

DOCKETED

Docket Number:	18-AAER-04
Project Title:	Portable Air Conditioners
TN #:	225105
Document Title:	Initial Study and Proposed Negative Declaration for Portable Air Conditioners
Description:	Initial Study and Proposed Negative Declaration for Portable Air Conditioners
Filer:	Patrick Saxton
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	10/25/2018 5:07:35 PM
Docketed Date:	10/26/2018

Title 20. Public Utilities and Energy
Division 2. State Energy Resources Conservation and Development Commission
Chapter 4. Energy Conservation
Article 4. Appliance Efficiency Regulations
Sections 1601-1609

Initial Study and Proposed Negative Declaration for Portable Air Conditioners
October 26, 2018

California Energy Commission
Portable Air Conditioners
Docket No. 18-AAER-04

INTRODUCTION

The California Energy Commission was established in 1974 by the Warren-Alquist Act to develop and implement energy policy for the State of California. One of the Energy Commission's mandates is to promote water and energy efficiency through a variety of means, including efficiency standards for appliances. (Public Resources Code § 25402(c)(1)). The Energy Commission adopted its first appliance efficiency standards in 1976 and has periodically revised those standards, as well as adopted new regulations. The current regulations include provisions on testing of appliances to determine efficiency, reporting of data by manufacturers to the Energy Commission, mandatory minimum efficiency levels, and compliance and enforcement procedures, as well as general provisions on the scope of the regulations and definitions.

The California Environmental Quality Act (CEQA) requires public agencies to identify and consider the potential environmental effects of their projects, as that term is defined, and, when feasible, to reduce any related adverse environmental consequences. Adoption of the proposed regulations is a discretionary decision undertaken by a public agency and has the potential to result in direct or indirect physical changes in the environment. Thus, it constitutes a project under CEQA. (See Pub. Resources Code § 21065.) Therefore, the Energy Commission has prepared this initial study to assess the potential significant effects of the proposed regulations on the environment.

The proposed regulations establish new energy efficiency standards for single-duct and dual-duct portable air conditioners. The proposed regulations would save about 36.9 gigawatt-hours (GWh) of electricity the first year the standard is in effect. By 2029, the year that existing stock of less efficient potable air conditioners fully turns over, the proposed standards would have an annual electricity savings of about 369 GWh. This amount equates to roughly \$50 million in annual savings to Californians. Lower

electricity consumption results in reduced greenhouse gas, criteria pollutants, and other particulates.

Based on the initial study showing the regulations will result in a reduction in air pollution and greenhouse gas emissions, staff finds that the regulations will not have a significant impact on the environment but will benefit the environment. Therefore, a negative declaration is the appropriate environmental document.

DESCRIPTION OF PROPOSED PROJECT

PROJECT NAME

This project is a statewide rulemaking proceeding titled Appliance Efficiency Standards Rulemaking for Portable Air Conditioners, Energy Commission Docket # 18-AAER-04.

PROJECT DESCRIPTION AND LOCATION

The project proposes statewide regulations to establish minimum levels of efficiency required for portable air conditioners. No federal standards currently exist for portable air conditioners. The United States Department of Energy (DOE) considered energy conservation standards for portable air conditioners in a rulemaking in 2016, but to date has not published a final rule in the Federal Register. The required new efficiency standards would apply to newly manufactured products sold or offered for sale in California.

The proposed regulations apply to single-duct and dual-duct portable air conditioners, manufactured on or after February 1, 2020. These requirements are performance standards and do not mandate any particular technology or component. Manufacturers have multiple technically and economically feasible approaches to improve the energy efficiency of portable air conditioners. Potential efficiency improvements include increased heat-transfer surface area, increased heat-transfer coefficient, improved components such as fan or compressor, improved part-load performance, alternative refrigerants, and air flow optimization.

The proposed regulations relevant to this initial study are contained in:

Proposed Amendments to Appliance Efficiency Regulations (Proposed Regulatory Language), California Code of Regulations, Title 20, Sections 1601 Through 1609, 2018 Appliance Efficiency Rulemaking, Portable Air Conditioners, Docket Number 18-AAER-04.

