

DOCKETED

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Project Title:	General Service Lamps
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Document Title:	Resolution Adopting Regulations
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STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

IN THE MATTER OF:

**GENERAL SERVICE LAMPS
APPLIANCE EFFICIENCY
RULEMAKING**

Docket No. 19-AAER-04

**RESOLUTION ADOPTING
REGULATIONS**

WHEREAS, on August 15, 2019, the State Energy Resources Conservation and Development Commission (CEC) mailed and posted on the CEC's website a Notice of Proposed Action (NOPA) formally notifying the public of the CEC's intent to adopt proposed regulations for general service lamps, the Express Terms of the proposed regulations, an Initial Statement of Reasons (ISOR) describing the rationale for the proposal, the staff report and the document proposed to be incorporated by reference; and

WHEREAS, on August 16, 2019, the NOPA was published in the California Regulatory Notice Register; and

WHEREAS, on August 23, 2019, the CEC mailed a Revised NOPA to all the recipients specified in Government Code section 11346.4(a)(1)-(4) and posted it on the CEC's website, and

WHEREAS, on September 6, 2019 the CEC published an Initial Study and Proposed Negative Declaration for General Service Lamps and published and submitted to the State Clearinghouse a Notice of Availability, concluding that the proposed regulations would result in energy savings and reductions in air pollution and GHG emissions, and there would be no significant adverse impacts to the environment as a result; and

WHEREAS, on October 7, 2019, the 45-day comment period established by the Revised NOPA closed; and

WHEREAS, on October 3, 2019, the CEC postponed the Public Hearing noticed in the NOPA and, on October 23, 2019 published a notice rescheduling the Public Hearing to November 6, 2019; and

WHEREAS, on November 6, 2019, the CEC held a Public Hearing to hear comments on the proposed regulations; and

WHEREAS, on November 1, 2019, the CEC provided notice designating November 13, 2019 as the date for the hearing to consider adoption of the proposed regulations and

on this date the CEC held a public hearing to receive comments on the proposed regulations and to consider its adoption and did so adopt the regulations.

THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:

With regard to the California Environmental Quality Act:

- The California Energy Commission has considered the application of the California Environmental Quality Act (CEQA) to the proposed regulations and concluded that the proposed energy efficiency regulations for general service lamps will not have any direct, indirect, or cumulatively considerable significant adverse effect on the environment; and

With regard to the Warren-Alquist Act:

- The proposed regulations will reduce the wasteful, uneconomic, inefficient, and unnecessary consumption of energy for appliances that require a significant amount of energy on a statewide basis; and
- The proposed regulations are technologically feasible and attainable; and
- The proposed regulations do not result in any added total costs to the consumer over the designed life of the appliances concerned; and

With regard to the Administrative Procedure Act:

- The proposed regulations are unlikely to create new businesses or eliminate existing businesses, will not result in the expansion of businesses currently doing business in California, and are unlikely to result in a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states; and
- The proposed regulations are unlikely to create or eliminate jobs within California; and
- The proposed regulations will impose no direct costs, or direct or indirect requirements or mandates, on state agencies, local agencies, or school districts; and
- The proposed regulations will result in no costs or savings in federal funding to the State of California; and
- The proposed regulations will result in no costs or savings to any state agency; and
- The proposed regulations will result in no nondiscretionary costs or savings to local agencies or school districts; and
- The proposed regulations will have no impact on housing costs; and
- The proposed regulations will have no significant, statewide adverse economic impact on businesses in general or small businesses in particular; and
- The proposed regulations will result in no cost impacts to representative private persons or businesses in reasonable compliance with the regulations; and

- The proposed regulations will not adversely impact the health and welfare of California residents, worker safety, or the state's environment; and
- The proposed regulations have no alternatives that would be more effective in carrying out the purposes of the Warren-Alquist Act, that would be as effective and less burdensome to affected private persons in carrying out those purposes, or that would be more cost effective to affected private persons and equally effective in implementing those purposes; and
- The proposed regulations will not have a significant adverse economic impact on small business and no alternatives were proposed that would lessen any adverse economic impact on small business; and
- The proposed regulations will not require completion of any report; and
- None of the comments received during the comment period or at the public hearing or adoption hearing, and nothing else in the record, justified any changes to the proposed regulations as published on August 15, 2019.

THEREFORE BE IT RESOLVED, after considering the Initial Study, and all related materials in the record, the CEC finds that (1) there is no substantial evidence that the adoption of the proposed amendments to the Appliance Efficiency Regulations will have a significant effect on the environment, and (2) the Negative Declaration reflects the Commission's independent judgment and analysis. The Commission hereby adopts the Negative Declaration and Initial Study published on September 6, 2019. Documents and other materials that constitute the record of proceedings upon which the decision to adopt the negative declaration is based can be found at the California Energy Commission, 1516 9th Street, Sacramento, California, 95814 in the custody of the Docket Unit.

FURTHER BE IT RESOLVED, additionally, after considering all comments received and the staff's responses, and based on the entire record of this proceeding, the CEC hereby adopts the amendments to its appliance efficiency regulations, as set forth in the express terms that were published on August 15, 2019 (Cal. Code of Regs., tit. 20, §§ 1004, and 1602-1608).

The CEC takes this action under the authority of sections 25213 and 25218(e) of the Public Resources Code, which authorize the CEC to adopt rules or regulations, as reasonable and necessary, to implement, inter alia, Public Resources Code sections 25216.5(d) and 25402(a)-(c), 42 U.S.C. section 6295(i)(6)(A), which grants California an exception to preemption, as well as other state and federal statutory, regulatory and case law authorizing this action; and

FURTHER BE IT RESOLVED, that documents and other materials that constitute the rulemaking record can be found at the California Energy Commission, 1516 9th Street, Sacramento, California, 95814 in the custody of the Docket Unit; and

FURTHER BE IT RESOLVED, the CEC delegates the authority and directs CEC staff to take, on behalf of the CEC, all actions reasonably necessary to have the proposed regulations go into effect, including but not limited to making any appropriate non-substantive changes to the regulations; preparing all appropriate documents, such as the Final Statement of Reasons; compiling and submitting the rulemaking file to the

Office of Administrative Law (OAL); making any changes to the rulemaking file required by OAL; and preparing and filing the Notice of Determination with the State Clearinghouse.

CERTIFICATION

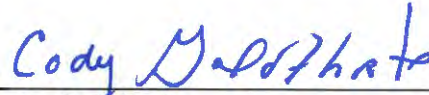
The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the CEC held on November 13, 2019.

AYE: Hochschild, Scott, Douglas, McAllister, Monahan

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat