for Trial Court Facilities

APPROVED BY THE
TRIAL COURT FACILITY
MODIFICATION ADVISORY COMMITTEE

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Sustainability Definition and Purpose

Sustainability is a concept that encompasses multiple measures and efforts which are designed to increase the ability of an entity to survive with minimal future external contributions. The term can also refer to the **ability to meet the needs of the present without compromising the ability of future generations to meet their own needs**.

The term primarily refers to financial and natural resources but can also include other measures.

The Facilities Services office (Facilities) of the Judicial Council of California (the council) recognizes the importance of sustainable practices to ensure that present and future facility needs are met. Accordingly, Facilities proposes formalizing and building on prior sustainability efforts through the adoption of a Sustainability Plan.

The proposed plan incorporates prior efforts[1] to conserve natural resources such as water and electricity and broadens the purpose to more closely align Facilities' policies with recent legislative and executive branch directives[2] to increase sustainable practices.

These practices include

- Achieving carbon neutrality, no later than 2045 with net negative emissions thereafter;
- Moving to 100 percent clean energy by 2045;
- Doubling energy efficiency savings in state buildings;
- Diverting all organic waste by 2025;
- Reducing per capita daily water usage to 52.5 gallons by 2025 and 50 gallons by 2030.

These sustainable practices are intended to both ensure that present and future resource needs are met and that negative impacts resulting from extreme climate events are mitigated.

Extreme climate events such as fires, floods, and higher temperatures, are believed to result from the overuse of systems that pollute the environment. Pollutants such as excess carbon and greenhouse gases are now widely perceived to be responsible for changes to our global climate.

These changes have negatively impacted the judicial branch and California courts directly in the form of fires and floods and indirectly through both intentional and unintentional power shutdowns or outages.
Adopting sustainability measures is: good for the Judicial Branch, good for the state, and good for the planet.

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[1] See Appendix 1 and 2:
September 15, 2017 Report to the Judicial Council on Utility and Maintenance Costs Reduction and Revised Energy Conservation Guidelines; and
June 15, 2015 Report to the Judicial Council on Court Facilities: Water Conservation Policy

[2] See Appendix 3

Sustainability Plan for Trial Court Facilities

Goal #1: Reduce Trial Court Facilities' greenhouse gas emissions, energy usage and utility costs, and conserve natural resources

a. **Implementation Strategy #1:** Pursue Energy Efficiency Measures in the Judicial Council Trial Court facilities by leveraging grant opportunities, state budget requests, and third-party financing options;
b. **Implementation Strategy #2:** Educate staff, key stakeholders and service providers on specific energy saving practices and broader sustainability issues;
c. **Implementation Strategy #3:** Conserve other natural resources through improved data collection methods and tracking baseline usage on a variety of resources (energy, carbon, water, waste; and subsequent conservation/reductions)
d. **Implementation Strategy #4:** Improve the power resiliency of our buildings portfolio through on-site renewable energy generation systems and energy storage systems.

Goal #2: Ensure compliance with state sustainability initiatives in all new construction and major renovation projects

a. **Implementation Strategy #1:** Seek funding for future New Construction and Major Renovation projects to comply with the sustainability requirements of the 2020 California Trial Courts Facilities Standard, adopted by the Judicial Council on November 13, 2020.

Appendix 1: Guidelines for Energy Conservation in Trial Court Facilities

https://jcc.legistar.com/View.ashx?M=F&ID=5391981&GUID=78BE0C4C-AFC2-44C9-8025-279D2D6B2A15

Appendix 2: Water Conservation Policy

https://www.courts.ca.gov/documents/jc-20150626-itemK.pdf

Appendix 3: State of California Sustainability Initiatives References

The following executive orders and legislative actions provide some of the sustainability criteria, requirements, and targets tracked and reported herein.

Executive Orders

The State of California governor has issued the following executive orders relevant to this plan:

Executive Order B-16-12

EO B-16-12 directs state agencies to integrate zero-emission vehicles (ZEVs) into the state vehicle fleet. It also directs state agencies to develop the infrastructure to support increased public and private sector use of ZEVs. Specifically, it directs state agencies replacing fleet vehicles to replace at least 10 percent with ZEVs, and by 2020 to ensure at least 25 percent of replacement fleet vehicles are ZEVs.

