

**DOCKET**  
**02-REN-1038**  
**DATED DEC 13 2006**  
**RECD DEC 20 2006**

### Notice of Exemption

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

FROM: California Energy Commission  
1516 9<sup>th</sup> Street  
Sacramento, California 95814

Project Title: Adoption of revisions to the *Emerging Renewables Program Guidebook*

Project Location: 1516 9<sup>th</sup> Street, Sacramento, Sacramento County, California 95814

Description of Nature, Purpose, and Beneficiaries of Project: The purpose of this activity is to revise guidelines previously adopted by the California Energy Commission to govern the general administration of its Emerging Renewables Program ("Program") pursuant to Public Resources Code section 25744. The guideline are being revised to remove elements pertaining to solar photovoltaic and solar thermal electric technologies, which are no longer eligible for funding under the Program pursuant to Public Resources Code section 25744, but instead may qualify for funding under the California Energy Commission's New Solar Home Partnership pursuant to Public Resources Code section 25780 et seq., as enacted by Senate Bill 1 (Chapter 132, Statute of 2006), and also to maintain the production incentive levels for eligible wind energy systems. The California Energy Commission and participants of the Program benefit from the adoption of revisions to these guidelines.

Name of Public Agency Approving Project: California Energy Commission

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

Exempt Status: (Check One)

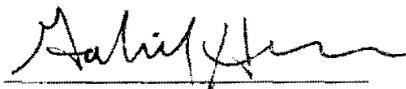
- Ministerial (Sec. 21080 (b)(1);15268);  
 Declared Emergency (Sec. 21080(b)(3); 15269(a));  
 Emergency Project (Sec. 21080(b)(4); 15269(b)(c));  
 Categorical Exemption. State type and section number: \_\_\_\_\_  
 Statutory Exemption. State code number: \_\_\_\_\_  
 Other: Activity is not a "project" under Sec. 15378(b)(2) and (4), and falls within the "common sense" under Sec. 15061(b)(3).

Reasons why project is exempt: Activity is not a project under Sec. 15378(b)(2) and (4), because it pertains to general policy and procedure making and the creation of governmental funding mechanisms, and is also exempt under Sec. 15061(b)(3) in that there is no possibility that the activity may have a significant effect on the environment.

Lead Agency Contact Person:

Gabriel Herrera, Senior Staff Counsel  
Office of Chief Counsel  
California Energy Commission  
(916) 654-5141

Signature: \_\_\_\_\_



Date: 12-14-06 Title: Senior Staff Counsel

Signed by the Lead Agency

Date received for filing by OPR: \_\_\_\_\_

**RECEIVED**  
DEC 14 2006  
STATE CLEARING HOUSE

RESOLUTION NO: 06-1213-3

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION

**WHEREAS**, the California Energy Commission has developed the Renewable Energy Program pursuant Public Resources Code section 25740 et seq. and former Public Utilities Code sections 381, 383.5, and 445; and

**WHEREAS**, Public Resources Code section 25747 authorizes the California Energy Commission to adopt guidelines to govern the administration of its Renewable Energy Program, including each of the program elements of the Renewable Energy Program; and

**WHEREAS**, on February 19, 2003, the California Energy Commission adopted guidelines, entitled the *Emerging Renewables Program Guidebook*, to govern the administration of the Emerging Renewables Program element of the Renewable Energy Program pursuant Public Utilities Code section 383.5, and has subsequently revised these guidelines pursuant to this authority and Public Resources Code section 25747; and

**WHEREAS**, the California Energy Commission's Renewables Committee has proposed revisions to the *Emerging Renewables Program Guidebook* to remove elements pertaining to solar photovoltaic and solar thermal electric technologies, which are no longer eligible for funding under the Emerging Renewables Program pursuant to Public Resources Code section 25744, but instead may qualify for funding under the Energy Commission's New Solar Home Partnership pursuant to Public Resources Code section 25780 et seq.; and

**WHEREAS**, the California Energy Commission's legal office has considered the application of the California Environmental Quality Act (CEQA) to the adoption of revisions to the *Emerging Renewables Program Guidebook* and opined that the adoption of these guidelines is exempt from CEQA either because it is not a "project" subject to CEQA pursuant to Title 14, California Code of Regulations, section 15378 (b)(2) and (4), in that it deals with general policy and procedure making and only creates a governmental funding mechanism without a commitment to specific projects, or because it falls within the so-called "common sense" exemption pursuant to Title 14, California Code of Regulations, section 15061(b)(3), in that there is no possibility that the activity may have a significant effect on the environment; and

**WHEREAS**, the California Energy Commission has reviewed the Renewables Committee's proposed revisions to the *Emerging Renewables Program Guidebook* as set forth in the *Eighth Edition* of this guidebook, and finds that the adoption of these guideline revisions is exempt from

CEQA for the reasons opined by the legal office, and accepts and approves these guideline revisions for the purpose of administering the Emerging Renewables Program; and

**THEREFORE BE IT RESOLVED**, the California Energy Commission hereby adopts the *Emerging Renewables Program Guidebook, Eighth Edition*, and authorizes the Executive Director, or his designee, to administer the Emerging Renewables Program as specified in this guidebook.

