

To: Office of Planning and Research
 PO Box 3044
 1400 Tenth Street, Room 113
 Sacramento, CA 95812-3044

From: California Energy Commission
 1516 Ninth Street, MS-48
 Sacramento, CA 95814

Project Applicant: Northern California Land Trust, Inc.

Project Title: Berkeley Efficient & Resilient Mixed-Use Showcase (BERMUS)

Project Location – Specific: 3120 Shattuck Ave

Project Location – City: Berkeley 94705 **Project Location – County:** Alameda

Description of Nature, Purpose and Beneficiaries of Project:

The purpose of this Agreement is to fund the design of the Berkeley Efficient and Resilient Mixed-Use Showcase (BERMUS), a 6-story (plus functional roof green space), 50 housing units permanently affordable for low income households, all-electric, zero net energy (ZNE) building capable of: (a) achieving ZNE status with a Solar Microgrid and renewable energy generation exclusively from rooftop solar panels (b) incorporating a comprehensive Solar Microgrid for extended grid outage resilience, including indefinite resilience for the most critical loads, (c) delivering electricity to the grid during peak consumption hours between 4pm and 9pm, and (d) creating pathways to community ownership through below market rate condominiums and limited equity housing cooperative (LEHC) units. The BERMUS development will use a combination of low-carbon intensity design strategies including multiple high efficiency mechanical systems and will incorporate materials and techniques detailed in the Carbon Storing Building Prototype developed by StopWaste, Arup, and The California Straw Building Association. The BERMUS project site at 3120-3130 Shattuck Ave., Berkeley CA is owned by the Recipient and will be developed using a project-specific limited liability company (LLC) controlled by the Recipient as is typical for affordable housing developments.

Name of Public Agency Approving Project: California Energy Commission

Name of Person or Agency Carrying Out Project: Northern California Land Trust, Inc.

Exempt Status: *(check one)*

- Ministerial Exemption (Pub. Resources Code § 21080(b)(1); Cal. Code Regs., tit. 14, § 15268);
 - Declared Emergency (Pub. Resources Code § 21080(b)(3); Cal. Code Regs., tit. 14, § 15269(a));
 - Emergency Project (Pub. Resources Code § 21080(b)(4); Cal. Code Regs., tit. 14, § 15269(b)(c));
 - Categorical Exemption. State type and section number
-
- Statutory Exemptions. State code number.
 - Common Sense Exemption. (Cal. Code Regs., tit. 14, §15061(b)(3))

Reasons why project is exempt:

The grant agreement will fund feasibility, design, and planning studies for an all electric, mixed-use development, which has not been approved, adopted, or funded by the CEC, and which will not result in the adoption of a plan that will have a legally binding effect on later activities. This falls within title 14, Cal. Code Regs. tit. 14, § 15262, Feasibility and Planning Studies: The CEC has considered environmental factors.

The grant agreement will fund the design of a mixed-use development project and the improvement of methods for possible use in advanced energy development efforts (e.g., planning, architectural, and engineering work). Activities will include information collection, research, design, and energy and emissions analyses. Activities will also include economic analysis, preparation of conceptual drawings and design plans, performance modeling, and construction feasibility analysis.

No construction or changes to the physical environment will be funded by the grant or occur during the design and analysis work. The design activities will take place in existing office buildings, and professionals will visit the proposed development site. Therefore, there is no possibility that the activities may have a significant effect on the environment.

The grant agreement is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This falls within title 14, Cal. Code Regs. tit. 14, § 15061(b)(3), Common Sense Exemption.

Lead Agency

Contact Person: Molly O'Hagan **Area code/Telephone/Ext:** 916-776-0799

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Molly O'Hagan **Date:** 5/7/22 **Title:** ECS I

Signed by Responsible Agency

Signed by Lead Agency

Signed by Applicant

Date received for filing at OPR: _____