

DOCKETED

Docket Number:	23-BUSMTG-01
Project Title:	Business Meeting Agendas, Transcripts, Minutes, and Public Comments
TN #:	249690
Document Title:	Order and Resolutions for the April 12 2023 Business Meeting
Description:	N/A
Filer:	Liza Lopez
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	4/14/2023 2:53:35 PM
Docketed Date:	4/14/2023

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: American Council for an Energy-Efficient Economy

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement 100-22-003 with American Council for an Energy-Efficient Economy for a \$12,000 co-sponsorship contract, use of the CEC logo to support the 2023 Behavior, Energy & Climate Change Conference. The conference is scheduled for November 12-15, 2023, in Sacramento; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan

NAY: NONE

ABSENT: Gunda, McAllister

ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Verdant Associates LLC

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement 800-22-006 with Verdant Associates LLC for a \$500,000 contract to provide technical assistance in support of the Demand Scenarios Project. These demand scenarios project energy consumption for electricity and fuels based on assumptions that reflect energy policies and programs to decarbonize California's economy. They are a key input into the requirements of Senate Bill (SB) 100 to assess the complete decarbonization of the electric generation sector; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan
NAY: NONE
ABSENT: Gunda, McAllister
ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Vacaville Unified School District

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Amendment 3 to Agreement ARV-19-067 with Vacaville Unified School District to add \$126,562 to the budget and update the special terms and conditions. These changes are needed to procure previously awarded electric school buses because of supply chain issues and increased manufacturing costs; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan
NAY: NONE
ABSENT: Gunda, McAllister
ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Burton Elementary School District

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement 001-22-ECG with Burton Elementary School District for a \$995,083 loan at zero percent interest. This loan will finance the retrofit of existing interior lighting to LEDs at eight sites. Upon completion, the project is estimated to save 526,816 kWh and approximately \$133,629 in utility costs per year; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan
NAY: NONE
ABSENT: Gunda, McAllister
ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Sundale Union Elementary School District

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement 002-22-ECG with Sundale Union Elementary School District (Sundale) for a \$2,286,703 loan at zero percent interest. This loan will finance the installation of a 440 kW carport structure photovoltaic (PV) system at Sundale's single school site. Upon completion, the project is estimated to save 678,301 kWh and approximately \$117,542 in utility costs per year; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan

NAY: NONE

ABSENT: Gunda, McAllister

ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Hanford Elementary School District

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement 003-22-ECG with Hanford Elementary School District for a \$2,202,584 loan at zero percent interest. The loan will finance the installation of two carport solar PV arrays totaling 372.6 kW at two sites. Upon completion, the project is estimated to save 600,486 kWh and approximately \$111,042 in utility costs per year; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan

NAY: NONE

ABSENT: Gunda, McAllister

ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Kings River Union Elementary School District

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement 004-22-ECG with Kings River Union Elementary School District for a \$1,072,271 loan at zero percent interest. The loan will finance the installation of one ground-mounted solar PV array of 208.8 kW at one site. Upon completion, the project is estimated to save 348,185 kWh and approximately \$79,128 in utility costs per year; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan

NAY: NONE

ABSENT: Gunda, McAllister

ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Alta Vista Elementary School District

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement 005-22-ECG with Alta Vista Elementary School District for a \$1,422,956 loan at zero percent interest. The loan will finance the installation of one ground-mounted solar PV array of 302.4 kW at one site. Upon completion, the project is estimated to save 483,822 kWh and approximately \$78,772 in utility costs per year; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan
NAY: NONE
ABSENT: Gunda, McAllister
ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Eagle Rock Analytics, Inc.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Amendment 1 to Agreement EPC-20-007 for a Novation in which the original recipient, Owen Doherty, Ph.D., doing business as Eagle Rock Analytics (Sole Proprietor), has changed legal entity status, and registered with the California Secretary of State as Eagle Rock Analytics, Inc. (an S-Corporation). The project will continue producing a "Climate Data and Analytics Platform to Support California's Electricity Resilience" under the new entity with no other changes to the agreement; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan
NAY: NONE
ABSENT: Gunda, McAllister
ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Eagle Rock Analytics, Inc.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Amendment 1 to Agreement EPC-21-037 for a Novation in which the original recipient, Owen Doherty, Ph.D., doing business as Eagle Rock Analytics (Sole Proprietor), has changed legal entity status, and registered with the California Secretary of State as Eagle Rock Analytics, Inc. (an S-Corporation). The project will continue climate-informed generation capacity modeling under the new entity with no other changes to the agreement; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan

