

2019038235

**Notice of Exemption**

**Appendix E**

To: Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

From: California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814-5512

County Clerk(s): Los Angeles County Registrar-Recorder/County Clerk  
12400 Imperial Highway  
Norwalk, CA 90650

**Project Title:** County of Los Angeles Local Ordinance 2018-0039

**Project Applicant:** N/A

**Project Location – County:** Los Angeles

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

Pursuant to Public Resources Code (PRC) Section 25402.1(h)(2) and Section 10-106 of Title 24 of the California Code of Regulations, the County of Los Angeles has applied to the California Energy Commission for a determination that its locally adopted energy efficiency standard, enacted in Local Ordinance 2018-0039 (the Ordinance), will require buildings to be designed to consume no more energy than permitted by the *Building Energy Efficiency Standards (2016 Energy Standards)* adopted by the Energy Commission. The Energy Commission's Building Standards are set forth in Title 24, Part 6 of the California Code of Regulations.

Consistent with PRC Section 25402.10(h)(2), the Energy Commission found that the county of Los Angeles's Ordinance will require the diminution of energy consumption levels permitted by the 2016 Energy Standards.

**Name of Public Agency Approving Project:** County of Los Angeles (Lead Agency);  
California Energy Commission (Responsible Agency)

**Name of Person or Agency Carrying Out Project:** County of Los Angeles

**Exempt Status:**

- 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:  
California Code of Regulations, Title 14, § 15061(b)(3).
- Statutory Exemption. State code number:

**Reasons why project is exempt:**

The finding by the Energy Commission required by PRC Section 25402.1(h)(2), that the county of Los Angeles's Ordinance will require the diminution of energy consumption levels permitted by the 2016 Energy Standards, involves the comparison of the energy savings of the Ordinance pursuant to an objective fixed standard, and does not require the exercise of judgment or deliberation on the part of the Energy Commission. It is therefore a ministerial act consistent with Section 15369 of Title 14 of the California Code of Regulations, and is exempt from CEQA pursuant to Public Resources Code section 21080(b)(1) and section 15268 of Title 14 of the California Code of Regulations.

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The Energy Commission also determined that the activity is covered by the general rule that California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment. (14 CCR § 15061(b)(3).) 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. The Energy Commission previously found that its adoption of the California Green Building Code was exempt from CEQA pursuant to Title 14, Section 15061(b)(3). Additionally, a negative declaration was previously adopted for the California *Building Energy Efficiency Standards* as a whole. See SCH No. 2012032062. These standards are more protective of the environment than the state standards, and there are no reasonably foreseeable adverse impacts, and so there is no possibility that the activity in question may have a significant effect on the environment. As the lead agency, the Alameda County also stated in its application to the Energy Commission that this activity is exempt from CEQA under Section 15061(b)(3) of Title 14 of the California Code of Regulations.

**Lead Agency**

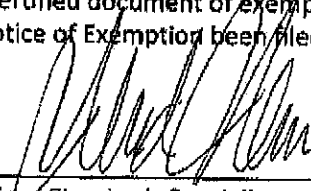
**Contact Person:** Joshua Hussey, Senior Civil Engineer, Building and Safety Division County of Los Angeles  
**Area Code/Telephone/Extension:** (626) 458-6378

**Responsible Agency**

**Contact Person:** Ingrid Neumann, Building Standards Office, California Energy Commission  
**Area Code/Telephone/Extension:** (916) 651-1461

**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:** March 12, 2019  
**Title:** Buildings Standards Specialist,  
California Energy Commission

Signed by Lead Agency

Signed by Applicant

Signed by Responsible Agency

Governor's Office of Planning & Research

MAR 12 2019

STATE CLEARINGHOUSE

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.