All the documents listed above are available on the Energy Commission's website <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=18-AAER-04> , or by phone at (916) 654-4147, or by electronic mail from the Energy Commission's Appliances Office, by submitting a request to Angelica.Romo@energy.ca.gov.

ENERGY AND ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT

ENERGY IMPACTS

The energy efficiency standards being proposed for portable air conditioners will reduce future demand for electricity in the state. The proposed standards would take effect February 1, 2020. The complete stock turnover of less efficient portable air conditioners would occur in 2029. The estimated annual reduction in electricity consumption after full turnover is estimated to be 369 gigawatt-hours (GWh) per year and equivalent to \$50 million in annual savings in reduced electric utility bills.

Lower electricity consumption will lead to a reduced need for new power plants, reduced use of fossil fuels for new and existing power plants, and fewer new transmission lines.

ENVIRONMENTAL IMPACTS

The proposed energy efficiency standards will reduce electricity consumption with no significant change in the energy or the process of manufacturing this appliance type. The proposed standards are performance standards and do not require the use of any specific material to improve the efficiency of the product.

A portable air conditioner functions similarly to a central air conditioner or room air conditioner. It consists of an enclosure, a compressor, a condenser, a evaporator, and a refrigerant. Unlike other types of air conditioners, portable air conditioners are not required to be installed in fixed locations, with many portable air conditioner enclosures having wheels to facilitate moving the unit. Portable air conditioners covered by the proposed energy efficiency regulations connect to window through an adjustable bracket and either one or two flexible ducts. The enclosure is generally made of molded plastic and often has some amount of insulation. The compressor, condenser, and evaporator are generally made of metal. There are various ways to improve the efficiency of portable air conditioners. The heat-transfer surface area can be increased by incorporating a larger heat-exchanger (also known as the coil). The heat-transfer coefficient of the heat-exchanger can be increased by improved fin or tube design. Improved primary components, such as more efficient single-speed compressors, variable-speed compressors, or more efficient blower motors, can be incorporated in the design of the portable air conditioner. More effective standby controls can limit the power consumption of the portable air conditioner when it is in standby mode. Optimization of air flow can reduce infiltration (introduction of outside air), thus improving the cooling performance of the portable air conditioner. Use of an alternative refrigerant that has lower global warming potential, such as R-32, has the additional benefit of increasing cooling capacity and improving efficiency. Because many of these potential improvements are already common practice in the air conditioning industry, updating the energy efficiency of portable air conditioners is not likely to significantly change industry practice, the design of portable air conditioners, or the material composition of portable air conditioners. Depending on the final design and the

combination of possible improvements that are implemented, some materials may be integrated less than current practice and some materials may be integrated more than current practice. In addition, the non-hazardous materials found in the final product do not pose any harm to the user and would not cause a significant environmental impact.

The expected lifetime of portable air conditioners is not expected to change as a result of the proposed regulations. The proposed regulations affect only newly manufactured appliances and do not require consumers to discard their existing portable air conditioners before the end of the useful life of the portable air conditioner. Thus, the proposed regulations are not expected to have any major impact on waste within the state.

The proposed regulations will lead to improved environmental quality in California. Saved electricity translates to fewer power plants built and less pressure on the limited energy resources, land, and water use associated with them. In addition, lower electricity consumption results in reduced greenhouse gas and criteria pollutant emissions, primarily from lower generation in hydrocarbon-burning power plants, such as natural gas power plants.

ENVIRONMENTAL CHECKLIST

The following is the Energy Commission’s analysis of the potential impacts of the proposed project using the initial study environmental checklist.

Table 4-1: Lead and Responsible Agencies

Project Title	Portable Air Conditioners Appliance Efficiency Rulemaking, Docket # 18-AAER-04
Lead Agency Name and Address	California Energy Commission, 1516 Ninth Street–MS 25, Sacramento, California, 95814
Contact Person and Phone Number	Patrick Saxton, Appliances Office, Efficiency Division, Patrick.Saxton@energy.ca.gov , (916) 654-4274
Project Description	The project is a proposal for statewide regulations to establish minimum levels of energy efficiency required for portable air conditioners, which are not covered by federal appliance efficiency standards. The required new efficiency standards apply to newly manufactured products and are attainable through normal and existing manufacturing processes.
Responsible Agencies	None
Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement)	None
Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?	Consultation has not been requested.

