

**DOCKETED**

<b>Docket Number:</b>	19-BSTD-06
<b>Project Title:</b>	Local Ordinances Exceeding the 2019 Energy Code
<b>TN #:</b>	242577-12
<b>Document Title:</b>	City of Encinitas-2019 Notice of Public Comment Period
<b>Description:</b>	CEC Notice of Public Comment Period
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<b>Organization:</b>	California Energy Commission
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**CALIFORNIA ENERGY COMMISSION**1516 Ninth Street  
Sacramento, California 95814[energy.ca.gov](http://energy.ca.gov)

CEC-057 (Revised 1/21)

**Notice of Public Comment Period****Docket No. 19-BSTD-06****Application Concerning  
Locally Adopted Building Energy Efficiency Standards  
in Accordance with Section 10-106 of  
the California Code of Regulations, Title 24, Part 1****Local Jurisdiction Name:** City of Encinitas**Date of Local Adoption:** October 27, 2021**Designation of Locally Adopted Standard:** Resolution # 2021-13**Purpose**

The California Energy Commission (CEC) has posted locally adopted energy efficiency standards for a mandatory public review period, per California Code of Regulations, Title 24, Part 1, Chapter 10, Sections 10-106 and 10-110. The application has been determined to be complete by CEC staff, including all the supporting information necessary to meet the requirements of Section 10-106. The CEC seeks public comments on whether the locally adopted energy efficiency standards will require buildings to be designed to consume less energy than the *2019 California Energy Code*, California Code of Regulations, Title 24, Part 6 (Energy Code).

The full application is available for download on the CEC's website at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=19-BSTD-06>.

The following files are included in this application:

1. City of Encinitas - 2019 Attachment 1\_Cover Letter
2. City of Encinitas - 2019 Attachment 2\_Final Staff Report
3. City of Encinitas - 2019 Attachment 3\_Signed Ordinance
4. City of Encinitas - 2019 Attachment 4\_Supplemental Docs
5. City of Encinitas - 2019 Attachment 5.1\_CE Studies Chart
6. City of Encinitas - 2019 Attachment 5.2\_New Residential Electrification CES
7. City of Encinitas - 2019 Attachment 5.3\_New Nonresidential Electrification CES
8. City of Encinitas - 2019 Attachment 5.4\_Carlsbad Energy Conserv Ord CES

9. City of Encinitas - 2019 Attachment 5.5\_Residential EE Retrofit CES
10. City of Encinitas - 2019 Attachment 6\_Notice of Exemption
11. City of Encinitas - 2019 Attachment 7\_Development Services Director Letter

## **Background**

Statutory provisions in Public Resources Code Section 25402.1(h)(2) and regulatory provisions in Sections 10-106 and 10-110 of Title 24, Part 1 (2019) (California Administrative Code) establish a process that allows local governmental agencies to adopt and enforce energy efficiency standards for newly constructed buildings, additions, alterations, and repairs to existing buildings. Such local ordinances may not be enforced unless and until the CEC finds that the local standards will require buildings to be designed to consume less energy than permitted by the Energy Code.

Local governmental agencies are required to submit these local standards to the CEC prior to enforcement. Per Section 10-106, this application must include:

- 1) The proposed energy standards.
- 2) The local governmental agency's energy-savings and cost-effectiveness findings and supporting analyses.
- 3) A statement or finding by the local governmental agency that the local energy standards will require buildings to be designed to consume no more energy than permitted by the Energy Code.
- 4) Any findings, determinations, declarations, or reports, including any negative declaration or environmental impact report, required under to the California Environmental Quality Act.

For the local jurisdiction to enforce the standard, the CEC must then find, based on the submitted application materials, that the local standards will result a reduction in energy consumption compared to the statewide Energy Code and that the local jurisdiction has filed the basis of its cost-effectiveness determination with the CEC.

## **Public Comments**

Written comments should be submitted by: **5:00 p.m. Wednesday, April 20 2022.**

If you wish to submit comments on the proposal, please submit them using the e-commenting feature on the CEC's webpage at

<https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=19-BSTD-06>

A full name, email address, comment title, and either a comment or an attached document (.doc, .docx, or .pdf format) are mandatory. After a challenge response test used by the system to ensure that responses are generated by a human user and not a computer, click on the "Agree & Submit Your Comment" button to submit the comment to the CEC Docket Unit.

You are encouraged to use the electronic filing system described above to submit comments. If you are unable to submit electronically, a paper copy of your comments, including the docket number **19-BSTD-06** and indicating "**City of Encinitas — 2019 Ordinance No. 2021-13,**" may be sent to:

Docket Unit  
California Energy Commission  
Docket No. 19-BSTD-06  
715 P Street  
Sacramento, CA 95814

Or email them to: [docket@energy.ca.gov](mailto:docket@energy.ca.gov)

Your e-comments, emails, written letters, any attachments, and associated contact information (for example, address, phone number, and email address) become part of the viewable public record. In addition, this information may become available via internet search engines.

### **Public Participation**

The CEC's Public Advisor provides the public assistance in participating in CEC activities. If you want information on how to participate in this forum, please contact the Public Advisor at (916) 957-7910 or by email at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov).

Direct news media inquiries to the Media and Public Communications Office at (916) 654-4989 or by email at [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov).

Direct questions about the subject matter of this notice to Danuta Drozdowicz at (916) 805-7436 or by email at [danuta.drozdowicz@energy.ca.gov](mailto:danuta.drozdowicz@energy.ca.gov).

The proposal and supporting materials can be downloaded at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=19-BSTD-06>