

DOCKET
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DATE 6-1-12
RECD. 6-1-12

Notice of Determination

Appendix D

To: Office of Planning and Research
U.S. Mail: P.O. Box 3044
Sacramento, CA 95812-3044
Street Address: 1400 Tenth St., Rm 113
Sacramento, CA 95814

From: Public Agency: California Energy Commission
Address: 1516 Ninth Street, MS 37
Contact: Joe Loyer
Phone: (916) 654-4811

County Clerk
County of: Statewide - all County Clerks
Address: no notice sent

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2012032062

Project Title: Initial Study/Proposed Negative Declaration for 2013 California Building Energy Efficiency Standards

Project Applicant: California Energy Commission

Project Location (include county): Statewide

Project Description:
Public Resources Code Sections 25402 requires the Energy Commission to adopt, implement, and periodically update energy efficiency standards for both residential and nonresidential buildings to ensure that building construction, system design, and installation achieve energy efficiency and preserve outdoor and indoor environmental quality. See attached page for further details

This is to advise that the California Energy Commission has approved the above (input checked) Lead Agency or (input unchecked) Responsible Agency

described project on May 31, 2012 and has made the following determinations regarding the above described project.

- 1. The project [input unchecked] will [input checked] will not have a significant effect on the environment.
2. [input unchecked] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. [input checked] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [input unchecked] were [input checked] were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [input unchecked] was [input checked] was not adopted for this project.
5. A statement of Overriding Considerations [input unchecked] was [input checked] was not adopted for this project.
6. Findings [input checked] were [input unchecked] were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at: http://www.energy.ca.gov/title24/2013standards/rulemaking/documents/

Signature (Public Agency): [Signature] Title: Associate Mechanical Engineer

Date: June 1, 2012 Date Received for filing at OPR:

RECEIVED JUN 1 2012 STATE CLEARINGHOUSE

Authority cited: Sections 21083, Public Resources Code. Reference Section 21000-21174, Public Resources Code.

ABSTRACT

Public Resources Code Sections 25402 was enacted in 1975 as part of the enabling legislation establishing the California Energy Commission and its basic mandates. The statute requires the Energy Commission to adopt, implement, and periodically update energy efficiency standards for both residential and nonresidential buildings to ensure that building construction, system design, and installation achieve energy efficiency and preserve outdoor and indoor environmental quality.

The standards must be cost-effective based on the life cycle of the building, must include performance and prescriptive compliance approaches, and must be periodically updated to account for technological improvements in efficiency technology. The standards (codified in Title 24, in portions of Part 1, and in Parts 6 and 11 of the California Code of Regulations) establish a minimum level of building energy efficiency. A building may be designed to a higher efficiency level, resulting in additional energy savings.

The 2013 Building Energy Efficiency Standards focus on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings. They also include requirements that will enable demand reductions during critical peak periods, as well as future solar electric and thermal system installations. The most significant efficiency improvements to the residential standards are proposed for windows, envelope insulation, and heating, ventilating, and air-conditioning (HVAC) systems. The most significant efficiency improvements to the nonresidential standards are proposed for lighting controls, windows, HVAC equipment, and building commissioning. New efficiency requirements for process loads such as commercial refrigeration, data centers, kitchen exhaust systems, and compressed air systems are included in the nonresidential standards. The 2013 Standards include expanded criteria for acceptance testing of mechanical and lighting systems, as well as new requirements for code compliance data to be collected in an Energy Commission-managed repository.

The 2013 Standards also include updates to the energy efficiency divisions of the California Green Building Standards Code (Title 24, Part 11). Energy efficiency is a major characteristic of "green buildings." A set of prerequisites has been established for both the residential and nonresidential "reach" standards, in addition to efficiency levels that should be installed in any building project striving to be considered "green buildings." The residential reach standards have also been updated to require additional energy efficiency or onsite renewable electricity generation for buildings that exceed a specific threshold of expected electricity use. Both the residential and nonresidential reach standards include requirements for additions and alterations to existing buildings.

Energy Commission staff estimates that the implementation of the 2013 Building Energy Efficiency Standards will reduce statewide annual electricity consumption by about 470 gigawatt-hours per year, electrical peak demand by 150 megawatts, and natural gas consumption by 12 million therms per year. The expected effect of these energy savings to air quality will be a net reduction in the emissions of nitrous oxide by roughly 66 tons per year, sulfur oxides by 2 tons per year, carbon monoxide by 40 tons per year, and particulate matter

less than 2.5 microns in diameter by 12 tons per year. Additionally, Energy Commission staff estimates that the implementation of the 2013 Standards is expected to reduce statewide carbon dioxide equivalent emissions by 190 thousand metric tonnes per year.

Energy Commission staff analyzed an analysis of the environmental impacts of the proposed 2013 Building Energy Efficiency Standards for residential and nonresidential buildings. In addition to air emissions, issues of water savings (both onsite and at California power plants), indoor air pollution and changes in materials use were considered, including the use of: mercury, lead, copper, steel, plastic silicon, gold, aluminum, fiberglass, titanium, glass, and wood. Energy Commission staff believes that the potential environmental impacts associated with the implementation of the 2013 Building Energy Efficiency Standards are less than significant. Therefore, Energy Commission staff recommends the adoption of a Negative Declaration for the 2013 Building Energy Efficiency Standards.



State of California - Natural Resources Agency
DEPARTMENT OF FISH AND GAME
1416 9th Street
Sacramento, CA 95814
<http://www.dfg.ca.gov>

EDMUND G. BROWN JR. Governor
CHARLTON H. BONHAM, Director



CEQA Filing Fee No Effect Determination

Applicant Name and Address:

California Energy Commission
1516 Ninth Street, MS 37
Sacramento, CA 95814

CEQA Lead Agency: California Energy Commission

Project Name: 2013 Building Energy Efficiency Standards

CEQA Document Type: Negative Declaration

State Clearing House Number and/or local agency ID number: 2012032062

Project Location: Statewide

Brief Project Description: The California Energy Commission is proposing changes to the energy efficiency standards for residential and nonresidential buildings as mandated by the Warren-Alquist Act. The standards contain energy efficiency and indoor air quality requirements for newly constructed buildings, additions to existing buildings, alterations to existing buildings, and, in the case of nonresidential buildings, repairs to existing buildings.

Determination: Based on a review of the project as proposed, the Department of Fish and Game has determined that for purposes of the assessment of CEQA filing fees (Fish and Game Code [FGC] Section 711.4(c)) the project has no effect on fish, wildlife or their habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records. Local lead agencies are required to file two copies of this determination with the county clerk at time of filing of the Notice of Determination (NOD) after the project is approved. State lead agencies are required to file two copies of this determination with the Office of Planning and Research (State Clearinghouse) at the time of filing the NOD. If you do not file a copy of this determination as appropriate with the county clerk or State Clearinghouse at the time of filing of the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid CEQA Filing Fee No Effect Determination form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to FGC Section 711.4(c)(3).

DFG Approved By: Lance Salisbury Date: 3/28/2012

Title: Environmental Scientist