

DOCKETED

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Filer:	Amber Beck
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California Energy Commission

2022 Energy Code Environmental Impact Report Public Scoping Meeting

Peter Strait, Supervisor, Building Standards Office, Efficiency Division

April 9, 2021



Meeting Agenda

- Introductions
- Staff presentation
 - Purpose of Public Scoping Meeting
 - Review of California Environmental Quality Act (CEQA) requirements
 - Overview of 2022 Energy Code Proposal
- Discussion of Technical Areas
 - Air Quality and Greenhouse Gas Emissions
 - Hazards and Hazardous Materials
 - Utilities / Service Systems and Energy
 - Technical Area Not Affected
 - Public Comments



Purpose of Public Scoping Meeting

- Discuss content and scope of Environmental Impact Report (EIR)
- Consult with responsible and trustee agencies
- Consult with locals that rely on statewide analysis for local ordinances
- Receive public comment from interested persons and organizations



Review of CEQA Requirements

- Applies to governmental action that may involve activities undertaken by governmental agency (§15003(b))
- Applies when agency can use judgment in deciding whether and how to carry out or approve project (§15003(j))
- EIR is used by agency to analyze significant environmental effects of proposed project
 - Identify alternatives, disclose and mitigate possible environmental damage
 - Prepared when public agency finds substantial evidence that project may have significant effect on environment (§15003(f))
- Significant effect on environment is defined as substantial adverse change in physical conditions which exist in area affected by proposed project
 - When EIR identifies significant effect, agency approving project must make findings on whether adverse environmental effects have been substantially reduced or if not, why not (§15003(g))



Overview of 2022 Energy Code Proposal

- Staff conducted public pre-rulemaking workshops in advance of the 2022 triennial update to the Energy Code
- Public comments included questions about environmental impacts of proposed code amendments
- CEC determined that an EIR is appropriate for fully exploring environmental questions and issued a Notice of Preparation
- Consultation letters were sent to tribal liaisons to begin government-to-government discussions with tribal leaders



Project Definition

- The project under CEQA is adoption of the 2022 Energy Code (Part 6 of the California Building Standards Code)
 - The Energy Code contains statewide minimum design standards for energy efficiency in newly constructed buildings, additions, and alterations
 - The proposed 2022 Energy Code amendments extend and update these standards
- 2022 Energy Code documents can be found at [2022 Energy Code webpage](#)



Technical Areas

- Prescriptive options and performance baselines may increase use of heat pump technology, which could increase refrigerants while decreasing carbon emissions
(Air Quality, Greenhouse Gases)
- Prescriptive options and performance baselines may increase selection of electric equipment over gas, which could affect total emissions of criteria pollutants
(Air Quality, Greenhouse Gases, Utility Services)
- Nonresidential requirements for battery storage systems may increase sale, transportation and use of lithium ion batteries, which are classified as a hazardous substance
(Hazards and Hazardous Materials)



Areas with No Impact

2022 Energy Code does not cause new construction to occur within the state and does not regulate when or where construction occurs. The proposed amendments are understood to have no impacts in the following areas:

- Aesthetics
- Agriculture and Forestry Resources
- Cultural Resources
- Geology / Soils
- Hydrology / Water Quality
- Land Use / Planning
- Mineral Resources
- Noise
- Population / Housing
- Public Services
- Recreation
- Transportation/Traffic



Next Steps

- Publish Draft EIR (early May)
- 45-day public comment period (early May – mid-June)
- Respond to public comments
 - If comments do not result in changes to the EIR, CEC will adopt the EIR at a formal business meeting
 - If comments result in changes to the EIR, a Final EIR will be published, and a public comment period provided



How to Comment

- Public comments on proposed scope of EIR must be received by 5 p.m. on April 19, 2021
- Comment via the [Energy Commission's webpage](#):
- Comment via email: docket@energy.ca.gov (include Docket # 21-BSTD-02 in subject line)
- Comment via U.S. Mail:

California Energy Commission Docket Unit, MS-4
Docket No. 21-BSTD-02
1516 Ninth Street
Sacramento, California 95814-5512



Thank You!

