

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 revisions to the Existing *Renewable Facilities Program Guidebook*

Project Location: 1516 9th Street, Sacramento, Sacramento County, California 95814

Description of Nature, Purpose, and Beneficiaries of Project: The Energy Commission revised the *Existing Renewable Facilities Program Guidebook* pursuant to Public Resources Code section 25747, which authorizes the Energy Commission to adopt substantive changes to the *Guidebook* upon providing ten days written notice. Assembly Bill 3048 (Committee on Utilities and Commerce, Chapter 558, Statutes of 2008) amended Section 25742 of the Public Resources Code to remove restrictions on biomass fuels that could be used by facilities receiving production incentive payments from the ERFP. Accordingly, the *Guidebook* changes would remove restrictions on biomass fuels per AB 3048. These changes would also reduce reporting requirements for biomass facilities participating in the Existing Renewable Facilities Program. Other changes would clarify the incentive structure offered to facilities receiving "all-in" pricing, clarify the provisions for distributing incentive payments to facilities receiving time-of-use payments, and would make other conforming changes including removing references to the Competition Transition Charge and to the New Renewable Resources Account, which no longer exist.

Name of Public Agency Approving Project: California Energy Commission

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

Exempt Status: (Check One)

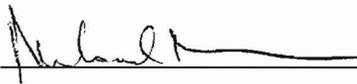
- Ministerial (Sec. 21080 (b)(1);15268);
 Declared Emergency (Sec. 21080(b)(3); 15269(a));
 Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
 Categorical Exemption. State type and section number: _____
 Statutory Exemption. State code number: _____

Other: Activity is not a "project" under Sec. 15378(b)(2) and (4), and falls within the "common sense" exception 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 which do not involve any specific project, 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:

Michael Doughton, Senior Staff Counsel
Office of Chief Counsel
California Energy Commission
(916) 654-5207

Signature: 

Date: 2-24-09

Title: Senior Staff Counsel

Signed by the Lead Agency

Date received for filing by CPR: _____