NAY: NONE

ABSENT: Gunda, McAllister

ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Eagle Rock Analytics, Inc.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Amendment 1 to Agreement EPC-21-038 for a Novation in which the original recipient, Owen Doherty, Ph.D., doing business as Eagle Rock Analytics (Sole Proprietor), has changed legal entity status, and registered with the California Secretary of State as Eagle Rock Analytics, Inc. (an S-Corporation). The project will continue developing a new Cal-Adapt web application under the new entity with no other changes to the agreement; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan

NAY: NONE

ABSENT: Gunda, McAllister

ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Eagle Rock Analytics, Inc.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Amendment 2 to Agreement PIR-19-006 for a Novation in which the original recipient, Owen Doherty, Ph.D., doing business as Eagle Rock Analytics (Sole Proprietor), has changed legal entity status, and registered with the California Secretary of State as Eagle Rock Analytics, Inc. (an S-Corporation). The project will continue developing a weather data assimilation platform under the new entity with no other changes to the agreement; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan

NAY: NONE

ABSENT: Gunda, McAllister

ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION APPROVING THIRD-PARTY NONRESIDENTIAL COMPLIANCE
SOFTWARE INTEGRATED ENVIRONMENTAL SOLUTIONS VIRTUAL
ENVIRONMENT (IES VE) TITLE 24 2022 VERSION 1.0 FOR THE 2022 ENERGY
CODE

WHEREAS, the Warren-Alquist State Energy Resources Conservation and Development Act, Public Resources Code sections 25000 et seq., 25402.1(b), requires the California Energy Commission (CEC) to, among other things, establish a process for certifying calculation methods for demonstrating compliance with its building energy efficiency standards; and

WHEREAS, as allowed by the *2022 Building Energy Efficiency Standards* (Energy Code), California Code of Regulations, Title 24, Part 1, Chapter 10, sections 10-109(c) and 10-110, an application was submitted to approve IES VE Title 24 2022 Version 1.0 as an alternative calculation method (ACM); and

WHEREAS, staff of the CEC reviewed and tested IES VE Title 24 2022 Version 1.0 to ensure it meets the requirements, specifications, and criteria for building energy models set forth in the *2022 ACM Approval Manual*, CEC-400-2022-014-CMF (August 2022).

THEREFORE BE IT RESOLVED, that the CEC approves IES VE Title 24 2022 Version 1.0, pursuant to Energy Code section 10-109, for estimating energy consumed by nonresidential new-construction buildings as specified in Public Resources Code section 25402.1(a), and for demonstrating compliance with the performance-based nonresidential new-construction provisions of the *2022 Energy Code*, California Code of Regulations, Title 24, Parts 1 and 6; and

FURTHER BE IT RESOLVED, that the CEC directs the executive director or their designee to take all actions reasonably necessary to implement this resolution, including as follows:

- Post information on the CEC's public website as to how to obtain IES VE Title 24 2022;
- Ensure that IES VE Title 24 2022, a nonresidential ACM, is maintained and revised to accurately estimate the energy use of nonresidential buildings; and

- Review and approve updates to vender software, consistent with Section 1 of the *2022 ACM Approval Manual*.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan

NAY: NONE

ABSENT: Gunda, McAllister

ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

ALAMITOS ENERGY CENTER

Docket No.: 13-AFC-01C

**ORDER APPROVING POST
CERTIFICATION PETITION TO
AMEND**

I. BACKGROUND

On August 27, 2022, AES Alamos Energy, LLC, the project owner, filed a post certification petition with the California Energy Commission (CEC) requesting to amend the Alamos Energy Center (AEC) Final Commission Decision (Decision).

