

DOCKETED

Docket Number:	19-BSTD-06
Project Title:	Local Ordinances Exceeding the 2019 Energy Code
TN #:	235535-4
Document Title:	Notice of Redwood City CEQA exemption
Description:	Plain text of the Redwood City CEQA exemption
Filer:	Danuta Drozdowicz
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	11/8/2020 6:46:42 PM
Docketed Date:	11/9/2020

Notice of Exemption

Appendix E

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

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific:

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

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: _____
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

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: _____ Title: _____

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: _____

Attachment A

City of Redwood City - Notice of Exemption

Regarding Ordinance to adopt local amendments to California Energy Code and Green Building Standards Codes

The finding by the California Energy Commission (CEC) required by PRC Section 25402.1(h)(2), that the City of Redwood City ordinances will require the diminution of energy consumption levels permitted by the 2019 Energy Standards, involves the comparison of the energy savings of the ordinances pursuant to an objective fixed standard, and does not require the exercise of judgement or deliberation on the part of the CEC. It is therefore a ministerial act consistent with Section 15369 of Title 14 of the California Code of Regulations, and is exempt from CEQA pursuant to Public Resources Code section 21080(b)(1) and section 15268 of Title 14 of the California Code of Regulations.

The CEC also determined that the activity is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment (14 CCR § 15061(b)(3)). 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. The CEC previously found that its adoption of the California Green Building Code was exempt from CEQA pursuant to Title 14, Section 15061(b)(3). Additionally, a negative declaration was previously adopted for the California *Building Energy Efficiency Standards* as a whole. These standards are more protective of the environment than the state standards, and there are no reasonably foreseeable adverse impacts, and so there is no possibility that the activity in question may have a significant effect on the environment.

As the lead agency, the City of Redwood City also stated in its application to the CEC that this activity is exempt from CEQA under Sections 15061(b)(3).