

**DOCKETED****13-RPS-01****TN # 71406****JUN 26 2013**

Print Form

**Notice of Determination****Appendix D****To:**☒ Office of Planning and Research

U.S. Mail:

Street Address:

P.O. Box 3044

1400 Tenth St., Rm 113

Sacramento, CA 95812-3044 Sacramento, CA 95814

☐ County Clerk

County of: \_\_\_\_\_

Address: \_\_\_\_\_

**From:**

Public Agency: California Energy Commission

Address: 1516 Ninth Street, MS-45

Sacramento, CA 95814

Contact: Angela Gould

Phone: (916) 654-4881

Lead Agency (if different from above):

Same as above

Address: \_\_\_\_\_

Contact: \_\_\_\_\_

Phone: \_\_\_\_\_

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): 2013042014

Project Title: Regulations Establishing Enforcement Procedures for the RPS for POUs

Project Applicant: California Energy Commission

Project Location (include county): Statewide; the regulations apply to all POUs within the State.

**Project Description:**

The California Energy Commission regulations establish enforcement procedures for the Renewables Portfolio Standard (RPS) for local publicly owned electric utilities (POUs) under the law as amended by Senate Bill X1-2 (Stats. 2011, 1st Ex. Sess., ch. 1) and Assembly Bill 2227 (Stats. 2012, ch. 606, sec. 8). The regulations implement, interpret, and make specific several provisions of Public Resources Code sections 25741 and 25747, and Public Utilities Code sections 399.13, 399.15, 399.16, 399.21, 399.30, 9507 and 9508. The regulations can be viewed online at: [www.energy.ca.gov/portfolio/pou\\_rulemaking/](http://www.energy.ca.gov/portfolio/pou_rulemaking/).

This is to advise that the California Energy Commission has approved the above  
(☒ Lead Agency or ☐ Responsible Agency)

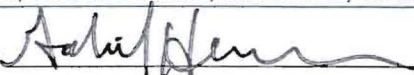
described project on June 12, 2013 and has made the following determinations regarding the above  
(date)  
described project.

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☐ were ☒ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☐ was ☒ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☐ were ☒ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

California Energy Commission, 1516 Ninth Street, Sacramento, CA 95814

Signature (Public Agency):



Title: Staff Counsel

Date: June 24, 2013

Date Received for filing at OPR

**RECEIVED**

Authority cited: Sections 21083, Public Resources Code.  
Reference Section 21000-21174, Public Resources Code.

**JUN 25 2013**  
Revised 2011

**STATE CLEARING HOUSE**



State of California - Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
1416 9<sup>th</sup> Street  
Sacramento, CA 95814  
<http://www.dfg.ca.gov>

**EDMUND G. BROWN JR., Governor**  
**CHARLTON H. BONHAM, Director**



## **CEQA Filing Fee No Effect Determination**

**Applicant Name and Address:**

California Energy Commission, 1516 Ninth Street, Sacramento, CA 95814

**CEQA Lead Agency:** California Energy Commission

**Project Name:** Regulations Establishing Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities

**CEQA Document Type:** Negative Declaration

**State Clearing House Number and/or local agency ID number:** 2013042014

**Project Location:** Statewide: the proposed regulations will apply to all local publicly owned electric utilities within the State of California, as defined in Public Utilities Code section 224.3.

**Brief Project Description:** The California Energy Commission proposes to adopt new regulations establishing enforcement procedures for the Renewables Portfolio Standard (RPS) for local publicly owned electric utilities (POUs) pursuant to Senate Bill X1-2 (Stats. 2011, 1st Ex. Sess., ch. 1) and Assembly Bill 2227 (Stats. 2012, ch. 606, sec. 8).

**Determination:** Based on a review of the project as proposed, the Department of Fish and Wildlife has determined that for purposes of the assessment of CEQA filing fees (Fish & G. Code, § 711.4, subd. (c)) the project has no effect on fish, wildlife or their habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records. Local lead agencies are required to file two copies of this determination with the county clerk at time of filing of the Notice of Determination (NOD) after the project is approved. State lead agencies are required to file two copies of this determination with the Governor's Office of Planning and Research (State Clearinghouse) at the time of filing the NOD. If you do not file a copy of this determination as appropriate with the county clerk or State Clearinghouse at the time of filing of the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid CEQA Filing Fee No Effect Determination form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to Fish and Game Code section 711.4, subdivision (c)(3).

DFG Approved By: Ryan Mathis Date: May 2, 2013

Title: Senior Environmental Scientist