Source: 2018 CEQA Handbook Appendix G and California Energy Commission

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

For each of the environmental factors checked below, there is likely to be a positive environmental impact due to the decrease in electricity generation associated with reduced electrical demand by the use of more efficient appliances. The Energy Commission's analysis reveals no significant adverse impacts.

Table 4-2: Potentially Affected Areas

Potential Positive Impact Determined	Environmental Factor	Potential Positive Impact Determined	Environmental Factor
	I. Aesthetics		XI. Mineral Resources
	II. Agriculture and Forestry Resources		XII. Noise
X	III. Air Quality		XIII. Population/Housing
	IV. Biological Resources		XIV. Public Services
	V. Cultural Resources		XV. Recreation
	VI. Geology/Soils		XVI. Transportation/Traffic
X	VII. Greenhouse Gas Emissions		XVII. Tribal Cultural Resources
X	VIII. Hazards & Hazardous Materials	X	XVIII. Utilities/Service Systems
	IX. Hydrology/Water Quality		XVIV. Mandatory Findings of Significance
	X. Land Use/Planning		

Source: 2018 CEQA Handbook Appendix G and California Energy Commission

Evaluation of Environmental Impacts

Table 4-3 lists specific potential issues for each of the factors presented in **Table 4-2**.

Table 4-3: Specific Potential Issues

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				X
COMMENT: The proposed regulations will have no impact to aesthetics and no impact on any of the specific concerns listed above.				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>II. AGRICULTURE RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
a) Convert prime farmland, unique farmland, or farmland of statewide importance (farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220[g]), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104[g])?				X
d) Result in the loss of forest land or conversion of forest land to nonforest use?				X
e) Involve other changes in the existing environment that, due to their location or nature, could result in conversion of farmland, to nonagricultural use or conversion of forest land to nonforest use?				X
<p>COMMENT: The proposed regulations will have no impact to agricultural resources and no impact on any of the specific concerns listed above. These regulations do not require land, including forest or agriculture land, to convert to other uses.</p>				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X
COMMENT: The proposed regulations will have no adverse impact to the air quality concerns listed above. The proposed efficiency standards will result in reduced power plant operation and related facility emissions in California as compared to no standards.				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X
COMMENT: The proposed regulations will have no impact on biological resources and no impact on the specific concerns listed above. The proposed regulations do not require land, including wetlands or habitat, to convert to other uses.				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside formal cemeteries?				X
<p>COMMENT: The proposed regulations will have no impact on any cultural resources and no impact on any of the specific concerns listed above. The proposed regulations do not require land, including burial grounds or archaeological/paleontological sites, to convert to other uses.</p>				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable because of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
COMMENT: The proposed regulations will have no impact to geology and soils and no impact on the specific concerns listed above. The proposed regulations do not require changes to land use that might affect its seismic or stability characteristics.				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
b) Conflict with an applicable plan, policy, or regulation adopted for the services of reducing the emissions of greenhouse gases?				X
<p>COMMENT: The proposed regulations will have no adverse greenhouse gas emissions and will not generate greenhouse gas emissions, either directly or indirectly. The proposed regulations are part of state policy to reduce greenhouse gas emissions and would reduce greenhouse gas emissions by reducing electricity consumption associated with portable air conditioners, resulting in a corresponding decrease in the electricity produced by power plants, and the greenhouse gases associated with those power plants, especially natural gas-fired power plants.</p>				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury; or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
<p>COMMENT: The proposed regulations will have no impact on hazards and hazardous materials. While the proposed regulations may yield additional materials, such as metals, insulation, or refrigerants, to improve the energy efficiency of portable air conditioners, the regulations do not prescribe their use or require these materials to be used. The proposed regulations may lead to increased usage of metals or insulation which are already used in the manufacturing process of portable air conditioners. The use of alternative refrigerants (e.g., R-32) would decrease the usage of refrigerants which are more harmful to environment (e.g., R-410a). The proposed regulations do not alter the way in which these materials are disposed.</p>				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-or-off-site?				X
e) Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X
COMMENT: The proposed regulations will have no impact on hydrology and water quality and no impact on any of the specific concerns listed above. The proposed regulations do not require land, including flood zones and drainage, to be altered.				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING -- Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the services of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
COMMENT: The proposed regulations will have no impact to land use and planning and no impact on to any of the specific concerns listed above. The proposed regulations do not require land, including habitat and community development sites, to convert to other uses.				
XI. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X
COMMENT: The proposed regulations will have no adverse impact to mineral resources and no impact on any of the concerns listed above. The proposed regulations do not require land, including mineral-rich land, to convert to other uses.				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or ground borne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land-use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
COMMENT: The proposed regulations will have no noise impact and no impact on the specific concerns listed above.				
XIII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
COMMENT: The proposed regulations will have no impact on population and housing and no impact on any of the concerns listed above.				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES -- Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				X
Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities?				X
COMMENT: The proposed regulations will not require the construction or alteration of governmental buildings in a way that will cause significant negative environmental impact. A reduction in electricity consumption will lead to environmental benefits by reducing greenhouse gas emissions, criteria pollutants, and the need to site and construct new power plants.				
XV. RECREATION -- Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				X
COMMENT: The proposed regulations will have no impact on recreation and no impact on any of the specific concerns listed above. The proposed regulations do not require park or recreational land to convert to other uses.				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and nonmotorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				X
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the country congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.				X
COMMENT: The proposed regulations will have no impact on transportation/traffic and no impact on any of the specific concerns listed above.				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRIBAL CULTURAL RESOURCES – Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				X
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				X
COMMENT: The proposed regulations will have no impact on landscape, sacred places, or objects with cultural value to a California Native American tribe.				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers' existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X
COMMENT: The proposed regulations will have no adverse impact on any of the concerns listed above. By reducing electricity use, the proposed regulations will have beneficial effects on electric utilities by reducing the need to procure additional electricity generation and by increasing reliability of the electricity system.				