The AEC was certified by the CEC in April 2017 as a 1,040-megawatt (MW) power plant project, with a 640 MW combined-cycle, natural gas-fired power block, and two simple cycle gas-fired turbines that would produce 400 MW. To date, the simple-cycle turbines have not been built. The 640 MW combined-cycle portion of the project began operation in February 2020. The facility is located at 690 North Studebaker Road in the City of Long Beach, Los Angeles County.

The project owner is seeking approval to install two identical 1,112 brake horsepower emergency diesel-fired internal combustion engine (ICE) generators. The primary purpose of the generators is to provide power supply to critical plant equipment in the combined cycle gas turbine (CCGT) power block during the gas turbine shutdown periods in the event of an electrical emergency. Ten new Air Quality Conditions of Certification are being added to the AFC License for consistency with the new Authority to Construct permit issued by the South Coast Air Quality Management District (SCAQMD), to make the effect on the environment less than significant.

California Code of Regulations, title 20, section 1769 requires a project owner to petition the CEC for the approval of any change it proposes to the project design, operation, or performance requirements of a certified facility.

Pursuant to California Code of Regulations, title 20, section 1769(a)(3), staff has reviewed the petition and determined the proposed change does not meet the criteria for staff approval. Consistent with California Code of Regulations, title 20, section 1769(a)(4), staff is bringing this petition to the Commission for approval.

California Code of Regulations, title 20, section 1769(a)(4)(A) requires the CEC to issue an order approving, rejecting, or modifying the petition or assign the matter for further proceedings before the CEC or an assigned committee or hearing officer and, additionally if applicable, requires the CEC to approve the proposed change only if it can make the findings specified in California Code of Regulations, title 20, section 1748(b).

Public Resources Code section 21166 specifies that a subsequent or supplemental environmental impact report (EIR) is not required unless one or more of the following occur: (a) substantial changes are proposed in the project which will require major revisions of the EIR; (b) substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the EIR; (c) new information, which was not known and could not have been known at the time the IER was certified as complete, becomes available.

Additionally, California Code of Regulations, title 14, section 15162(a) specifies that, when an environmental impact report (EIR) has been certified or a negative declaration adopted for a project, a subsequent EIR does not need to be prepared unless the agency determines one or more of the following: (1) substantial changes are proposed that will require major revisions of the EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions to the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; or (3) new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted shows specified significant effects or mitigation measures.

II. STAFF RECOMMENDATION

On March 7, 2023, staff filed their review of the petition and concluded that approving the petition to amend is consistent with California Code of Regulations, title 20, section 1769(a)(4). Staff recommends adding new Conditions of Certification **AQ-EG1** through **AQ-EG10** for consistency with the new Authority to Construct permit issued by the SCAQMD to make the effect on the environment less than significant. With the inclusion of staff's recommended changes to the project's conditions of certification, the proposed change (1) will not have a significant impact on the environment or is exempt from the California Environmental Quality Act (CEQA), and (2) will not cause the project to fail to comply with any applicable laws, ordinances, regulations, and standards. Additionally, staff determined the findings required to be made by the CEC pursuant to California Code of Regulations, title 20, section 1769(a)(4)(A), and as specified in California Code of Regulations, title 20, section 1748(b), do not apply.

Lastly, staff concludes the proposed change does not meet the criteria requiring the production of subsequent or supplement EIR review, consistent with Public Resources Code section 21166 and California Code of Regulations, title 14, section 15162.

III. ENERGY COMMISSION FINDINGS

Pursuant to California Code of Regulations, title 20, section 1769(a)(4), the CEC concurs with staff's recommendation and finds that the petition with the inclusions of staff's recommended changes to the project's conditions of certification for Air Quality (1) will not have a significant impact on the environment or is exempt from the California Environmental Quality Act (CEQA) and (2) will not cause the project to fail to comply with any applicable laws, ordinances, regulations, and standards. The CEC also concurs with staff's recommendation that the findings required to be made by the CEC pursuant to California Code of Regulations, title 20, section 1769(a)(4)(A), and as specified in California Code of Regulations, title 20, section 1748(b), do not apply.

