

**DOCKETED**

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<b>Project Title:</b>	Business Meeting Agendas, Transcripts, Minutes, and Public Comments
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*Comment Received From: Steve Uhler  
Submitted On: 4/15/2022  
Docket Number: 22-BUSMTG-01*

## **BUSMTG-22-01 Business Meeting Agenda, April 26, 2022**

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Perhaps staff have overlooked posting of agendas for the record for meetings, pursuant to Title 20, Section 1208?

Steve Uhler  
sau@wwmpd.com

*Additional submitted attachment is included below.*



California Energy Commission  
**Business Meeting Agenda**

April 26, 2022  
10:00 a.m. – 3:30 p.m.

**In-person at:**

Warren-Alquist State Energy Building  
1516 Ninth Street  
Art Rosenfeld Hearing Room  
Sacramento, California 95814  
(Wheelchair Accessible)

**Option for Remote Public Access via Zoom™**

<https://zoom.us/>, meeting ID: **938 6923 0237** and passcode: **mtg@10am**

Remote participation instructions below, after line items.

Please note that the CEC aims to begin promptly at the start time and the end time is an estimate based on the agenda proposed. The business meeting may end sooner or later than the time indicated depending on various factors.

Pursuant to California Code of Regulations, title 20, section 1104(e), any person may make oral comment on any agenda item. To ensure the orderly conduct of business, such comments will be limited to three minutes or less per person. Any person wishing to comment on information items or reports (non-voting items) shall speak during the general public comment portion of the meeting and have three minutes or less to address all remaining comments.

**THE CEC WILL CONSIDER AND MAY TAKE ACTION ON THE FOLLOWING:**

**1. Consent Calendar.**

Items will be taken up and voted on as a group. A commissioner may request that an item be moved and discussed later in the meeting.

- a. Order Instituting Rulemaking Proceeding (Docket Number 22-AAER-02).  
Proposed Order Instituting Rulemaking Proceeding to update the Appliance Efficiency Regulations contained in the California Code of Regulations, title 20, sections 1601-1609. This proceeding will include updates to repeal the existing requirements for portable luminaires, to delete obsolete or duplicative language,

and to make other changes to clarify the existing regulations. Contact: Carlos Baez

- b. School of Arts and Enterprise. Proposed resolution approving Amendment 1 to Agreement 011-20-ECG with School of Arts and Enterprise to increase the loan amount by \$10,000 due to an unforeseen construction change order, and adopting staff's determination that this action is exempt from the California Environmental Quality Act (CEQA). (ECAA-Ed Program Funding) Contact: Sean Lockwood
- c. Proposed Order Delegating Approval of Certain Agreements and Amendments Under Health and Safety Code Section 44272. Proposed order to expand the executive director's authority to approve agreements of \$75,000 or less and certain amendments to all funds the CEC administers in accordance with Health and Safety Code section 44272. This proposed order would supersede Order 12-0711-1a, which delegates to the executive director authority to approve agreements of \$75,000 or less and certain amendments only under the Clean Transportation Program. Contact: Allan Ward

**2. Order Instituting Informational Proceeding (OIP) (22-IEPR-01).**

Proposed OIP for the 2022 Integrated Energy Policy Report (IEPR) Update. The OIP would authorize the lead commissioner to gather and assess information on the topics identified in the 2022 IEPR Update Scoping Order as follows: (1) establishing a framework to center equity and environmental justice throughout CEC efforts, (2) creating a California Planning Library, and (3) addressing emerging topics. Contact: Heather Raitt (Staff Presentation: 5 minutes)

**3. Russell City Energy Center (RCEC) (01-AFC-07C).**

Proposed order adopting the CEC and the California Public Utilities Commission (CPUC) joint agency investigation team's corrective actions identified in the RCEC May 2022 incident final investigation report, delegating the authority to the executive director to oversee the completion of the identified corrective actions and to notify RCEC when the facility may resume combined-cycle operations, consistent with their existing certification, and adopting staff's determination that this action is exempt from CEQA. The CEC's Siting, Transmission and Environmental Protection Division staff will also present an update on the final investigation report regarding the steam turbine incident and the corrective actions to be implemented. Contact: Elizabeth Huber (Staff Presentation: 20 minutes)

