

Notice of Exemption

TO: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

FROM: California Energy Commission
715 P Street
Sacramento, California 95814

Project Title: Renewables Portfolio Standard 2017-2020 Verification Results Reports for 28
Local Publicly Owned Electric Utilities for Compliance Period 3

Project Location: 715 P Street Sacramento, California 95814

Description of Nature, Purpose, and Beneficiaries of Project:

Public Resources Code section 399.25(b) requires the California Energy Commission (CEC) to prepare Renewables Portfolio Standard Verification Results Reports finding whether the procurement claim amounts listed are consistent with Renewables Portfolio Standard (RPS) certification and procurement requirements specified in the Renewables Portfolio Standard Eligibility Guidebook, Ninth Edition (Revised) (RPS Guidebook) and the Enforcement Procedures for the Renewables Portfolio Standard for Local Publicly Owned Electric Utilities (RPS POU Regulations) and are eligible for the RPS program as indicated. These results reports are issued for each POU and adopted by the CEC at a regularly scheduled business meeting.

CEC staff prepared a Compliance Period 3 (2017-2020) verification report for each of 28 POU's, entitled the *California Energy Commission Staff Draft Report Renewables Portfolio Standard Verification Results*, which include the verification findings for each of these 28 POU's. The CEC adopted the 28 verification reports at the December 13, 2023, CEC business meeting.

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: _____

X Other: Common Sense (Sec. 15061(b)(3)).

Reasons why the project is exempt:

The RPS Verification Results Reports are not a project because they do not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable

indirect physical change in the environment (Cal. Code Regs., tit. 14, section 15061(a)). The CEC prepares RPS Verification Results Reports on its findings on the amount of eligible renewable energy procured each compliance period by POUs subject to California's RPS. The adoption of these findings does not impose any new requirements on POUs and are determined through a process based on the requirements specified in the RPS Guidebook and RPS POU Regulations. Therefore, the proposed verification reports have no potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Accordingly, verification reports do not meet the definition of a project under CEQA and therefore the CEC is not obligated to meet the CEQA requirements that apply to projects.

Further, even if the RPS Verification Results Reports were considered a "project," they would not be subject to the CEQA under the "common sense" exemption (Cal. Code Regs., tit. 14, section 15061(b)(3)) because they do not have a significant effect on the environment or result in a physical change to the environment. The purpose of the verification reports is to simply approve findings on whether the procurement claim amounts listed are consistent with RPS certification and procurement requirements and are eligible for the RPS program as indicated, and it can be seen with reasonable certainty that the verification reports will not have a significant effect on the environment.

Lead Agency Contact Person

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Date: 12/19/23

Title: Deputy Director, Siting, Transmission, and Environmental Protection Division



Signed by the Lead Agency

Date received for filing by