Lastly, the CEC concurs with staff and finds that the proposed change does not meet the criteria requiring the production of subsequent or supplemental review consistent with Public Resources Code section 21166 and California Code of Regulations, title 14, section 15162.

IV. CONCLUSION AND ORDER

The CEC hereby adopts staff's recommendation, including the new conditions of certification as published on March 7, 2023, and grants the petition allowing for installation of two identical 1,112 brake horsepower emergency diesel-fired internal combustion engine (ICE) generators to provide power supply to critical plant equipment in the CCGT power block during the gas turbine shutdown periods in the event of an electrical emergency.

IT IS SO ORDERED.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the CEC held on April 12, 2023.

AYE: Hochschild, Gallardo, Monahan
NAY: NONE
ABSENT: Gunda, McAllister
ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

**STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION FINDING BUILDING ENERGY EFFICIENCY STANDARDS
CONTAINED IN CITY OF GLENDALE'S ORDINANCE NO. 5999 SATISFY
STATUTORY REQUIREMENTS UNDER PUBLIC RESOURCES CODE SECTION
25402.1(h)(2):**

WHEREAS, The City of Glendale adopted Ordinance No. 5999, which establishes certain locally adopted building energy efficiency standards; and

WHEREAS, Public Resources Code section 25402(a) and (b) establishes that the California Energy Commission (CEC) shall prescribe, by regulation, statewide building energy efficiency standards; and

WHEREAS, Public Resources Code section 25402.1(h)(2) provides that nothing in Public Resources Code section 25402(a) or (b) shall prohibit the enforcement of city or county building energy efficiency standards if: (1) the city or county files the basis of its determination that the standards are cost-effective with the CEC, and (2) the CEC finds that the locally adopted standards will require the diminution of energy consumption levels permitted by the rules and regulations adopted pursuant to Public Resources Code section 25402(a) and (b); and

WHEREAS, California Code of Regulations, Title 24, Part 1, section 10-106 establishes a process for local governmental agencies to submit an application to the CEC for a determination that locally adopted building energy efficiency standards meet the requirements set forth in Public Resources Code section 25402.1(h)(2); and

WHEREAS, The City of Glendale submitted an application to the CEC on December 12, 2022, that included (1) the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 5999 are cost-effective, and (2) documentation that the locally adopted energy efficiency standards contained in Ordinance No. 5999 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, as required by California Code of Regulations, Title 24, section 10-106; and

WHEREAS, The CEC has analyzed whether the locally adopted energy efficiency standards contained in Ordinance No. 5999 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, and determined that it will do so; and

WHEREAS, California Code of Regulations, Title 24, Part 1, section 10-106(b) requires that the local governmental agency's application include any findings, determinations, declarations, or reports, including any negative declaration or environmental impact report, required pursuant to the California Environmental Quality Act, Public Resources Code section 21000 et seq; and

WHEREAS, The City of Glendale, in its application to the CEC, submitted the California Environmental Quality Act documentation required by California Code of Regulations, Title 24, Part 1, section 10-106(b)(4).

THEREFORE, BE IT RESOLVED, that the CEC finds the locally adopted energy efficiency and conservations standards application filed by the City of Glendale satisfy the requirements of Title 24, California Code of Regulations, section 10-106; and

THEREFORE, BE IT FURTHER RESOLVED, that, pursuant to Public Resources Code section 25402.1(h)(2), the CEC finds the following: (1) the City of Glendale has filed the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 5999 are cost-effective, and (2) Ordinance No. 5999 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards; and

THEREFORE BE IT FURTHER RESOLVED, that the CEC directs the executive director or their designee to take all actions necessary to implement this Resolution.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan
NAY: NONE
ABSENT: Gunda, McAllister
ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION FINDING BUILDING ENERGY EFFICIENCY STANDARDS
CONTAINED IN CITY OF MENLO PARK'S ORDINANCE NO. 1093 SATISFY
STATUTORY REQUIREMENTS UNDER PUBLIC RESOURCES CODE SECTION
25402.1(h)(2):

WHEREAS, The City of Menlo Park adopted Ordinance No. 1093, which establishes certain locally adopted building energy efficiency standards; and