**4. Electric Program Investment Charge (EPIC) 2021 Annual Report.**

Proposed resolution approving the *EPIC 2021 Annual Report – Staff Report* to be submitted to the Legislature and the CPUC by April 30, 2022. Contact: Molly O'Hagan (Staff Presentation: 15 minutes)

## **5. The Next EPIC Challenge: Reimagining Affordable Mixed-Use Development in a Carbon-Constrained Future (GFO-20-305).**

This solicitation sought proposals to fund a competition that challenges multi-disciplinary project teams to design and build a mixed-use development using cutting-edge energy technologies, tools, and construction practices that are affordable, equitable, emissions-free, and resilient to climate change impacts and extreme weather events. (EPIC Funding) Contact: Anthony Ng (Staff Presentation: 15 minutes)

- a. Northern California Land Trust, Inc. Proposed resolution approving Agreement EPC-21-029 with Northern California Land Trust, Inc. for a \$999,595 grant to fund the design of the Berkeley Efficient and Resilient Mixed-Use Showcase, and adopting staff's determination that this action is exempt from CEQA. The design is envisioned as a six-story all-electric, zero-net energy (ZNE) building comprised of 50 housing units, permanently affordable for low-income households. The design will incorporate a solar microgrid to support extended grid outage resilience while supporting the grid during peak hours. The project seeks to validate the scalability and replicability of architectural and mechanical systems in the building design to advance California's decarbonization goals.
- b. Electric Power Research Institute, Inc. Proposed resolution approving Agreement EPC-21-028 with Electric Power Research Institute, Inc. for a \$1,000,000 grant to fund the design of emerging technologies and building systems integration to enable a ZNE, all-electric, transit-integrated affordable multifamily community with 94 apartments and embedded with mixed-use commercial usage in downtown Santa Cruz, and adopting staff's determination that this action is exempt from CEQA.
- c. ConSol. Proposed resolution approving Agreement EPC-21-021 with ConSol for a \$999,936 grant to design an all-electric, mixed-use, 100 percent affordable housing development in Woodland, and adopting staff's determination that this action is exempt from CEQA. The project will incorporate innovative energy efficiency measures and clean energy technologies, and provide shared electric transportation to create an environmentally friendly neighborhood for residents. The project team will solicit feedback from the community and other key stakeholders to help inform options for the non-residential space. The project team will also coordinate with partners to provide future residents with opportunities for local employment training and workforce development.
- d. Mutual Housing California. Proposed resolution approving Agreement EPC-21-027 with Mutual Housing California for a \$1,000,000 grant to design a four-story, all-electric, in-fill, mixed-use development, and adopting staff's determination that this action is exempt from CEQA. The design will feature affordable housing for seniors with office space for social services on the ground floor. Resiliency features will be incorporated into the design to help protect tenants against natural disasters and power shutoffs and will serve as a shelter and cooling center for the community. The project design is slated for a historically

underserved neighborhood in south Stockton close to public transit and an adjacent health care clinic.

- e. Innovative Housing Opportunities, Inc. Proposed resolution approving Agreement EPC-21-022 with Innovative Housing Opportunities, Inc. for a \$998,630 grant to design and prepare for a zero-carbon, mixed-use affordable housing development in Santa Ana, and adopting staff's determination that this action is exempt from CEQA. This project will lead to a scalable, decarbonization approach that integrates environmental justice considerations in the design and construction phases. The efforts of this team will encourage greater involvement by diverse practitioners by incorporating meaningful opportunities for black, indigenous, and people of color practitioners to participate in the design and other phases of this work.
- f. Jamboree Housing Corporation. Proposed resolution approving Agreement EPC-21-026 with Jamboree Housing Corporation for a \$1,000,000 grant to design a mixed-use complex in San Juan Capistrano featuring a new city hall with integrated affordable housing, and adopting staff's determination that this action is exempt from CEQA. The development will combine cutting-edge renewable energy technologies, sustainable design and construction techniques and materials, green operational practices, and an innovative municipal partnership to create a unique mixed-use development. This design will demonstrate a scalable and replicable model that may be used by cities and affordable housing developers.
- g. National Community Renaissance. Proposed resolution approving Agreement EPC-21-023 with National Community Renaissance for a \$1,000,000 grant to design a carbon-free affordable housing and mixed-use development in San Diego, and adopting staff's determination that this action is exempt from CEQA. The proposed project will include apartment homes, a childcare facility, a retail area, and a mobility hub. This project seeks to advance the state's housing supply and affordability goals by providing an example of an urban infill, mixed-use, transit-oriented development incorporating advanced construction techniques and emerging clean energy technologies.
- h. Communities for Global Sustainability – C4GS LLC. Proposed resolution approving Agreement EPC-21-024 with Communities for Global Sustainability – C4GS LLC for a \$1,000,000 grant to design an affordable, carbon-free, multi-use housing community in San Diego, and adopting staff's determination that this action is exempt from CEQA. The community will maximize energy efficiency, reduce energy demand, integrate renewable energy, and minimize embodied carbon.
- i. Family Health Centers of San Diego, Inc. Proposed resolution approving Agreement EPC-21-025 with Family Health Centers of San Diego, Inc. for a \$1,000,000 grant to design a modular, zero-emission, mixed-use development in San Diego, designated for low-income and extremely low-income families who

