

DOCKET

02-REN-1038

DATE _____

RECD. JUN 04 2012

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 to former 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 staff, with guidance and input from lead Commissioner Carla Peterman, have proposed revisions to the guidelines for the Emerging Renewables Program to extend the \$3.00 per Watt rebate level for small wind generating systems through November 9, 2012; and

WHEREAS, on May 18, 2012, the California Energy Commission publicly noticed staff's proposed revisions to the guidelines for the Emerging Renewables Programs, and offered stakeholders and interested member of the public an opportunity to comment on staff's proposed revisions; and

WHEREAS, the California Energy Commission's legal office has considered the application of the California Environmental Quality Act (CEQA) to the adoption of the proposed guideline revisions and opined that the adoption of these guidelines is exempt from CEQA, 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 the continuation of administrative and maintenance activities related to general policy and procedure making and the creation of governmental funding mechanisms that do not involve a commitment to any specific project which may result in a potentially significant physical impact on the environment; and

WHEREAS, the California Energy Commission has reviewed staff's proposed guideline revisions, as specified in the May 18, 2012 public notice, and finds that its adoption of these guideline revisions is exempt from CEQA for the reasons opined by the legal office, and accepts and approves these revisions for the purpose of administering the Emerging Renewables Program; and

THEREFORE BE IT RESOLVED, the California Energy Commission hereby adopts staff's proposed guideline revisions, and authorizes the Executive Director, or his designee, to administer the Emerging Renewables Program as specified in these guideline revisions.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the California Energy Commission held on May 31, 2012.

AYE: Weisenmiller, Douglas, Peterman, McAllister

NAY:

ABSENT:

ABSTAIN:



HARRIET KALLEMEYN

Secretariat