Notice of Exemption

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

FROM: California Energy Commission  
1516 9th Street  
Sacramento, California 95814

Project Title: Adoption of amendments to Proposition 39: California Clean Energy Jobs Act - 2015 Program Implementation Guidelines (Guidelines)

Project Location: The amendments to the Guidelines, adopted by the Energy Commission on December 10, 2014, govern a program for funding energy efficiency and clean energy installations at public schools throughout California.

Description of Nature, Purpose, and Beneficiaries of Project: The purpose of this activity is to meet a statutory requirement that the Energy Commission establish guidelines for implementation of the California Clean Energy Jobs Act (Act) by the Energy Commission. The Act was approved by voters in the fall of 2012 and allocates approximately $550 million annually for energy efficiency and clean energy installations at public schools throughout California. The objectives of the Guidelines are to provide direction to potential applicants, explain screening and evaluation criteria, describe standards that will be used to evaluate funding proposals, and outline the award process.

Name of Public Agency Approving Project: California Energy Commission

Name of Person or Agency Carrying Out Project: Public schools throughout California will carry out installation of energy efficiency and clean energy measures that are funded pursuant to the process and criteria identified in the Guidelines.

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:

X__Other: Adoption of the Guidelines is exempt from CEQA requirements pursuant to the “common sense” exemption (CEQA Guidelines, § 15061, subd. (b)(3)) because the effect of the Guidelines is to facilitate activities that will increase energy efficiency and clean energy generation, which does not have the potential for causing a significant effect on the environment. Moreover, Proposition 39-funded activities fall within three categorical exemptions: repair, maintenance, or minor alteration of existing public structures pursuant to Title 14, California Code of Regulations, section 15301; replacement or reconstruction of existing facilities on the same site and for the same purpose pursuant to Title 14, California Code of Regulations, section 15302; and minor additions to existing schools pursuant to Title 14, California Code of Regulations, section 15314.

Reasons why project is exempt: Adoption of the Guidelines is exempt under Section 15061, (subd. (b)(3))301 in that the projects implemented pursuant to the Guidelines are required to either improve energy efficiency or increase clean energy generation statewide, thereby resulting in reduced CO₂ emissions. Reducing CO₂ emissions does not have the potential for causing a significant effect on the environment. Moreover, activities such as replacing light-bulbs, installing lighting controls, maintenance or replacement of existing heating, ventilation, and air conditioning equipment or water heating equipment, improving building envelope insulation, installing equipment that saves energy or water and installation of clean energy generation at existing facilities, are activities that fall within three categorical exemptions: repair, maintenance or minor alteration of existing public structures pursuant
to Title 14, California Code of Regulations, section 15301; replacement or reconstruction of existing facilities on the same site and for the same purpose pursuant to Title 14, California Code of Regulations, section 15302; and minor additions to existing schools pursuant to Title 14, California Code of Regulations, section 15314.

Lead Agency Contact Person: Caryn Holmes, Attorney IV
Office of Chief Counsel
California Energy Commission
(916) 654-4178
Caryn.holmes@energy.ca.gov

Signature: Signd by the Lead Agency
Date: 12/10/14 Title: Attorney IV

Date received for filing by OPR: __________

RECEIVED
DEC 10 2014
STATE CLEARING HOUSE