WHEREAS, Public Resources Code section 25402(a) and (b) establishes that the California Energy Commission (CEC) shall prescribe, by regulation, statewide building energy efficiency standards; and

WHEREAS, Public Resources Code section 25402.1(h)(2) provides that nothing in Public Resources Code section 25402(a) or (b) shall prohibit the enforcement of city or county building energy efficiency standards if: (1) the city or county files the basis of its determination that the standards are cost-effective with the CEC, and (2) the CEC finds that the locally adopted standards will require the diminution of energy consumption levels permitted by the rules and regulations adopted pursuant to Public Resources Code section 25402(a) and (b); and

WHEREAS, California Code of Regulations, Title 24, Part 1, section 10-106 establishes a process for local governmental agencies to submit an application to the CEC for a determination that locally adopted building energy efficiency standards meet the requirements set forth in Public Resources Code section 25402.1(h)(2); and

WHEREAS, The City of Menlo Park submitted an application to the CEC on January 5, 2023, that included (1) the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 1093 are cost-effective, and (2) documentation that the locally adopted energy efficiency standards contained in Ordinance No. 1093 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, as required by California Code of Regulations, Title 24, section 10-106; and

WHEREAS, The CEC has analyzed whether the locally adopted energy efficiency standards contained in Ordinance No. 1093 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, and determined that it will do so; and

WHEREAS, California Code of Regulations, Title 24, Part 1, section 10-106(b) requires that the local governmental agency's application include any findings, determinations, declarations, or reports, including any negative declaration or environmental impact report, required pursuant to the California Environmental Quality Act, Public Resources Code section 21000 et seq; and

WHEREAS, The City of Menlo Park, in its application to the CEC, submitted the California Environmental Quality Act documentation required by California Code of Regulations, Title 24, Part 1, section 10-106(b)(4).

THEREFORE, BE IT RESOLVED, that the CEC finds the locally adopted energy efficiency and conservations standards application filed by the City of Menlo Park satisfy the requirements of Title 24, California Code of Regulations, section 10-106; and

THEREFORE, BE IT FURTHER RESOLVED, that, pursuant to Public Resources Code section 25402.1(h)(2), the CEC finds the following: (1) the City of Menlo Park has filed the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 1093 are cost-effective, and (2) Ordinance No. 1093 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards; and

THEREFORE BE IT FURTHER RESOLVED, that the CEC directs the executive director or their designee to take all actions necessary to implement this Resolution.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan
NAY: NONE
ABSENT: Gunda, McAllister
ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION FINDING BUILDING ENERGY EFFICIENCY STANDARDS
CONTAINED IN COUNTY OF MARIN'S ORDINANCE NO. 3776 SATISFY
STATUTORY REQUIREMENTS UNDER PUBLIC RESOURCES CODE SECTION
25402.1(h)(2):

WHEREAS, The County of Marin adopted Ordinance No. 3776, which establishes certain locally adopted building energy efficiency standards; and

WHEREAS, Public Resources Code section 25402(a) and (b) establishes that the California Energy Commission (CEC) shall prescribe, by regulation, statewide building energy efficiency standards; and

WHEREAS, Public Resources Code section 25402.1(h)(2) provides that nothing in Public Resources Code section 25402(a) or (b) shall prohibit the enforcement of city or county building energy efficiency standards if: (1) the city or county files the basis of its determination that the standards are cost-effective with the CEC, and (2) the CEC finds that the locally adopted standards will require the diminution of energy consumption levels permitted by the rules and regulations adopted pursuant to Public Resources Code section 25402(a) and (b); and

WHEREAS, California Code of Regulations, Title 24, Part 1, section 10-106 establishes a process for local governmental agencies to submit an application to the CEC for a determination that locally adopted building energy efficiency standards meet the requirements set forth in Public Resources Code section 25402.1(h)(2); and

WHEREAS, The County of Marin submitted an application to the CEC on November 23, 2022, that included (1) the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 3776 are cost-effective, and (2) documentation that the locally adopted energy efficiency standards contained in Ordinance No. 3776 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, as required by California Code of Regulations, Title 24, section 10-106; and

WHEREAS, The CEC has analyzed whether the locally adopted energy efficiency standards contained in Ordinance No. 3776 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, and determined that it will do so; and

WHEREAS, California Code of Regulations, Title 24, Part 1, section 10-106(b) requires that the local governmental agency's application include any findings, determinations, declarations, or reports, including any negative declaration or environmental impact report, required pursuant to the California Environmental Quality Act, Public Resources Code section 21000 et seq; and

WHEREAS, The County of Marin, in its application to the CEC, submitted the California Environmental Quality Act documentation required by California Code of Regulations, Title 24, Part 1, section 10-106(b)(4).

