

DOCKET
06-NSHP-1

DATE DEC 13 2006
RECD DEC 20 2006

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 *New Solar Homes Partnership Guidebook*

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

Description of Nature, Purpose, and Beneficiaries of Project: The purpose of this activity is to adopt guidelines to govern the administration of the California Energy Commission's New Solar Homes Partnership program ("Program") pursuant to Public Resources Code section 25744 and Public Utilities Code section 25780 et seq., as enacted by Senate Bill 1 (Chapter 132, Statute of 2006). These guidelines are set forth in the *New Solar Homes Partnership Guidebook* and establish the eligibility requirements, forms, and instructions for solar energy systems to qualify for Program funding. Solar energy systems are no longer eligible for funding under the California Energy Commission's Emerging Renewables Program pursuant to Public Resources Code section 25744, but instead may now qualify for funding under the New Solar Home Partnership pursuant to Public Resources Code section 25780 et seq. The California Energy Commission and participants of the New Solar Homes Partnership and the Emerging Renewables Program benefit from the adoption of revisions to these guidelines.

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" 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, 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:

Allan Ward II, Staff Counsel
Office of Chief Counsel
California Energy Commission
(916) 654-5141

Signature: Allan R Ward II

Date: 12-14-06 Title: Staff Counsel

☐ Signed by the Lead Agency

Date received for filing by OPR: _____

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DEC 14 2006

STATE CLEARING HOUSE

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

WHEREAS, Senate Bill 1250 (SB 1250, Chapter 512, Statutes 2006) and Senate Bill 1 (SB 1, Chapter 132, Statutes of 2006) in part task the California Energy Commission with administering a program for the installation of solar energy systems on new construction; and

WHEREAS, the California Energy Commission's Renewables Committee has proposed the *New Solar Homes Partnership Guidebook* to provide the guidelines for administering the program created by these statutes; and

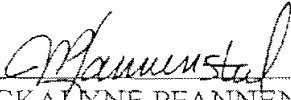
WHEREAS, the California Energy Commission's legal office has considered the application of the California Environmental Quality Act (CEQA) to the adoption of revisions to the *New Solar Homes Partnership Guidebook* and opined that the adoption of these guidelines is exempt from CEQA either because it is not a "project" subject to CEQA pursuant to Title 14, California Code of Regulations, section 15378 (b)(2) and (4), because it deals with general policy and procedure making and only creates a governmental funding mechanism without a commitment to specific projects, or because it falls within the so-called "common sense" exemption pursuant to Title 14, California Code of Regulations, section 15061(b)(3), which indicates that CEQA only applies to projects that have a "significant effect on the environment" which is defined in Public Resources Code section 21068 and in Title 14, California Code of Regulations, section 15382, as being a substantial, or potentially substantial, adverse change in the environment; and

WHEREAS, the California Energy Commission has reviewed the Renewables Committee's proposed *New Solar Homes Partnership Guidebook* and finds that its adoption is exempt from CEQA for the reasons opined by the legal office, and accepts and approves these guidelines for the purpose of administering the New Solar Homes Partnership; and

THEREFORE BE IT RESOLVED, the California Energy Commission hereby adopts the *New Solar Homes Partnership Guidebook*, and authorizes the Executive Director, or his designee, to administer the New Solar Homes Partnership as specified in this guidebook.

Dated: December 13, 2006

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT
COMMISSION



JACKALYNE PFANNENSTIEL,
Chairman