



**California Energy Commission
December 19, 2025, Business Meeting
Backup Materials for Renewables Portfolio Standard (RPS) Eligibility Guidebook**

The following backup materials for the above-referenced agenda item are available as described below:

1. Proposed Resolution, attached below.
2. Draft RPS Eligibility Guidebook, available at <https://efiling.energy.ca.gov/GetDocument.aspx?tn=267851&DocumentContentId=104856>.
3. California Environmental Quality Act (CEQA) Memo Basis for finding exemption, attached below.

For the complete record, please visit:

<https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-RPS-02>.

To stay informed about this project and receive documents as they are filed, please subscribe to “General Renewable Energy Info and CEC Renewable Energy Programs”, which can be accessed here:

<https://public.govdelivery.com/accounts/CNRA/signup/31911>. The Topic sends out email notifications and direct links when documents are filed in the proceeding docket.

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION ADOPTING AMENDMENTS TO THE RENEWABLES PORTFOLIO
STANDARD ELIGIBILITY GUIDEBOOK**

WHEREAS, the California Energy Commission has developed its Renewable Energy Program, including elements related to California's Renewables Portfolio Standard, pursuant to Public Resources Code section 25740 et seq., Public Utilities Code section 399.11 et seq., and former Public Utilities Code sections 381, 383.5, and 445; and

WHEREAS, Public Resources Code section 25747(a) authorizes the California Energy Commission to adopt guidelines to establish the eligibility requirements and process for certifying facilities and for verifying renewable energy certificates for compliance with the Renewables Portfolio Standard, after at least 10 days' written notice to the public; and

WHEREAS, on April 21, 2004, the California Energy Commission adopted guidelines, titled the *Renewables Portfolio Standard Eligibility Guidebook*, to address the eligibility requirements and process for certifying eligible renewable energy resources for purposes of meeting the state's Renewables Portfolio Standard, pursuant to Public Resources Code section 25740 et seq. and Public Utilities Code section 399.11 et seq., and has subsequently revised these guidelines pursuant to this authority; and

WHEREAS, on October 18, 2024, the California Energy Commission staff publicly noticed a proposed update to the *Renewables Portfolio Standard Eligibility Guidebook*, as set forth in the "Tenth Edition," to: (i) address changes in law as a result of Assembly Bill 1921, (ii) incorporate requirements and criteria adopted by the California Energy Commission in 2017 under Resolution No. 17-0712-04, (iii) provide new eligibility and reporting criteria pursuant to existing authority, (iv) clarify various requirements and processes related to Renewables Portfolio Standard certification and verification, and (v) improve clarity and organization of the text of several sections of the Guidebook; and

WHEREAS, on October 6, 2025, California Energy Commission staff held a public workshop on the proposed *Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition*; and

WHEREAS, in response to public comments, on December 8, 2025, California Energy Commission staff publicly noticed a revised proposed *Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition*; and

THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:

With regard to the California Environmental Quality Act (CEQA):

- The California Energy Commission has considered the application of CEQA to the *Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition*, and concluded that the guidelines:
 - (1) Are exempt from CEQA under the "common sense" exception of 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," as defined in Public Resources Code section 21068 and Title 14, California Code of Regulations, section 15382, as being a substantial, or potentially substantial, adverse change in the environment; and
 - (2) Are categorically exempt from CEQA as an action taken to maintain natural resources pursuant to CEQA Guidelines, section 15307; and
 - (3) Are categorically exempt from CEQA as an action taken to protect the environment pursuant to CEQA Guidelines, section 15308.

With regard to the Administrative Procedure Act:

- The proposed update to the *Renewables Portfolio Standard Eligibility Guidebook* is exempt pursuant to Public Resources Code section 25747(a).

THEREFORE, BE IT RESOLVED, the California Energy Commission hereby adopts the described *Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition*; and

FURTHER BE IT RESOLVED, that documents and other materials that constitute the record can be found at the California Energy Commission, 715 P Street, Sacramento, California, 95814, in the custody of the Docket Unit and online in Docket Number [21-RPS-02](#), available at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-RPS-02>; and

FURTHER BE IT RESOLVED, that the California Energy Commission delegates the authority and directs California Energy Commission staff to take, on behalf of the California Energy Commission, all actions reasonably necessary to have the proposed guidelines enacted, including, but not limited to, making any appropriate non-substantive changes to the guidelines.

CERTIFICATION

The undersigned Secretariat to the CEC 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 CEC held on December 19, 2025.

AYE:

NAY:
ABSENT:
ABSTAIN:

Dated:

Kim Todd
Secretariat

Memorandum

To: Docket 21-RPS-02

From: **Sean Simon, Deputy Director**
California Energy Commission
715 P Street
Sacramento, California 95814

Date: December 19, 2025

Subject: Basis for Finding that the California Energy Commission's *Renewables Portfolio Standard Guidebook, Tenth Edition* is exempt from the California Environmental Quality Act

I. CEQA

The California Environmental Quality Act (CEQA) (Public Resources Code (PRC) section 21000 et seq.; see also CEQA Guidelines, California Code Regulations (CCR), Title 14, section 15000 et seq.) requires state agencies to consider the environmental impact of their discretionary decisions and determine whether or not CEQA applies. Additionally, CEQA allows for certain projects to be exempted from its requirements. Of relevance here, and discussed further below, is a discussion of CEQA applicability as well as the Class 7 and 8 exemptions (CCR, Title 14, sections 15307 and 15308 and the Common-Sense exemption (CCR, Title 14, section 15061(b)(3)).