RESOLVED,

Dated: December 13, 2006

STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT  
COMMISSION

  
\_\_\_\_\_  
JACKALYNE PFANNENSTIEL,  
Chairman

## Notice of Exemption

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

FROM: California Energy Commission  
1516 9<sup>th</sup> Street  
Sacramento, California 95814

Project Title: Adoption of revisions to the *Overall Program Guidebook for the Renewable Energy Program*

Project Location: 1516 9<sup>th</sup> Street, Sacramento, Sacramento County, California 95814

Description of Nature, Purpose, and Beneficiaries of Project: The purpose of this activity is to revise guidelines previously adopted by the California Energy Commission to govern the general administration of its Renewable Energy Program ("Program") and the Program elements. These guidelines are set forth in the *Overall Program Guidebook for the Renewable Energy Program* and were revised to include the California Energy Commission's New Solar Homes Partnership as a Program element, to identify funding available for the New Solar Homes Partnership and the California Energy Commission's Emerging Renewables Program, and to clarify definitions and make other non substantive changes. The California Energy Commission and participants of the Renewable Energy Program benefit from the adoption of revisions to these guidelines.

Name of Public Agency Approving Project: California Energy Commission

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

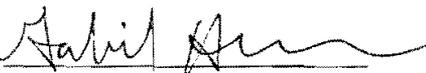
Exempt Status: (Check One)

- 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: Activity is not a "project" under Sec. 15378(b)(2) and (4), and falls within the "common sense" under Sec. 15061(b)(3).

Reasons why project is exempt: Activity is not a project under Sec. 15378(b)(2) and (4), because it pertains to general policy and procedure making and the creation of governmental funding mechanisms, and is also exempt under Sec. 15061(b)(3) in that there is no possibility that the activity may have a significant effect on the environment.

Lead Agency Contact Person:

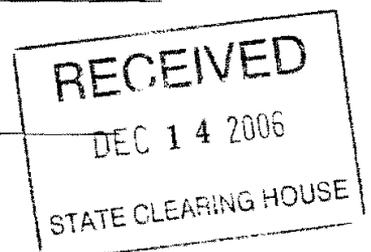
Gabriel Herrera, Senior Staff Counsel  
Office of Chief Counsel  
California Energy Commission  
(916) 654-5141

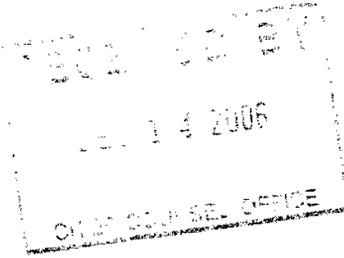
Signature: 

Date: 12-14-06 Title: Senior Staff Counsel

Signed by the Lead Agency

Date received for filing by OPR: \_\_\_\_\_





RESOLUTION NO: 06-1213-4

STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION

**WHEREAS**, the California Energy Commission has developed the Renewable Energy Program pursuant Public Resources Code section 25740 et seq. and former Public Utilities Code sections 381, 383.5, and 445; and

**WHEREAS**, Public Resources Code section 25747 authorizes the California Energy Commission to adopt guidelines to govern the administration of its Renewable Energy Program, including each of the program elements of the Renewable Energy Program; and

**WHEREAS**, on February 19, 2003, the California Energy Commission adopted guidelines, entitled the *Overall Program Guidebook for the Renewable Energy Program*, to govern the general administration of its Renewable Energy Program pursuant Public Utilities Code section 383.5, and has subsequently revised these guidelines pursuant to this authority and Public Resources Code section 25747; and

**WHEREAS**, the California Energy Commission's Renewables Committee has proposed revisions to the *Overall Program Guidebook* to identify the Energy Commission's New Solar Homes Partnership as a program element of the Renewable Energy Program, to identify funding available for the New Solar Homes Partnership and the Emerging Renewables Program, and to clarify definitions and make other administrative changes; and

**WHEREAS**, the California Energy Commission's legal office has considered the application of the California Environmental Quality Act (CEQA) to the adoption of revisions to the *Overall Program Guidebook* and opined that the adoption of these guidelines is exempt from CEQA either because it is not a "project" subject to CEQA pursuant to Title 14, California Code of Regulations, section 15378 (b)(2) and (4), in that it deals with general policy and procedure making and only creates a governmental funding mechanism without a commitment to specific projects, or because it falls within the so-called "common sense" exemption pursuant to Title 14, California Code of Regulations, section 15061(b)(3), in that there is no possibility that the activity may have a significant effect on the environment; and

**WHEREAS**, the California Energy Commission has reviewed the Renewables Committee's proposed revisions to the *Overall Program Guidebook*, and finds that the adoption of these guideline revisions is exempt from CEQA for the reasons opined by the legal office, and accepts

and approves these guideline revisions for the purpose of administering the Renewable Energy Program; and

**THEREFORE BE IT RESOLVED**, the California Energy Commission hereby adopts the *Overall Program Guidebook*, and authorizes the Executive Director, or his designee, to administer the Renewable Energy Program as specified in this guidebook.