are housing insecure, and adopting staff's determination that this action is exempt from CEQA.

## **6. California State Lands Commission.**

Proposed resolution approving Agreement 700-21-005 with the California State Lands Commission for \$200,000 to select consulting services for screening analysis of the feasibility of, and potential opportunities and constraints for, a new port along the central to the southern coast of California capable of supporting floating offshore wind development, and adopting staff's determination that this action is exempt from CEQA. This analysis will support California's assessment of developing wind energy in federal waters off the coast of California, including the preparation of an offshore wind strategic plan required by Assembly Bill 525 (Chiu, Chapter 231, Statutes of 2021). (General Fund Funding) Contact: Rhetta DeMesa (Staff Presentation: 5 minutes)

## **7. Zero-Emission Transit Fleet Infrastructure Deployment (GFO-20-602).**

This solicitation sought proposals to fund the electric vehicle charging or hydrogen refueling infrastructure needed to support the large-scale conversion of transit bus fleets to zero-emission vehicles (ZEVs) at transit agencies serving diverse geographic regions and populations. (Clean Transportation Program and General Fund Funding) Contact: Esther Odufuwa (Staff Presentation: 5 minutes)

- a. Culver City. Proposed resolution approving Agreement ARV-21-067 with the city of Culver City for a \$5,000,000 grant to install electric vehicle charging infrastructure to support 36 battery-electric transit buses, and adopting staff's determination that this action is exempt from CEQA.
- b. Alameda-Contra Costa Transit District. Proposed resolution approving Agreement ZVI-21-018 with Alameda-Contra Costa Transit District for a \$4,565,975 grant to upgrade the existing hydrogen refueling station at the Oakland Seminary Avenue site, and adopting staff's determination that this action is exempt from CEQA.

## **8. Ultra-Low-Carbon Fuel: Commercial-Scale Production Facilities and Blending Infrastructure (GFO-20-608).**

This solicitation sought proposals for commercial-scale projects that increase the in-state fuel production or blending capacity of ultra-low-carbon alternative fuels that have a carbon intensity of 30 grams of carbon dioxide equivalent (CO<sub>2</sub>e)/megajoule or less. Eligible projects must be located at new or existing fuel production or fuel blending facilities. (Clean Transportation Program Funding) Contact: Hieu Nguyen (Staff Presentation: 5 minutes)

- a. California Grinding, Inc. (CGI). Proposed resolution adopting CEQA findings for CGI's Fresno Anaerobic Digester Facility Project and approving Agreement ARV-21-051 with CGI.
  - i. CEQA Findings. Based on the lead agency city of Fresno's Initial Study (IS) and Mitigated Negative Declaration (MND), and Fresno's Conditional Use