Executive Order B-18-12

EO B-18-12 and the companion *Green Building Action Plan* require state agencies to reduce the environmental impacts of state operations by reducing greenhouse gas emissions, managing energy and water use, improving indoor air quality, generating on- site renewable energy when feasible, implementing environmentally preferable purchasing, and developing the infrastructure for electric vehicle charging stations at state facilities. The Green Building Action Plan also established two oversight groups – the staff-level Sustainability Working Group and the executive-level Sustainability Task Force – to ensure these measures are met. Agencies annually report current energy and water use into the Energy Star Portfolio Manager (ESPM).

Executive Order B-29-15

EO B-29-15 directs state agencies to take actions in response to the ongoing drought and to the state of emergency due to severe drought conditions proclaimed on January 17, 2014. Governor Brown directed numerous state agencies to develop new programs and regulations to mitigate the effects of the drought, and required increased enforcement of water waste statewide. Agencies were instructed to reduce potable urban water use by 25 percent between 2013 and February 28, 2016.

Executive Order B-30-15

In 2015, the governor issued EO B-30-15, which declared climate change to be a "threat to the well-being, public health, natural resources, economy and environment of California." It established a new interim statewide GHG emission reduction target of 40 percent below 1990 levels by 2030 and reaffirms California's intent to reduce GHG emissions to 80 percent below 1990 levels by 2050. To support these goals, this order requires numerous state agencies to develop plans and programs to reduce emissions. It also directs state agencies to take climate change into account in their planning and investment decisions and employ life-cycle cost accounting to evaluate and compare infrastructure investments and alternatives. State agencies are directed to prioritize investments that both build climate preparedness and reduce GHG emissions; prioritize natural infrastructure; and protect the state's most vulnerable populations.

Executive Order B-37-16

EO B-37-16 builds on what were formerly temporary statewide emergency water restrictions in order to establish longer-term water conservation measures, including permanent monthly water use reporting; new permanent water use standards in California communities; and bans on clearly wasteful practices such as hosing off sidewalks, driveways and other hardscapes. The EO focuses on using water more wisely and eliminating water waste by taking actions to minimize water system leaks. The California Department of Water Resources (DWR) estimates that leaks in water district distribution systems siphon away more than 700,000 acre-feet of water a year in California – enough to supply 1.4 million homes for a year.
The EO further strengthens local drought resilience and looks to improve agricultural water use efficiency and drought planning. State agencies are to cooperate with urban water management plans, which include plans for droughts lasting for at least five years by assuring that the water efficiency and conservation plan has drought contingency actions.

Legislative Actions

Several pieces of legislation were signed in 2015-16 that codified several elements of the executive orders, or provided further requirements included in the policies. These include the following:

Assembly Bill (AB) 1482 (Gordon, 2015): Requires that the California Natural Resources Agency (CNRA) update the state's adaptation strategy safeguarding California every three years. Directs state agencies to promote climate adaptation in planning decisions and ensure that state investments consider climate change impacts, as well as the use of natural systems and natural infrastructure. (Public Resources Code Section 71153)

Senate Bill (SB) 246 (Wieckowski, 2015): Established the Integrated Climate Adaptation and Resiliency Program within the Governor's Office of Planning and Research to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change. (Public Resources Code Section 71354)

AB 2800 (Quirk, 2016): Requires state agencies to take the current and future impacts of climate change into planning, designing, building, operating, maintaining and investing in state infrastructure. CNRA will establish a Climate-Safe Infrastructure Working Group to determine how to integrate climate change impacts into state infrastructure engineering. (Public Resources Code Section 71155)

Assembly Bill (AB) 4: Passed in 1989. The State Agency Buy Recycled Campaign (SABRC) statutes are in Public Contract Code Section 12153-12217. The intent of SABRC is to stimulate markets for materials diverted by California local government and agencies. It requires state agencies to purchase enough recycled-content products to meet annual targets, report on purchases of recycled and nonrecycled products, and submit plans for meeting the annual goals for purchasing recycled-content products.

AB 32 Scoping Plan: The scoping plan assumes widespread electrification of the transportation sector as a critical component of every scenario that leads to the mandated 40 percent reduction in GHG by 2030 and 80 percent reduction by 2015.

AB 2583 (Blumenfield 2012) **Public Resources Code §25722.8**: Statute requires reducing consumption of petroleum products by the state fleet compared to a 2003 baseline. Mandates a 10 percent reduction or displacement by Jan. 1, 2012 and a 20 percent reduction or displacement by Jan. 1, 2020.

AB 802 **Benchmarking and Public Disclosure**

In October 2015, the State of California passed Assembly Bill 802 (AB 802) to provide building owners access to their building energy use data from utilities, and to track consumption in their buildings. The purpose of AB 802 is to help building owners, tenants, and others better understand the energy consumption of their buildings