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIV. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?				X
<p>COMMENT: The proposed regulations will have no adverse impact on any of the concerns listed in the above checklist. No potential exists for any adverse impacts on any animal or human populations, and none of the impacts are cumulatively considerable. Improvements in the energy efficiency of portable air conditioners resulting from the proposed standards are likely to result in beneficial impacts including reduced electricity consumption, reduced power plant operation, and reduced need to build power plants and power lines in the future.</p>				

Source: 2018 CEQA Handbook Appendix G and California Energy Commission

DETERMINATION

On the basis of this evaluation:

X	I find that the proposed project WILL NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.
<p>Signing Officer:</p> <p>Drew Bohan Executive Director California Energy Commission</p>	
<p>Signature _____ /SIGNED_____ Date _____ 10/02/2018_____</p>	

SUMMARY OF PROPOSED CHANGES TO APPLIANCE EFFICIENCY STANDARDS AND RESULTING ENERGY AND ENVIRONMENTAL EFFECTS

Table A-1 summarizes the proposed changes and the resulting energy and environmental effects for portable air conditioners.

Table A-1: Summary of Proposed Changes

No.	Existing Standard	Proposed Standard	Energy Effects	Potential Environmental Issues
1	There are no existing energy efficiency standards for portable air conditioners, which are intended to include single-duct and dual-duct portable air conditioners.	The proposed standards set a minimum efficiency level for single-duct and dual-duct portable air conditioners.	The proposed standard for portable air conditioners would result in an annual reduction in electricity consumption of 369 gigawatt-hours (GWh) per year beginning in 2029.	Lower electricity consumption results in reduced greenhouse gas, criteria pollutants, and other particulates.

