

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION

WHEREAS, the California Energy Commission has developed its Renewable Energy Program, including elements related to California's Renewables Portfolio Standard (RPS), pursuant to Public Resources Code section 25740 et seq., Public Utilities Code section 399.11 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 elements related to the state's RPS; 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 and address information and requirements applicable to all program elements of the Renewable Energy Program pursuant to Public Resources Code section 25740 et seq. and Public Utilities Code section 399.11 et seq., and has subsequently revised these guidelines from time to time pursuant to this authority; and

WHEREAS, the California Energy Commission staff, with guidance and input from lead Commissioner Carla Peterman, have proposed revisions to the *Overall Program Guidebook for the Renewable Energy Program*, as set forth in the "Fourth Edition," to address changes in law as a result of Senate Bill X1-2 (2011), Assembly Bill 1954 (2010), and Assembly Bill 920 (2009) and decisions of the California Public Utilities Commission, and to clarify the guidelines based on lessons learned and stakeholder input; and

WHEREAS, on April 18, 2012, the California Energy Commission publicly noticed staff's proposed revisions to the *Overall Program Guidebook for the Renewable Energy Program* and offered stakeholders and interested members of the public an opportunity to comment on the proposed guideline 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 revisions to the *Overall Program Guidebook for the Renewable Energy Program* and opined that the adoption of these guideline revisions 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 because elements of the guidelines are exempt under Title 14, California Code of Regulations, section 15308, in that these guidelines can be seen as action by a regulatory agency authorized by the state to protect the environment; and

WHEREAS, the California Energy Commission has reviewed staff's proposed revisions to the *Overall Program Guidebook for the Renewable Energy Program*, 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 implementing the Renewable Energy Program and RPS; and

THEREFORE BE IT RESOLVED, the California Energy Commission hereby adopts staff's proposed guideline revisions as set forth in the *Overall Program Guidebook for the Renewable Energy Program, Fourth Edition*, and authorizes the Executive Director, or his designee, to implement the Renewable Energy Program and RPS as specified in this guidebook.

CERTIFICATION

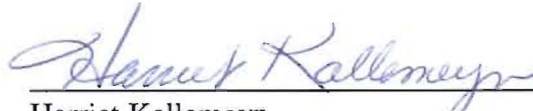
The undersigned Secretariat to the California Energy Commission does hereby certify that the foregoing is a full, true, and correct copy of a RESOLUTION duly and regularly adopted at a meeting of the California Energy Commission held on May 9, 2012.

AYE: Weisenmiller, Douglas, Peterman, McAllister

NAY:

ABSENT:

ABSTAIN:



Harriet Kallemeyn,
Secretariat