THEREFORE, BE IT RESOLVED, that the CEC finds the locally adopted energy efficiency and conservations standards application filed by the County of Marin satisfy the requirements of Title 24, California Code of Regulations, section 10-106; and

THEREFORE, BE IT FURTHER RESOLVED, that, pursuant to Public Resources Code section 25402.1(h)(2), the CEC finds the following: (1) the County of Marin has filed the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 3776 are cost-effective, and (2) Ordinance No. 3776 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards; and

THEREFORE BE IT FURTHER RESOLVED, that the CEC directs the executive director or their designee to take all actions necessary to implement this Resolution.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan
NAY: NONE
ABSENT: Gunda, McAllister
ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Pattern Solar and Storage Development LLC

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff California Environmental Quality Act (CEQA) findings contained and the noncompetitive award determination in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement LDS-22-002 with Pattern Solar and Storage Development LLC, for a \$79,600 grant to conduct a use case and market analytics assessment and prepare for commercial deployment of a 5 MW (500 MWh), non-lithium-ion, long-duration energy storage system. This project will assess the capability of an iron-air, multi-day storage system to both support the integration of intermittent renewable resources and provide multiple days of continuous, zero-carbon power to the grid; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan
NAY: NONE
ABSENT: Gunda, McAllister
ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Linde Inc.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement ARV-22-010 with Linde Inc. for a \$3,000,000 grant to expand the supply of renewable hydrogen for the California market by integrating polymer electrolyte membrane electrolysis technology at its existing Ontario, California hydrogen facility; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan

NAY: NONE

ABSENT: Gunda, McAllister

ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

RESOLUTION

Whereas, James “Jim” Walker was born July 2, 1944, in Bethlehem, Pennsylvania. He earned a bachelor’s degree in physics from Princeton University and a doctorate in business from the Harvard Business School; and

Whereas, Walker served as an energy advisor in the Nixon and Ford Administrations; and

Whereas, Walker provided leadership to the California Energy Commission in its early days serving as executive director from 1978 to 1979 and as a commissioner from 1979 to 1982; and

Whereas, Walker was a visionary who spent decades pioneering wind development in California and on three continents; and

Whereas, as an Energy Commission commissioner, Walker helped bring the first commercial wind farms in the world to the Altamont, Tehachapi and San Geronio passes; and

Whereas, after leaving the commission, Walker continued advancing clean energy policy as vice president of MCR Geothermal, as a governmental affairs representative to Edison Mission Energy, and as vice chairman of EDF Renewable Energy; and

Whereas, Walker further advanced clean energy as director and co-founder of Nordic Windpower, a wind turbine manufacturer; co-founder of Princeton Development Corporation, an independent developer of energy efficiency and renewable energy projects in the U.S. and Europe; and a principal with Asociados PanAmericanos, a developer of community wind projects in Mexico; and

Whereas, Walker provided leadership to the U.S. wind industry as board president of the American Wind Energy Association from 2008 to 2009 and as the association’s Wind Industry Person of the Year in 2007; and

Whereas, in 2008, Walker founded the American Wind Wildlife Institute (now known as the Renewable Energy Wildlife Institute), which facilitates the responsible development of wind and solar energy while protecting wildlife and wildlife habitat; and

Whereas, in 2008, Walker co-founded and then served as Chairman of Pacific Environment, an environmental organization based in San Francisco, whose objective is to protect the living environment of countries around the Pacific Rim; and

Whereas, Jim is remembered by friends, family, and colleagues as a man of exceptional personal grace and good humor, as thoughtful and generous, as an inspirational leader for our times.