II. The California Energy Commission's Renewables Portfolio Standard Program

The California Energy Commission (CEC) administers the state's landmark Renewables Portfolio Standard (RPS) program, which requires retail sellers of electricity and local publicly owned electric utilities, collectively referred to as load-serving entities, to increase the amount of renewable energy they procure until 60 percent of their retail sales are from eligible renewable energy resources by December 31, 2030.

Pursuant to PRC section 25741, et. seq., and Public Utilities Code (PUC) section 311, et seq., the CEC is required to certify electrical generation facilities as eligible renewable energy resources that load-serving entities may use to satisfy their RPS procurement requirements, develop an accounting system to verify compliance with the RPS program, and adopt regulations specifying procedures for the enforcement of RPS procurement requirements of POUs.

Pursuant to PRC section 25747(a), the CEC adopts guidelines to establish the eligibility requirements and process for certifying facilities as RPS-eligible and the rules and process for verifying renewable energy certificates for compliance with California's RPS program.

III. Proposed Action

On September 17, 2025, CEC staff proposed amendments to, and released a draft version of, the *Renewables Portfolio Standard Eligibility Guidebook*. In response to public comments, CEC staff subsequently issued a revised draft of the *Renewables Portfolio Standard Eligibility Guidebook* on December 8, 2025.

The CEC is considering adopting the *Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition* at the December 19, 2025, CEC business meeting.

This action is consistent with the requirements of the RPS statutes and effectuates the purpose of the RPS program.

The CEC's adoption of the *Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition* does not have the potential for causing a significant effect on the environment and would protect natural resources and the environment.

IV. The proposed *Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition* is exempt from CEQA under the Common-Sense Exemption

For purposes of complying with CEQA, staff recommends the CEC find the proposed *Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition* exempt from CEQA under the Common-Sense exemption. CEQA only applies to projects that have the potential for causing a significant effect on the environment. (CCR, Title 14, section 15061(b)(3)). A significant effect on the environment is defined as “a substantial, or a potentially substantial, adverse change in the environment,” and does not include an economic change by itself. (PRC section 21068; CCR, Title 14, section 15382).

The proposed *Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition* includes amendments clarifying various existing requirements. These clarifications would not result in any changes to how the RPS program is currently administered. Additional proposed amendments establish new eligibility criteria and reporting requirements pursuant to existing authority, as well as address changes in the law. While the proposed amendments to the guidebook will result in changes to certification requirements for electrical generation facilities as eligible renewable energy resources—including expanding RPS eligibility to include linear generators—the proposed amendments would not require development of new generation facilities in the state, nor result in changes to existing facilities. Further, even if the proposed amendments incentivize the development of new generation facilities, they would only encourage the development of renewable energy facilities that would benefit the environment by improving air quality and decreasing reliance on fossil fuels. Therefore, no significant adverse environmental impacts have been identified as resulting from this action. For these reasons, adoption of the amendments to the CEC's regulations is not subject to CEQA under the Common-Sense exemption of CCR, Title 14, section 15061(b)(3).

V. The proposed *Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition* is exempt from CEQA under Class 7 and 8 Exemptions

CCR, Title 14, sections 15307 and 15308 exempt actions taken by a regulatory agency to “assure the maintenance, restoration, or enhancement of a natural resource” and actions taken

to “assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment.” Approval of the proposed guidebook will have no significant effect on the environment and falls squarely within the categorical exemptions of sections 15307 and 15308.

The approval of the guidebook is being undertaken in furtherance of the RPS program goal to increase the amount of renewable energy to 60 percent of load serving entities’ retail sales by 2030. The proposed amendments to the guidebook clarify existing requirements and develop new eligibility criteria and reporting requirements in furtherance of the RPS program and assure the maintenance, restoration, or enhancement of one or more natural resources, as well as the maintenance, restoration, enhancement, or protection of the environment. Further, none of the exceptions to exemptions listed in CCR, Title 14, section 15300.2 apply to this project. Additionally, no unusual circumstances have been identified that could lead to the reasonable possibility that the activity will have a significant effect on the environment. For these reasons, this project is exempt from CEQA.

VI. Conclusion

As discussed above, the approval of the proposed *Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition* is exempt from CEQA pursuant to the Common-Sense exemption under CCR, Title 14, section 15061(b)(3), as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Additionally, the adoption of the proposed *Renewables Portfolio Standard Eligibility Guidebook, Tenth Edition* would protect natural resources and the environment and is, therefore, categorically exempt from further CEQA review under CCR, Title 14, sections 15307 and 15308.