

## Notice of Exemption

TO: Office of Planning and Research  
1400  
Tenth Street, Room 212 Sacramento,  
California 95814

FROM: California Energy Commission  
715 P Street  
Sacramento, California 95814

Project Title: 2022 Alternative Calculation Method Reference Manuals, Data Registry Requirements Manual, Compliance Forms, and California's Building Energy Code Compliance Software

Project Location: [715 P Street Sacramento, California 95814](#)

### Description of Nature, Purpose, and Beneficiaries of Project:

Public Resources Code section 25402.1(e) directs the California Energy Commission (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 approval of the updates to the *Building Energy Efficiency Standards* (Energy Code) in Part 6 and Part 1 of Title 24 of the California Code of Regulations.

Public Resources Code section 25402.1(a) directs the CEC to develop a public computer program which will enable contractors, builders, architects, engineers, and government officials to estimate the energy consumed by residential and nonresidential buildings. The CEC may charge a fee for the use of the program, which fee shall be based upon the actual cost of the program, including any computer costs.

To implement the requirement of section 25402.1(e), CEC staff 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 (ACM), a data registry requirements manual (DRRM), and other compliance forms (Compliance Documents). These documents combined contain information to assist designers, builders, and contractors in meeting the 2022 Energy Code, including forms, charts, and other data. As part of developing the energy conservation manual, the CEC developed new content for the ACM, DRRM, and Compliance Documents, which explain and demonstrate compliance with the requirements of the 2022 Energy Code, including additional technical information necessary to perform modeling consistent with the 2022 Energy Code. The CEC certified the ACM, DRRM, and Compliance Documents at the June 8, 2022, CEC business meeting.

To implement the requirement of section 25402.1(a), CEC staff developed a public domain computer program that is comprised of California's Building Energy Code Compliance residential (CBECC-Res 2022.1.0) and California's Building Energy Code Compliance nonresidential software (CBECC 2022.1.0) which is used to demonstrate performance compliance with the 2022 Energy Code and meets the requirements, specifications, and criteria for building energy models set forth in the 2022 ACM. The CEC approved CBECC-Res 2022.1.0 and CBECC 2022.1.0 at the June 8, 2022, CEC business meeting.

Name of Public Agency Approving Project: California Energy Commission

Name of Person or Agency Carrying Out Project: California Energy Commission

Exempt Status: (Check One)

- Ministerial (Sec. 21080(b)(1), 15268)
- Declared Emergency (Sec. 21080(b)(3), 15269(a))
- Emergency Project (Sec. 21080(b)(4), 15269(b)(c))

Categorical Exemption: State type and section number: \_\_\_\_\_

- Statutory Exemption: State code number: \_\_\_\_\_
- Other: Common Sense (Sec. 15061(b)(3)). Not a project.

Reasons why the project is exempt:

Not a Project. The ACM, DRRM, Compliance Documents, and CBECC-Res 2022.1.0 and CBECC 2022.1.0 are not a project because they do not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment (California Code of Regulations, Title 14, section 15061(a)). The CEC certifies an energy conservation manual to assist interested persons with complying with the Energy Code, pursuant to Public Resources Code section 25402.1(e). The energy conservation manual provides information regarding the 2022 Energy Code, which were previously adopted by the CEC on August 11, 2021, and approved by the California Building Standards Commission on December 14, 2021. The ACM, DRRM, and Compliance Documents do not impose any new requirements and therefore have no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Accordingly, the energy conservation manual, including the ACM, DRRM, and Compliance Documents, do not meet the definition of a project under the California Environmental Quality Agency (CEQA).

Common Sense Exemption. Further, even if the ACM, DRRM, Compliance Documents, and CBECC-Res 2022.1.0 and CBECC 2022.1.0 are considered a "project," they would not be subject to the CEQA under the "common sense" exemption (California Code of Regulations, Title 14, section 15061(b)(3)) because they do not have a significant effect on the environment or result in a physical change to the environment. The ACM, DRRM, and Compliance Documents are designed to help building owners, architects, engineers, designers, energy consultants, builders, enforcement agencies, contractors and installers, and manufacturers comply with and enforce the 2022 Energy Code. CBECC-Res 2022.1.0 and CBECC 2022.1.0 are developed to assist the building industry in demonstrating performance compliance with the 2022 Energy Code. The ACM, DRRM, Compliance Documents, and CBECC-Res 2022.1.0 and CBECC 2022.1.0 do not have the potential to have a significant effect on the environment.

Lead Agency Contact Person

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Signature: 

Date: 6/10/2022

Title: Deputy Director, Efficiency

Signed by the Lead Agency

Date received for filing by