

**DOCKETED**

<b>Docket Number:</b>	19-BSTD-06
<b>Project Title:</b>	Local Ordinances Exceeding the 2019 Energy Code
<b>TN #:</b>	232984-8
<b>Document Title:</b>	City of Hayward - 2019 Signed CEQA exemption letter
<b>Description:</b>	Plain text of the City of Hayward CEQA exemption letter
<b>Filer:</b>	Danuta Drozdowicz
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	5/14/2020 7:06:08 PM
<b>Docketed Date:</b>	5/15/2020

# Notice of Exemption

# Appendix E

To: Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

From: (Public Agency): City of Hayward  
777 B Street, Hayward, CA 94541

County Clerk  
County of: Alameda  
1106 Madison Street  
Oakland, CA 94607

(Address)

Project Title: City of Hayward Electrification Reach Codes

Project Applicant: City of Hayward

Project Location - Specific:

City-wide. Project is a local amendment of state building codes.

Project Location - City: Hayward Project Location - County: Alameda

Description of Nature, Purpose and Beneficiaries of Project:

The Reach Codes modify Part 6 (California Energy Code) and Part 11 (California GreenBuilding Standards Code, aka CALGreen) of the California Building Code (Title 24 of the California Code of Regulations) to address electrification of buildings and vehicles in new construction.

Name of Public Agency Approving Project: City of Hayward

Name of Person or Agency Carrying Out Project: City of Hayward Departments of Public Works & Development Services

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: 15308 - Actions by Regulatory Agencies for Protection of the Environment
- Statutory Exemptions. State code number: \_\_\_\_\_


Reasons why project is exempt:

Adoption of the proposed Reach Codes is not a project under the requirements of the California Environmental Quality Act, together with related State CEQA Guidelines (collectively, "CEQA"), because it has no potential for resulting in a physical change to the environment. In the event that this Ordinance is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility that the action approved may have a significant effect on the environment. CEQA applies only to actions that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. In this circumstance, the proposed action would have no or only a de minimis effect on the environment. The Ordinance is also exempt from CEQA under CEQA Guidelines section 15308, because it is a regulatory action for the protection of the environment.

Lead Agency  
Contact Person: Erik Pearson, Environmental Services Manager Area Code/Telephone/Extension: 510-583-4770

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature:  Date: 3/25/2020 Title: Environmental Services Manager

Signed by Lead Agency  Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_