NOW, THEREFORE, BE IT RESOLVED that the California Energy Commission recognizes and commends

James “Jim” Walker

For his outstanding contributions to a sustainable energy future.

David Hochschild, Chair

Siva Gunda, Vice Chair

J. Andrew McAllister, Ph.D., Commissioner

Patty Monahan, Commissioner

Noemí Otilia Osuna Gallardo, Commissioner

Drew Bohan, Executive Director



April 2023

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Electric Program Investment Charge 2022 Annual Report

RESOLVED, Public Resources Code Section 25711.5(f) requires the Energy Commission to prepare and submit to the Legislature an Electric Program Investment Charge (EPIC) Program Annual Report by April 30th of each year, reporting information on activities and projects funded in the previous calendar year; and

RESOLVED, Section 25711.5(f) requires the EPIC annual reports to provide specific information for each project awarded, concluded, or ongoing during the reporting period, including, but not limited to: award recipients and amounts, project descriptions, how projects will lead to technological advancements or breakthroughs, how awards were made, administrative and overhead costs, and the impact on program administration from the low-income and disadvantaged community allocations; and

RESOLVED, Energy Commission staff have prepared the EPIC 2022 Annual Report in accordance with the requirements of Public Resources Code Section 25711.5(f), and California Public Utilities Commission (CPUC) EPIC decisions including Decisions 12-05-037, 13-11-025, and 15-04-020; and

RESOLVED, that the CEC approves the EPIC 2022 Annual Report; and directs the Executive Director, or his designee, to take the following action:

- Finalize the EPIC 2022 Annual Report, including but not limited to incorporating any changes presented and adopted today along with any non-substantive changes such as typographical corrections and graphical formatting;
- Forward the final report to the Legislature and to the CPUC;
- Make the final report available to the public on the Energy Commission's website; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan

NAY: NONE

ABSENT: Gunda, McAllister

ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**Preparing the 2023 Integrated Energy
Policy Report (2023 IEPR)**

Docket No.: 23-IEPR-01

**ORDER INSTITUTING
INFORMATIONAL PROCEEDING**

I. Background

The California Energy Commission (CEC) is required to adopt the Integrated Energy Policy Report (IEPR) every two years. The IEPR contains an overview of major energy trends and issues facing the state, as well as a number of detailed assessments of energy supply and demand, energy reliability, efficiency, and other energy issues affecting the state's economy, public health and safety, and environment. The IEPR requires participation from, and coordination with an array of public and private stakeholders, including utilities, public agencies, marketers, producers, generators, importers and exporters, and others, many of whom submit detailed information to support the CEC's analytical efforts. Development of the IEPR is a public process, and numerous workshops and other opportunities for public participation are provided throughout the year-long proceeding. All IEPR events are publicly noticed, and all submissions are received into one of several IEPR dockets maintained for the proceeding, which together serve as the basis for the recommendations in the final IEPR.

II. Assignment of the Committee and Scope

Determining the scope of the *2023 IEPR* begins with review of the applicable statutory provisions, found in Public Resources Code sections 25301 et seq, and specific sections of the Public Utilities Code and Health and Safety Code which direct the CEC to periodically report on certain information and assessments in the IEPR.

Commissioner Patty Monahan is the Lead Commissioner for the *2023 IEPR* and Vice Chair Siva Gunda is the Associate Commissioner.

On March 29, 2023, the 2023 IEPR Lead Commissioner, Patty Monahan, issued a scoping order identifying the topics that will be examined in the *2023 IEPR*. In addition to analyses specifically required by statute, the *2023 IEPR* will address four major topics as described in further detail in the attached *2023 IEPR Scoping Order*.

- Accelerated connection of clean energy.
- Electricity and natural gas forecast.

- Potential growth of hydrogen.
- Updates.

The scoping order is attached and available at [2023 Integrated Energy Policy Report](#) or at <https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2023-integrated-energy-policy-report>. The *2023 IEPR* may also address other topics as the Lead Commissioner deems necessary.

