

DOCKETED

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Project Title:	2022 Energy Code Compliance Software && Supporting Documents
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Document Title:	Resolution Certifying the Energy Conservation Manual for the 2022 Building Energy Efficiency Standards
Description:	Resolution No: 22-0608-6
Filer:	Liza Lopez
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STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**2022 BUILDING ENERGY EFFICIENCY
STANDARDS, CALIFORNIA CODE OF
REGULATIONS, Title 24, Parts 1 and 6**

**Docket No. 22-BSTD-02
Docket No. 21-BSTD-04**

**RESOLUTION CERTIFYING THE ENERGY CONSERVATION MANUAL FOR THE
2022 BUILDING ENERGY EFFICIENCY STANDARDS**

WHEREAS, the 2022 Building Energy Efficiency Standards, amending California Code of Regulations, Title 24, Parts 1 and 6, were adopted by the California Energy Commission (CEC) on August 11, 2021, with a proposed effective date of January 1, 2023; and

WHEREAS, these standards were approved by the California Building Standards Commission on December 14, 2021, and will go into effect January 1, 2023; and

WHEREAS, the Warren-Alquist Act, in Public Resources Code section 25402.1(e), requires the CEC to certify “an energy conservation manual for use by designers, builders, and contractors of residential and nonresidential buildings” no later than 180 days after the California Building Standards Commission approves the Building Energy Efficiency Standards; and

WHEREAS, in order to implement the requirement of section 25402.1(e), CEC staff has developed an energy conservation manual that is comprised of several documents, including Compliance Manuals, which the CEC certified on May 11, 2022, Alternative Calculation Methods (ACM) Reference Manuals, a Data Registry Requirements Manual (DRRM), and other compliance forms (Compliance Documents), all of which contain information to assist designers, builders, and contractors in meeting the Building Energy Efficiency Standards, including forms, charts, and other data; and

WHEREAS, in order to develop the updated ACM, DRRM, and Compliance Documents, CEC staff conducted an extensive public process, inviting people with knowledge of and interest in the Building Energy Efficiency Standards to review and comment on the updated ACM, DRRM, and Compliance Documents, and revised the ACM, DRRM, and Compliance Documents to respond to the comments that were received; and

WHEREAS, the CEC commends the work of its staff, its contractors, and utility sponsors of specific provisions of the Building Energy Efficiency Standards, to develop the updated ACM, DRRM, and Compliance Documents and revise them to respond to commenters; and

WHEREAS, the CEC further commends the commenters for devoting their time to provide valued input to the California Energy Commission so that the updated ACM, DRRM, and Compliance Documents can be effective in facilitating efficiency and successful implementation of the 2022 Building Energy Efficiency Standards; and

WHEREAS, CEC staff has considered the application of the California Environmental Quality Act (CEQA) to the ACM, DRRM, and Compliance Documents and finds that the ACM, DRRM, and Compliance Documents do not meet the definition of a “project” under Public Resources Code section 21065, because they have no potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and even if the ACM, DRRM, and Compliance Documents were to be considered a project, then the project would fall under the “common sense exemption” in California Code of Regulations, Title 14, section 15061(b)(3) because there is no reasonable possibility the ACM, DRRM, and Compliance Documents would have a significant effect on the environment; and

WHEREAS, the CEC has considered staff’s proposed updates to the ACM, DRRM, and Compliance Documents and finding that their certification is exempt from CEQA.

THEREFORE, BE IT RESOLVED, that on the basis of the entire record before it, the CEC hereby adopts staff’s finding that the ACM, DRRM, and Compliance Documents are not subject to CEQA because they do not meet the definition of a “project” as they are not an activity that has the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and even if they were a project, they are exempt from CEQA pursuant to the Common-Sense Exemption (California Code of Regulations, Title 14, section 15061(b)(3)) because there is no reasonable possibility that the activity will have a significant effect on the environment, including unusual circumstances; and

FURTHER BE IT RESOLVED, that the CEC hereby certifies the ACM, Publication Numbers CEC-400-2022-008-CMD and CEC-400-2022-009-CMD, used as an instructional guide that outlines instructions for the public domain software that is used to demonstrate compliance under the performance pathway in the 2022 Building Energy Efficiency Standards; and

FURTHER BE IT RESOLVED, that the CEC hereby certifies the DRRM, Publication Number CEC-400-2022-011, used as an informational resource for Data Registry Providers to aid in the design and implementation of software procedures and user interface features for data registries; and

FURTHER BE IT RESOLVED, that the CEC hereby certifies the Compliance Documents, used as a tool to assist designers and installers to demonstrate that their designs comply with the 2022 Building Energy Efficiency Standards; and

FURTHER BE IT RESOLVED, that the CEC directs the executive director or their designee to take all actions reasonably necessary to make the above-referenced documents available and in good form, including but not limited to correcting typographical and other non-substantive errors.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the CEC held on June 8, 2022.

AYE: Hochschild, McAllister, Vaccaro

NAY: NONE

ABSENT: Gunda, Monahan

ABSTAIN: NONE



Liza Lopez
Secretariat