

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
 Sacramento, CA 95814

Project Applicant: AirCapture LLC

Project Title: Location-Agnostic, Renewable Energy Powered Direct Air Capture for Deployment Across California

Project Location – Specific: 2629 7th St

Project Location – City: Berkeley 94710 **Project Location – County:** Alameda

Description of Nature, Purpose and Beneficiaries of Project:

Aircapture is proposing to conduct lab experimentation to design, construct, and commission a functional microwave direct air capture system for laboratory-scale testing and assessment. Their goal is to reduce the cost and energy consumption of their technology, which will help the future economic and environmental sustainability of direct air capture technology. They will be conducting their work inside of a laboratory and via paper studies.

Name of Public Agency Approving Project: California Energy Commission

Name of Person or Agency Carrying Out Project: AirCapture LLC

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
- Statutory Exemptions. State code number.
- Common Sense Exemption. (Cal. Code Regs., tit. 14, §15061(b)(3))

Reasons why project is exempt:

California Code of Regulations, title 14, section 15301 provides that projects which consist of the operation, repair, maintenance, permitting, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, and which have negligible or no expansion of existing or former use, are categorically exempt from the provisions of the California Environmental Quality Act (CEQA). This project involves the design, development, and testing of a microwave energy-assisted direct air capture (DAC) system at an existing laboratory facility and will involve the operation of mechanical equipment. This project involves laboratory-scale testing and data evaluation. Therefore, this project is exempt from the requirements of CEQA under section 15301.

This project does not involve impacts on any particularly sensitive environment; does not involve any cumulative impacts of successive projects of the same type in the same place that might be considered

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


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 15300.2 apply.

Public Agency

Contact Person: Paty De La Torre **Area code/Telephone/Ext:** 707-396-9187

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:  **Date:** 4/23/2025 **Title:** Electric Generation System Specialist I

- Signed by Responsible Agency
- Signed by Public Agency
- Signed by Applicant

Date received for filing at OPR: _____