RESOLVED,

Dated: December 13, 2006

STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT  
COMMISSION

  
\_\_\_\_\_  
JACKALYNE PFANNENSTIEL,  
Chairman

## Notice of Exemption

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

FROM: California Energy Commission  
1516 9<sup>th</sup> Street  
Sacramento, California 95814

Project Title: Adoption of *New Solar Homes Partnership Guidebook*

Project Location: 1516 9<sup>th</sup> Street, Sacramento, Sacramento County, California 95814

Description of Nature, Purpose, and Beneficiaries of Project: The purpose of this activity is to adopt guidelines to govern the administration of the California Energy Commission's New Solar Homes Partnership program ("Program") pursuant to Public Resources Code section 25744 and Public Utilities Code section 25780 et seq., as enacted by Senate Bill 1 (Chapter 132, Statute of 2006). These guidelines are set forth in the *New Solar Homes Partnership Guidebook* and establish the eligibility requirements, forms, and instructions for solar energy systems to qualify for Program funding. Solar energy systems are no longer eligible for funding under the California Energy Commission's Emerging Renewables Program pursuant to Public Resources Code section 25744, but instead may now qualify for funding under the New Solar Home Partnership pursuant to Public Resources Code section 25780 et seq. The California Energy Commission and participants of the New Solar Homes Partnership and the Emerging Renewables Program benefit from the adoption of revisions to these guidelines.

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: Activity is not a "project" under Sec. 15378(b)(2) and (4), and falls within the "common sense" under Sec. 15061(b)(3).

Reasons why project is exempt: Activity is not a project under Sec. 15378(b)(2) and (4), because it pertains to general policy and procedure making and the creation of governmental funding mechanisms, and is also exempt under Sec. 15061(b)(3) in that there is no possibility that the activity may have a significant effect on the environment.

Lead Agency Contact Person:

Allan Ward II, Staff Counsel  
Office of Chief Counsel  
California Energy Commission  
(916) 654-5141

Signature: \_\_\_\_\_

*Allan R Ward II*

Date: 12-14-06 Title: Staff Counsel

Signed by the Lead Agency

Date received for filing by OPR: \_\_\_\_\_

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DEC 14 2006

STATE CLEARING HOUSE

RESOLUTION NO: 06-1213-2

STATE OF CALIFORNIA

STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION

**WHEREAS**, Senate Bill 1250 (SB 1250, Chapter 512, Statutes 2006) and Senate Bill 1 (SB 1, Chapter 132, Statutes of 2006) in part task the California Energy Commission with administering a program for the installation of solar energy systems on new construction; and

**WHEREAS**, the California Energy Commission's Renewables Committee has proposed the *New Solar Homes Partnership Guidebook* to provide the guidelines for administering the program created by these statutes; and

**WHEREAS**, the California Energy Commission's legal office has considered the application of the California Environmental Quality Act (CEQA) to the adoption of revisions to the *New Solar Homes Partnership Guidebook* and opined that the adoption of these guidelines is exempt from CEQA either because it is not a "project" subject to CEQA pursuant to Title 14, California Code of Regulations, section 15378 (b)(2) and (4), because it deals with general policy and procedure making and only creates a governmental funding mechanism without a commitment to specific projects, or because it falls within the so-called "common sense" exemption pursuant to Title 14, California Code of Regulations, section 15061(b)(3), which indicates that CEQA only applies to projects that have a "significant effect on the environment" which is defined in Public Resources Code section 21068 and in Title 14, California Code of Regulations, section 15382, as being a substantial, or potentially substantial, adverse change in the environment; and

**WHEREAS**, the California Energy Commission has reviewed the Renewables Committee's proposed *New Solar Homes Partnership Guidebook* and finds that its adoption is exempt from CEQA for the reasons opined by the legal office, and accepts and approves these guidelines for the purpose of administering the New Solar Homes Partnership; and

**THEREFORE BE IT RESOLVED**, the California Energy Commission hereby adopts the *New Solar Homes Partnership Guidebook*, and authorizes the Executive Director, or his designee, to administer the New Solar Homes Partnership as specified in this guidebook.

Dated: December 13, 2006

STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT  
COMMISSION

  
\_\_\_\_\_  
JACKALYNE PFANNENSTIEL,  
Chairman