

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

From: California Energy Commission
 715 P Street, MS-27
 Sacramento, CA 95814

Project Applicant: East Bay Community Energy

Project Title: East Bay Community Energy’s Multi-family Hotspot Fast Charging Hubs

Project Location – Specific: 1044 C Street, Hayward (parking garage)
300 Estudillo Avenue, San Leandro (Library parking lot)

Project Location – City: Hayward and San Leandro **Project Location – County:** Alameda

Description of Nature, Purpose and Beneficiaries of Project:

Under grant Agreement ZVI-22-022, the California Energy Commission will provide a grant of \$2,726,160 to East Bay Community Energy (a Community Choice Aggregator) for the project.

The project includes installation of two direct current fast charging hubs in the cities of Hayward and San Leandro. Eleven dual-port fast chargers and two single-port fast chargers will be built at a parking lot in San Leandro, and ten dual-port fast chargers will be built at a parking garage in Hayward. The purpose of this project is to maximize access of electric vehicle (EV) travel for multi-family housing (MFH) residents and demonstrate replicable and scalable business and technology models for large-scale deployment of electric vehicle charging infrastructure. Both charging hubs were selected because of their proximity to dense concentrations of MFH residents.

Beneficiaries will include EV users in Hayward and San Leandro. California taxpayers and the environment will benefit from increased EV use and lower greenhouse gas emissions.

Name of Public Agency Approving Project: California Energy Commission

Name of Person or Agency Carrying Out Project: East Bay Community Energy

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 Cal. Code Regs., tit. 14, § 15301; Cal. Code Regs., tit. 14, § 15303; Cal. Code Regs., tit. 14, § 15304
 Statutory Exemptions. State code number.
- Common Sense Exemption. (Cal. Code Regs., tit. 14, §15301)

Reasons why project is exempt:

The City of San Leandro is the CEQA Lead Agency for the EV installation in San Leandro. On November 18, 2022, the City (through its Planning Manager) issued a Notice of Exemption for the project, based on the CEQA exemption (section 15304) for minor public or private alterations in the condition of land, water, and/or vegetation.

Authority cited: Sections 21083 and 21110, Public Resources Code. Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

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The City of Hayward is the CEQA Lead Agency for the EV installation in Hayward. On November 18, 2022, the City (through its Environmental Services Manager) issued a Notice of Exemption (NOE) for the project, based on the CEQA exemption (section 15268) for ministerial projects.

This means that the City of Hayward anticipates no discretionary approval to make regarding the project. Public Resources Code, section 21080(b)(1) excludes ministerial projects from CEQA.

The California Energy Commission's reasoning is as follows:

Regarding the City of Hayward's NOE finding that only ministerial approval will be needed, the CEC does not need to further consider the EV chargers in Hayward under CEQA. However, in an abundance of caution, the CEC prepared the following analysis covering both EV installations.

Cal. Code Regs., tit. 14, sec. 15301 provides that projects which consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, and which involve negligible or no expansion of use beyond that existing at the time of the lead agency's determination, are categorically exempt from the provisions of the California Environmental Quality Act. This project involves installation of electrical infrastructure and electric vehicle charging stations at two existing parking facilities. The electric vehicle charging stations will be installed on an existing paved parking lot and at an existing parking garage and will involve negligible or no expansion of parking use. Therefore, the project falls within section 15301 and will not have a significant effect on the environment.

Cal. Code Regs., tit. 14, sec. 15303 provides that projects which consist of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure, are categorically exempt from the provisions of CEQA. This project consists of installation of new small equipment to an existing site. There will be 10 DC Fast Chargers at a parking garage in Hayward and 13 DC Fast Chargers at a parking lot in San Leandro. The equipment will be installed in an existing, paved parking lot or at an existing parking garage. Each of the fast-chargers to be installed is approximately the size of a gas station gasoline pump. Therefore, the project falls within section 15303 and will not have a significant effect on the environment.

Cal. Code Regs., tit. 14, sect. 15304 provides that projects which consist of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes are categorically exempt from the provisions of CEQA. In this project, trenching will be necessary in order to bury conduit from the power supply to the charging stations. The trenching will take place on currently paved ground, will not involve the removal of any trees, and the surface will be restored. Therefore, the project falls within section 15304 and will not have a significant effect on the environment.

The project will not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies; does not involve any cumulative impacts of successive projects of the same type in the same place that might be considered significant; does not involve unusual circumstances that might have a significant effect on the environment; will not result in damage to scenic resources within a highway officially designated as a state scenic highway; the project site is not included on any list compiled pursuant to Government Code section 65962.5; and the project will not cause a substantial adverse change in the significance of a historical resource. Therefore, none of the exceptions to categorical exemptions listed in CEQA Guidelines section

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15300.2 apply to this project, and this project will not have a significant effect on the environment.

Lead Agency

Contact Person: Daniel Siu **Area code/Telephone/Ext:** 916-908-7483

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: Daniel Siu **Date:** 12/15/2022 **Title:** Energy Analyst

Signed by Responsible Agency

Signed by Lead Agency

Signed by Applicant

Date received for filing at OPR: _____

Authority cited: Sections 21083 and 21110, Public Resources Code. Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

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