Source: California Energy Commission

REFERENCES

- California Energy Commission. (January 19, 2018). Order Instituting Rulemaking. *Order# 18-0117-3, Docket #17-AAER-05*. Retrieved from <https://efiling.energy.ca.gov/GetDocument.aspx?tn=222253>
- California Energy Commission. (October 11, 2018). Initial Statement of Reasons (ISOR) for Portable Air Conditioners. *Docket # 18-AAER-04, TN# 224958*. Retrieved from <https://efiling.energy.ca.gov/GetDocument.aspx?tn=224958>
- California Energy Commission. (October 11, 2018). Notice of Proposed Action (NOPA) for Portable Air Conditioners. *Docket # 18-AAER-04, TN# 224957*. Retrieved from <https://efiling.energy.ca.gov/GetDocument.aspx?tn=224957>
- California Energy Commission. (October 11, 2018). Proposed Regulatory Language for Appliance Efficiency Regulations for Portable Air Conditioners. *Docket # 18-AAER-04, TN# 224956*. <https://efiling.energy.ca.gov/GetDocument.aspx?tn=224956>
- United States Department of Energy (December 28, 2016). Pre-publication Energy Conservation Program: Energy Conservation Standards for Portable Air Conditioners. Docket # 18-AAER-04, TN# 224755. Retrieved from <https://efiling.energy.ca.gov/GetDocument.aspx?tn=224755>
- United States Department of Energy (December 2016). Technical Support Document: Energy Efficiency Program for Consumer Products and Commercial and Industrial Equipment: Portable Air Conditioners. Docket # 18-AAER-04, TN# 224756. Retrieved from <https://efiling.energy.ca.gov/GetDocument.aspx?tn=224756>
- California Statewide Investor Owned Utilities Codes and Standards Program (October 12, 2018). Codes and Standards Enhancement (CASE) Initiative for Portable Air Conditioners. Docket # 18-AAER-04, TN#224969. Retrieved from <https://efiling.energy.ca.gov/GetDocument.aspx?tn=224969>

ACRONYMS AND GLOSSARY

<u>Term</u>	<u>Description</u>	<u>Definition</u>
CEQA	California Environmental Quality Act	A statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible.
GWh	Gigawatt-hour	One thousand megawatt-hours, or one million kilowatt-hours, or one billion watt-hours of electrical energy.
PRC	Public Resources Code	

[Proposed] Negative Declaration

Portable Air Conditioner Appliance Efficiency Rulemaking

Public Resources Code § 25402, Subdivision (c)(1), mandates that the California Energy Commission reduce wasteful, uneconomic, inefficient, or unnecessary energy use by prescribing, through regulation standards, minimum efficiency levels for appliances. The Energy Commission adopted appliance efficiency regulations in 1976 and periodically adopts new or revised standards. The Energy Commission proposes to adopt new Appliance Efficiency Regulations (Section 1601-1609 of Title 20 of the California Code of Regulations) to establish efficiency standards for portable air conditioners.

The California Environmental Quality Act (CEQA), found in Public Resources Code (PRC) Sections 21000 et seq., requires public agencies to identify and consider the potential environmental effects of their "projects," as that term is defined, and when feasible to mitigate any related adverse significant environmental consequences. The proposed adoption of these regulations is a discretionary action undertaken by a public agency and has the potential to result in a direct or indirect physical change in the environment. Thus, the proposed adoption constitutes a "project" under CEQA. (See PRC Section 21065.) The Energy Commission has prepared this initial study to assess the potential significant effects of the proposed regulations on the environment.

The proposed regulations are contained in the following document:

Proposed Amendments to Appliance Efficiency Regulations (Proposed Regulatory Language), California Code of Regulations, Title 20, Sections 1601 Through 1609, 2018 Appliance Efficiency Rulemaking, Portable Air Conditioners, Docket Number 18-AAER-04.

The proposed regulations are summarized in the notice of proposed action and are available with the proposed regulatory language at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=18-AAER-04>.

The potential environmental impacts of the proposed regulations are analyzed in this document.

All the documents listed above are available on the Energy Commission's website <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=18-AAER-04>, or by phone at (916) 654-4147, or by electronic mail from the Energy Commission's Appliances Office, by submitting a request to Angelica.Romo@energy.ca.gov.

Finding of No Significant Impact

The initial study demonstrates, and the Energy Commission concludes, that the proposed energy efficiency regulations for portable air conditioners will not have any significant adverse effect on the environment. The attached initial study and environmental checklist support this finding.