

DOCKETED

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STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

***LOW CARBON FUEL PRODUCTION
PROGRAM (LCFPP) DRAFT
GUIDELINES***

Docket No. 19-TRAN-01

**LOW-CARBON FUEL
PRODUCTION PROGRAM
GUIDELINES**

WHEREAS, the Low-Carbon Fuel Production Program, funded by the Budget Act of 2018, as amended by Senate Bill 856 (Committee on Budget and Fiscal Review, Chapter 30, Statutes of 2018), and administered by the California Energy Commission, provides grants for California's vehicle fuel production industry to reduce greenhouse gas emissions associated with transportation use; and

WHEREAS, funding for the program comes from the California Climate Investments initiative (Greenhouse Gas Reduction Fund) and all funded projects must reduce greenhouse gas emissions and further the purposes of Assembly Bill 32 (Nunez, Chapter 488, Statutes of 2006) and related statutes; and

WHEREAS, the *Low-Carbon Fuel Production Program Guidelines (LCFPP Guidelines)*, developed pursuant to Assembly Bill 109, Senate Bill 856 and Public Resources Code section 25218(e), provide details on how the Energy Commission will administer the program and include information on program design, project selection, and administrative requirements; and

WHEREAS, the development of the *LCFPP Guidelines* has benefitted from a public workshop, meetings with State agencies, and written comments submitted by the public and stakeholders to the docket; and

WHEREAS, after considering all the materials and comments received, Energy Commission staff, with guidance and input from the Lead Commissioner for

Transportation, developed the now-proposed final *LCFPP Guidelines* which set forth the types of projects eligible for funding and administrative requirements; and

WHEREAS, Energy Commission staff will develop solicitations and grants in the ensuing fiscal years to implement the Low-Carbon Fuel Production Program consistent with the *LCFPP Guidelines*; and

WHEREAS, the Energy Commission has considered the application of the California Environmental Quality Act (CEQA) to the adoption of the *LCFPP Guidelines*, and concludes that adoption of the *LCFPP Guidelines* is exempt from CEQA either because it fits within activities categorically exempt from CEQA as “actions taken by regulatory agencies, as authorized by state law or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment” (Cal. Code Regs., tit. 14, § 15308), or because the action is exempt under the “common sense” exemption (Cal. Code Regs., tit. 14, § 15061(b)(3)). The *LCFPP Guidelines* propose funding for categories of activities and other administrative procedures, but decisions to fund specific projects will be made by the Energy Commission at a future date through a competitive solicitation process.

THEREFORE BE IT RESOLVED, that the California Energy Commission hereby finds adoption of the *LCFPP Guidelines* to be exempt from CEQA under California Code of Regulations, title 14, section 15308 for actions taken by regulatory agencies as authorized by state law to assure protection of the environment where the regulatory process involves procedures for protection of the environment, as well as under section 15061(b)(3), the common sense exemption; and adopts the *LCFPP Guidelines*; and authorizes the Executive Director or his designee to implement the Low-Carbon Fuel Production Program consistent with the *LCFPP Guidelines*.

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 California Energy Commission held on July 15, 2019.

AYE: Hochschild, Scott, Douglas, McAllister, Monahan

NAY: None

ABSENT: None

ABSTAIN: None

Original Signed by:

Cody Goldthrite
Secretariat