

**DOCKETED**

<b>Docket Number:</b>	19-BSTD-06
<b>Project Title:</b>	Local Ordinances Exceeding the 2019 Energy Code
<b>TN #:</b>	243372-10
<b>Document Title:</b>	City of Emeryville - 2019 Notice of Public Comment Period
<b>Description:</b>	Plain text of City of Emeryville notice of public comment period
<b>Filer:</b>	Danuta Drozdowicz
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	6/1/2022 10:31:28 AM
<b>Docketed Date:</b>	6/1/2022

**CALIFORNIA ENERGY COMMISSION**

715 P 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 Emeryville

**Date of Local Adoption:** September 13, 2021

**Designation of Locally Adopted Standard:** Ordinance # 21-006

**Purpose**

The California Energy Commission (CEC) has posted locally adopted energy efficiency or conservation standards for a mandatory public review period, per California Code of Regulations, Title 24, Part 1, Chapter 10, Section 10-106 and Section 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 or conservation 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 Emeryville - 2019 Att. 1 Cover letter.pdf
- 2) City of Emeryville - 2019 Att. 2 Staff Report.pdf
- 3) City of Emeryville - 2019 Att. 3 Emeryville Ordinance 21-006.pdf
- 4) City of Emeryville - 2019 Att. 4a NC Residential Reach Code Summary.pdf
- 5) City of Emeryville - 2019 Att. 5a Overview of Cost-Effectiveness Studies.pdf
- 6) City of Emeryville - 2019 Att. 5b 2019 NRNC Cost-Effectiveness Report
- 7) City of Emeryville - 2019 Att. 5d 2019 MidRise NC Reach Code Study.pdf

- 8) City of Emeryville - 2019 Att. 6 CEQA Certification signed.pdf
- 9) City of Emeryville - 2019 Att. 7 Letter\_EnergyCom\_11\_2\_21vrgedit.pdf

### **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 or conservation standards for newly constructed buildings, additions, alterations, and repairs to existing buildings. Such local ordinances may not be enforced, however, 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 the following:

- 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; and
- 4) Any findings, determinations, declarations, or reports, including any negative declaration or environmental impact report, required pursuant 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 must be submitted by: **5:00 p.m. on Thursday, June 16, 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 a downloadable, searchable document consistent with 20 California Code of Regulations section 1208.1. is 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 Emeryville – 2019 Ordinance No. 21-006**" may be sent to:

California Energy Commission  
Docket Unit, MS-4  
Docket No. 19-BSTD-06  
715 P Street  
Sacramento, CA 95814

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

Please note that 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. Additionally, this information may become available via internet search engines.

### **Public Advisor and Other CEC Contacts**

The CEC's Public Advisor provides the public with assistance in participating in CEC proceedings. For information about how to participate or to request interpreting services or other reasonable modification and accommodations, reach out by phone at (916) 957-7910 or via email at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov).

The CEC will work diligently to meet all requests based on the availability of the service or resource requested.

**Direct media inquiries** to [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov) or (916) 654-4989.

**Direct general and technical subject inquiries** to Danuta Drozdowicz at [danuta.drozdowicz@energy.ca.gov](mailto:danuta.drozdowicz@energy.ca.gov) or (916) 805-7436.

### **Availability of Documents**

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