

DOCKETED

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STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION: ADOPTION OF EQUITABLE BUILDING DECARBONIZATION
DIRECT INSTALL PROGRAM GUIDELINES (22-DECARB-03)**

WHEREAS, Assembly Bill 209 (AB 209, Chapter 251, Statutes of 2022) directed the California Energy Commission (CEC) to develop and implement the Equitable Building Decarbonization Program, to include two components: a direct install program and a statewide incentive program for low-carbon building technologies; and

WHEREAS, AB 209 provides that the CEC may adopt guidelines or other standards for the program, and that the Administrative Procedure Act (commencing with Government Code section 11340) does not apply to guidelines or other standards for the program adopted at a CEC business meeting; and

WHEREAS, CEC staff released a Request for Information on December 9, 2022, and held a public workshop on December 13, 2022, to solicit input to inform the development of the Equitable Building Decarbonization Program; and

WHEREAS, CEC staff released draft guidelines for the Equitable Building Decarbonization Direct Install Program on May 7, 2023, hosted several public workshops to solicit input on the draft guidelines, and accepted written comments on the draft guidelines through June 30, 2023; and

WHEREAS, having considered public comments on the draft guidelines, CEC staff published the proposed Equitable Building Decarbonization Direct Install Program Guidelines to the CEC website and the program docket (22-DECARB-03); and

WHEREAS, the proposed Equitable Building Decarbonization Direct Install Program Guidelines establish a framework to provide energy efficiency, decarbonization, or load flexible solutions directly to consumers at minimal or no cost through a third-party implementer, as directed by AB 209; and

WHEREAS, the CEC's legal office considered the application of the California Environmental Quality Act (CEQA) to the CEC's adoption of the Equitable Building Decarbonization Direct Install Program Guidelines and concludes that the CEC's adoption of these Guidelines is exempt from CEQA under California Code of Regulations, title 14, sections 15307, 15308, and 15061(b)(3).

THEREFORE, BE IT RESOLVED, the CEC finds the Equitable Building Decarbonization Direct Install Program Guidelines are based on substantial evidence in the record and advance the legislative directive in AB 209; and

FURTHER BE IT RESOLVED, the CEC finds the adoption of the Equitable Building Decarbonization Direct Install Program Guidelines is exempt from CEQA under California Code of Regulations, title 14, sections 15307 and 15308 (Class 7 and 8 exemptions) and section 15061(b)(3) (common sense exemption); and

FURTHER BE IT RESOLVED, the CEC hereby adopts the Equitable Building Decarbonization Direct Install Program Guidelines, incorporating any changes presented and adopted today along with any non-substantive changes, such as typographical corrections; 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 implement the Equitable Building Decarbonization Direct Install Program as specified in the Guidelines.

CERTIFICATION

The undersigned Secretariat to the CEC 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 October 18, 2023.

AYE: Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Hochschild

ABSTAIN: NONE

Dated: October 19, 2023

SIGNED BY:

Kristine Banaag
Secretariat