- Permit (CUP) No. C-15-030, which was approved by Fresno on July 19, 2016, work under the proposed project presents no new significant or substantially more severe environmental impacts beyond those already considered and mitigated, and following Fresno's adoption of the MND and CUP, none of the circumstances within California Code of Regulations, title 14 (CEQA Guidelines), section 15162 are present.
- ii. Fresno Anaerobic Digestion Facility. Proposed resolution approving Agreement ARV-21-051 with CGI for a \$3,000,000 grant to construct and commission a commercial-scale fuel production facility at an existing waste processing facility for Fresno. The facility will process 250 tons per day of organic waste materials to produce an estimated 1,345,000 diesel gallon equivalents (DGEs) per year of renewable compressed natural gas.
- b. SoCal Biomethane, LLC. Proposed resolution approving Agreement ARV-21-052 with SoCal Biomethane, LLC for a \$1,500,000 grant to produce 1.6 million DGEs of low-carbon renewable natural gas as a transportation fuel from food waste and wastewater and displace 18,256 metric tons (MTs) of CO<sub>2</sub>e per year, and adopting staff's determination that this action is exempt from CEQA.
  - c. AltAir Paramount, LLC. (AltAir). Proposed resolution adopting CEQA findings for AltAir's Blending Terminal Project and approving Agreement ARV-21-053 with AltAir.
    - i. CEQA Findings. Based on the lead agency city of Paramount's IS and MND, CUP No. 751, and Addendums to CUP No. 751, the work under the proposed project presents no new or substantially more severe environmental impacts beyond those already considered and mitigated, and that following Paramount's adoption of the MND and CUP, none of the circumstances within CEQA Guidelines section 15162 are present.
    - ii. AltAir's Blending Terminal Project. Proposed resolution approving Agreement ARV-21-053 with AltAir for a \$2,000,000 grant to upgrade piping and storage at an existing petroleum refinery site, increasing the efficiency, throughput, and blending capabilities to provide a higher volume of renewable diesel 80 percent and biodiesel 20 percent to the California market. This project will increase the throughput of biodiesel from 1 million to 32.5 million gallons per year, offsetting up to 1,584,756 MTs of CO<sub>2</sub>e per year at full capacity.

## **9. IDEAL ZEV Workforce Pilot (GFO-21-602).**

This solicitation sought proposals for workforce training and development that support ZEV, ZEV infrastructure, and ZEV-related commercial technologies in priority communities of California. (Clean Transportation Program Funding) Contact: Larry Rillera (Staff Presentation: 5 minutes)

- a. Community Resource Project, Inc. Proposed resolution approving Agreement ARV-21-054 with Community Resource Project, Inc. for a \$500,000 grant to develop curriculum, conduct outreach, and provide instruction and training on



ZEV and EVCI and adopting staff's determination that this action is exempt from CEQA.

- b. Kern Community College District. Proposed resolution approving Agreement ARV-21-055 with Kern Community College District for a \$490,237 grant to develop and conduct EVCI training and job placement and adopting staff's determination that this action is exempt from CEQA.

#### **10. Minutes.**

Possible approval of the March 9 and March 24, 2022, Business Meeting minutes.

#### **11. Lead Commissioner or Presiding Member Reports.**

A lead commissioner on a policy matter and a presiding member on a delegated committee may report to the CEC on relevant matters and discussion may follow.

#### **12. Executive Director's Report.**

#### **13. Public Advisor's Report.**

#### **14. Public Comment.**

Pursuant to California Code of Regulations, title 20, section 1104(e), any person may make an oral comment on any agenda item. To ensure the orderly conduct of business, comments will be limited to three minutes or less per person and one representative per organization. The CEC notes that any person wishing to comment on non-voting items such as information items or reports shall provide comments during this period.

#### **15. Chief Counsel's Report.**

Pursuant to Government Code section 11126(e), the CEC may adjourn to closed session with its legal counsel to discuss any of the following matters to which the CEC is a party:

- i. *In the Matter of U.S. Department of Energy (High Level Waste Repository), (Atomic Safety Licensing Board, CAB-04, 63-001-HLW); State of California v. United States Department of Energy (9th Cir. Docket, Case No. 09-71014).*
- ii. *Interlink Products International, Inc. v. Xavier Becerra, Drew Bohan, Melissa Rae King (United States District Court for the Eastern District of California, Case No. 2:20-cv-02283).*

Pursuant to Government Code sections 11126(a) and (e), the CEC may also discuss any judicial or administrative proceeding that was formally initiated after this agenda was published; or determine whether facts and circumstances exist that warrant the initiation of litigation, or that constitute a significant exposure to litigation against the CEC, which might include personnel matters:

- i. *CEC grant with the Vehicle-Grid-Integration Alliance, Inc. (ARV-13-057).*
- ii. *CEC grants with the Zero Net Energy Alliance, Inc. (EPC-16-034, EPC-16-065, & EPC-18-011).*

Pursuant to Government Code section 11126(c)(3), the CEC may hold a closed session to deliberate on a decision to be reached in a proceeding required to be conducted pursuant to Chapter 5 (commencing with Section 11500) or similar provisions of law:

- i. *In the matter of Pecho Energy Storage Center (Docket No. 21-AFC-01).*
- ii. *In the matter of Gem Energy Storage Center (Docket No. 21-AFC-02).*

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## In-Person Instructions

Visitors will need to sign in with security and receive a pink or green temporary visitor badge to enter the primary meeting location in the Rosenfeld Hearing Room. The sign-in sheet at the security desk is for security purposes only and is not retained by the CEC as a public record. Any sign-in sheet in the Rosenfeld Hearing Room will be voluntary. Visitors are not permitted on any floor or room other than the hearing rooms and restrooms without a visitor badge and staff escort. Masks and social distancing are encouraged but not required.

## Remote Access Instructions

Remote access for the public is available by either internet or call-in options.

**Zoom:** Click the link below to participate and provide public comment via Zoom. <https://energy.zoom.us/j/93869230237?pwd=Zm96c09ULzdXTjd4eldtUXdnUGErzd09>. Zoom may also be accessed at <https://zoom.us/join>. To join, enter the **meeting ID 938-6923-0237** and the **password mtg@10am**. To participate by phone, dial (669) 900-6833 or toll free at (888) 475-4499 and enter **meeting ID 938-6923-0237**. For Zoom technical support dial (888) 799-9666 ext. 2, or contact the CEC's Public Advisor for help at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov) and (916) 957-7910.

Public comment periods will be available throughout the business meeting and is expected to be three minutes or less per speaker and one person per organization. Depending on the number of members of the public seeking to make a comment, the Chair may adjust the total time allotted for public comment and the time allotted for each comment.

**If participating via Zoom's online platform, use the "raise hand" feature to indicate you would like to make a comment.** The Public Advisor will open your line to speak. Please restate and spell your name for the record; indicate if you have an affiliation; and begin your comments.

**If participating by telephone, press \*9 to "raise your hand" and \*6 to mute/unmute.** The Public Advisor will announce the last three digits of the phone number listed and open your line. Make sure to unmute your phone before speaking then restate and spell your name for the record, indicate if you have an affiliation; and begin your comments.

**Verizon:** The CEC's Verizon phone line will solely be available if the Zoom service disconnects and shuts down. If that situation arises, the CEC Verizon line will be available for the public to listen and make public comment. Call the CEC's Verizon line at (888) 823-5065 and enter the passcode: business meeting. To make public comment about a specific item, please provide your name, affiliation if any, and the item number to the operator. Once connected, press \*0 for help or to speak with the operator. The

operator will open your line when it is your turn to speak. Restate and spell your name for the record. The operator will mute your line when you are finished commenting.

Zoom's closed captioning service will be enabled for CEC business meetings. Attendees can use the service by clicking on the "live transcript" icon and then choosing either "show subtitle" or "view full transcript." The closed captioning service can be stopped by exiting out of the "live transcript" or selecting the "hide subtitle" icon. If using a phone, closed captioning is automatic and cannot be turned off. While the closed captioning is available in real-time, it typically includes errors. A full and formal transcript rendered by a professional court reporter will be posted in the CEC's business meeting docket and the CEC's business meeting webpage.

**Public Advisor Assistance.** Direct questions about how to participate in the business meeting or to request interpreting services or other reasonable modification and accommodations to the Public Advisor at [publicadvisor@energy.ca.gov](mailto:publicadvisor@energy.ca.gov) or by phone at (916) 957-7910. Requests for interpreting services, reasonable accommodations, and other modifications should be made as soon as possible and at least five days in advance. The CEC will work diligently to meet all requests based on the availability of the service or resource needed. Additionally, the Public Advisor may upon the request of public participants who may be absent from the CEC's place of business or during the business meeting when a matter of interest to them is being considered, neutrally and publicly relate those participants' points to the CEC on behalf of members of the public. If you are interested in this service, please email concise comments, specifying your main points, before the start of the business meeting to the Public Advisor. Comments submitted after the business meeting starts will be filed in the business meeting docket.

**Direct media inquiries** to (916) 654-4989 or [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov).

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**Adjournment.** Depending on time and the orderly management of proceedings, the CEC may adjourn, recess, or postpone any noticed hearing or meeting to be continued the next day, another specific date or time, or the next business meeting. Any such adjournment will be noticed at the time the order of adjournment is made. (Government Code sections 11128.5, 11129)