

Notice of Exemptions

TO: Office of Planning and Research
1400 Tenth Street, Room 212
Sacramento, California 95814

FROM: California Energy Commission
1516 Ninth Street
Sacramento, California 95814

Project Title: Permitting DWR Facilities [Regulations]

Project Location: Statewide

Description of Nature, Purpose, and Beneficiaries of Project: Adoption of emergency regulations to implement and administer the Strategic Reliability Reserve Department of Water Resources (SRR DWR) certification program to process DWR applications to certify sites and related facilities for use as back-up generation operations as on-call emergency supply and load reduction for the state's electrical grid during extreme events.

On June 30, 2022, Governor Newsom signed AB 205 (Stats. 2022, Ch.61) which requires the California Energy Commission to adopt an expedited process to review applications for back-up generation facilities developed by DWR. (Public Resources Code Section 25794 et seq.) The CEC has developed the procedural regulations to carry out this requirement, including minor modifications made by AB 209 (Stats. 2022, ch. 251) and approved adoption of the regulations in Article 4.2 of title 20, California Code of Regulations.

AB 205 further states the process to approve DWR facilities is exempt from CEQA.

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: Class 6 Information Collection, Section 25306;
- Statutory Exemption: State code number: _____
- Other: Adoption of the amendments is exempt from CEQA requirements pursuant to the "common sense" exemption (CEQA Guidelines, 15061, subd. (b)(3)).

Reasons why project is exempt: The legislation (AB 205) establishes a program for DWR to develop temporary emergency power generation facilities for use in extreme events to ensure adequate energy is available during peak summer usage. The process of reviewing and approving licenses for these facilities is specifically exempt from CEQA in the statute. The adoption of the

