

**DOCKETED**

<b>Docket Number:</b>	22-BSTD-07
<b>Project Title:</b>	Local Ordinance Applications Exceeding the 2022 Energy Code
<b>TN #:</b>	248489-9
<b>Document Title:</b>	City of Menlo Park - 2022 Notice of Public Comment Period
<b>Description:</b>	Plain text of the City of Menlo Park public comment period
<b>Filer:</b>	Danuta Drozdowicz
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	1/20/2023 7:15:18 PM
<b>Docketed Date:</b>	1/23/2023

**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. 22-BSTD-07**  
**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 Menlo Park

**Date of Local Adoption:** November 15, 2022

**Designation of Locally Adopted Standard:** Ordinance #1093

**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, 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 or conservation standards will require buildings to be designed to consume less energy than the *2022 California Energy Code*, California Code of Regulations, Title 24, Part 6 (2022 Energy Code).

The [full application](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-BSTD-07) is available for download on the CEC's website, at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-BSTD-07>.

The following files are included in this application:

1. City of Menlo Park - 2022 Attachment 1 Cover letter
2. City of Menlo Park - 2022 Attachment 2 Staff Report 1st reading
3. City of Menlo Park - 2022 Attachment 2A Staff report for sustainable reach codes
4. City of Menlo Park - 2022 Attachment 3 1093-Bldg Base Code (002)
5. City of Menlo Park - 2022 Attachment 4 2019 NR NC Cost Effectiveness Study-2019-07-15
6. City of Menlo Park - 2022 Attachment 5 CEQA Doc
7. City of Menlo Park - 2022 Attachment 5A OPR number CEQA
8. City of Menlo Park - 2022 Attachment 6 BO letter CEC

## **Background**

Statutory provisions in Public Resources Code section 25402.1(h)(2) and regulatory provisions in sections 10-106 and 10-110 of the 2022 Energy 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, 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 in 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**

The CEC encourages the use of its electronic commenting system. Visit the e-commenting page for this docket [22-BSTD-07](https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=22-BSTD-07) at <https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=22-BSTD-07>. Enter your contact information and a subject title that describes your comment. Comments may be included in the "Comment Text" box or attached as a downloadable, searchable document in compliance with California Code of Regulations, Title 20, section 1208.1. The maximum file size allowed is 10 MB.

**Written comments** may be submitted to the Docket Unit by **5:00 p.m. on Tuesday, February 7, 2023.**

Written and oral comments, attachments, and associated contact information (including address, phone number, and email address) will become part of the public record of this proceeding with access available via any internet search engine. Written comments may also be submitted by email. Include docket number 22-BSTD-07 and

City of Menlo Park - 2022 Ordinance #1093 in the subject line and email to [docket@energy.ca.gov](mailto:docket@energy.ca.gov).

A paper copy may be mailed to:

California Energy Commission  
Docket Unit, MS-4  
Docket No. **22-BSTD-07**  
715 P Street  
Sacramento, California 95814

**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=22-BSTD-07>.