

**DOCKETED**

<b>Docket Number:</b>	22-BSTD-02
<b>Project Title:</b>	2022 Energy Code Compliance Software & Supporting Documents
<b>TN #:</b>	250935
<b>Document Title:</b>	Resolution Certifying Updated 2022 ACM Reference Manuals (2022_3_0 Update)
<b>Description:</b>	N/A
<b>Filer:</b>	RJ Wichert
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	7/4/2023 7:51:21 AM
<b>Docketed Date:</b>	7/5/2023

STATE OF CALIFORNIA

STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION CERTIFYING THE SINGLE-FAMILY RESIDENTIAL ALTERNATIVE  
CALCULATION REFERENCE MANUAL AND NONRESIDENTIAL AND  
MULTIFAMILY ALTERNATIVE CALCULATION REFERENCE MANUAL FOR THE  
2022 BUILDING ENERGY EFFICIENCY STANDARDS

**WHEREAS**, the 2022 Building Energy Efficiency Standards, amending California Code of Regulations, Title 24, Part 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 went 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 residential and nonresidential compliance manuals, residential and nonresidential alternative compliance method reference manuals, a data registry requirements manual, and other compliance forms, 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**, the CEC certified the energy conservation manual at its May 11, 2022, and June 8, 2022, business meetings; and

**WHEREAS**, to respond to necessary changes to California’s Building Energy Code Compliance Software (2022 compliance software), CEC staff developed updated content for the Single-Family Alternative Calculation Reference Manual, Publication Number CEC-400-2022-008-CMF-REV2 and the Nonresidential and Multifamily Alternative Calculation Reference Manual, Publication Number CEC-400-2022-009-CMF-REV2 (collectively the “ACM Reference Manuals”), which document the modeling methods used in the 2022 compliance software, which demonstrates performance compliance with the 2022 Building Energy Efficiency Standards; and

**WHEREAS**, CEC staff has considered the application of the California Environmental Quality Act (CEQA) to the updated ACM Reference Manuals and finds that the updated ACM Reference Manuals do not meet the definition of a “project” under Public Resources Code, section 21065, because the updated ACM Reference Manuals 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 update ACM Reference Manuals were to 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 updated ACM Reference Manuals would have an significant effect on the environment; and

**WHEREAS**, the CEC has considered staff’s proposed updates to the ACM Reference Manuals and staff’s finding that its adoption 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 updated ACM Reference Manuals 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 (Cal. Code Regs., tit 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

**THEREFORE, BE IT RESOLVED**, that the CEC hereby certifies the updated Single-Family Alternative Calculation Reference Manual, Publication Number CEC-400-2022-008-CMF-REV2, used to demonstrate compliance with the 2022 Building Energy Efficiency Standards; and

**FURTHER BE IT RESOLVED**, that the CEC hereby certifies the updated Nonresidential and Multifamily Alternative Calculation Reference Manual, Publication Number CEC-400-2022-009-CMF-REV2, used to demonstrate compliance with the 2022 Building Energy Efficiency Standards; and

**FURTHER BE IT RESOLVED**, that the updated ACM Reference Manuals and other related documents and materials can be found at the CEC, 715 P Street, Sacramento, California, 95814 in the custody of the Docket Unit and online in Docket Number 22-BSTD-02 <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-BSTD-02>; 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 16, 2023.

AYE: Hochschild, McAllister, Gunda, Gallardo, Monahan

NAY:

ABSENT:

ABSTAIN:

Dated: June 19, 2023

***SIGNED BY:***

\_\_\_\_\_  
Kristine Banaag  
Secretariat