



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Habitat Conservation Planning Branch  
1416 Ninth Street, Suite 1260  
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EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



California Energy Commission

**DOCKETED**

**15-BSTD-01**

**TN # 76040**

**JUL 13 2015**

## **CEQA Filing Fee No Effect Determination**

**Applicant Name and Address:** California Energy Commission, 1516 Ninth Street, Sacramento, CA 95814

**CEQA Lead Agency:** California Energy Commission

**Project Name:** Amendment to the Nonresidential Lighting Alteration Requirements in the Building Energy Efficiency Standards

**CEQA Document Type:** Negative Declaration

**State Clearing House Number and/or local agency ID number:** SCH #2015072016

**Project Location:** Statewide

**Brief Project Description:** The project is an update to the efficiency provisions of the California Building Code in Title 24, Part 6, of the California Code of Regulations, and specifically the provisions relating to alterations of existing lighting systems in nonresidential buildings. The changes to the requirements for lighting alterations establish a parallel compliance path specifying a percent reduction in existing lighting power instead of a Lighting Power Allowance. This path includes a requested relaxation of a bi-level lighting requirement that would otherwise apply to projects at 85 percent or less of their Lighting Power Allowance. In addition, the numeric threshold for triggering requirements in a luminaire modification project was raised from 40 luminaires to 70 luminaires, and a numeric threshold of 5 luminaires was added to the requirements for outdoor lighting projects. An exception to acceptance testing requirements was added for projects that add controls for 20 luminaires or fewer.

**Determination:** Based on a review of the project as proposed, the Department of Fish and Wildlife has determined that for purposes of the assessment of CEQA filing fees (Fish & G. Code, § 711.4, subd. (c)) the project has no effect on fish, wildlife or their habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records. Local lead agencies are required to file two copies of this determination with the county clerk at the time of filing the Notice of Determination (NOD) after the project is approved. State lead agencies are required to file two copies of this determination with the Governor's Office of Planning and Research (i.e., State Clearinghouse) at the time of filing the NOD. If you do not file a copy of this determination as appropriate with the county clerk or State Clearinghouse at the time of filing the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid CEQA Filing Fee No Effect Determination form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to Fish and Game Code section 711.4, subdivision (c)(3).

Approved By:   
Ryan Mathis, Senior Environmental Scientist (Supervisory)

Date: July 13, 2015

*Conserving California's Wildlife Since 1870*