III. Hearings and Workshops

The first workshop for this proceeding was held on January 13, 2023. Additional hearings will be held and separately noticed. The Commissioners responsible for overseeing the *2023 IEPR* will issue notices at least ten days in advance of their respective hearings and workshops and will identify at that time when written comments and testimony will be due, as well as the manner of the filing. Any person may make oral comments on the subject of this proceeding at these hearings and workshops. The written public comment periods for this proceeding, and the manner in which they will be required to be filed, will be established by separate notice.

IV. Authority

Pursuant to Public Resources Code section 25210 and California Code of Regulations, Title 20, section 1220(b), informational proceedings allow the CEC to hold hearings and take other actions to gather and assess information needed to assist it in formulating policies. Instituting an informational proceeding with the adoption of this Order ensures that the assigned Commissioners responsible for overseeing the preparation of the *2023 IEPR* can collect the information needed to complete the required analyses and assessments.

V. Participation

Those interested in receiving notices of workshops and hearings for the *2023 IEPR* can subscribe at <https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2023-integrated-energy-policy-report>. (Scroll down the right side of the page to find “subscribe.”). Alternatively, parties may go to [CEC Subscriptions](#), https://ww2.energy.ca.gov/listservers/index_cms.html to sign up for the energypolicy subscription topic. There will be opportunities for providing written comments before and during these hearings, the details of which will be specified in the notice issued for each hearing. In general, the following instructions will apply, but may be modified in the hearing notice:

For the *2023 IEPR*, the CEC is using an electronic commenting system. Visit the [website](#)

At <https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2023-integrated-energy-policy-report>. Please select and expand the appropriate docket (there are 7 separate dockets for the *2023 IEPR* and more may be added as needed) and click

on the “**Submit e-Comment**” link. This will take you to the page for adding comments to that docket. Please enter your contact information and comment title. You may include comments in the box titled “Comment Text” or attach a file with your comments. Attached comments must be in a Microsoft® Word (.doc, .docx) or Adobe® Acrobat® (.pdf) formatted file. The CEC encourages use of its electronic commenting system, but written comments may be submitted by emailing them to the Dockets Office, or by U.S. Mail to:

California Energy Commission
Dockets Unit, MS-4
Re: Docket No. 23-IEPR-01
715 P Street
Sacramento, CA 95814

If you choose not to use the electronic filing system, please include the appropriate docket number on any emailed or written comments. Comments may alternatively be emailed to docket@energy.ca.gov, with the appropriate docket number provided in the subject line. Please note that your electronic, emailed, written and oral comments, attachments, and associated contact information (for example, address, phone number, and email address) become part of the viewable public record. Additionally, this information may become available via Google, Yahoo, and other search engines.

Any person may make oral comments on the subject of the proceeding at workshops and hearings for the *2023 IEPR*; the notice for each workshop will identify further details and any limitations surrounding the provision of such comments. The Lead and Associate Commissioners overseeing the *2023 IEPR* may also require the presence and participation of certain persons, consistent with the nature and purpose of the proceeding.

The CEC’s Public Advisor provides the public with assistance in participating in CEC proceedings. For information on participation or to request interpreting services or reasonable accommodations, please contact the Public Advisor, Mona Badie, at publicadviser@energy.ca.gov, by phone at (916) 654-4489, or toll free at (800) 822-6228. Requests for interpreting services and reasonable accommodations should be made at least five days in advance. The CEC will work diligently to accommodate all requests.

If you have questions about the subject matter of this order, please contact Heather Raitt, Assistant Executive Director for Policy Development, at (916) 628-2355 or by email at Heather.Raitt@energy.ca.gov.

Direct media inquiries to mediaoffice@energy.ca.gov or (916) 654-4989.

VI. Conclusion and Order

The CEC therefore appoints the Lead and Associate Commissioners named above and orders the institution of an informational proceeding for the *2023 IEPR*, directing the Executive Director and staff to gather and assess the information needed to prepare the

2023 IEPR consistent with the scope identified in section II above, under guidance of the Lead and Associate Commissioners.

IT IS SO ORDERED.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the CEC held on April 12, 2023.

AYE: Hochschild, Gallardo, Monahan

NAY: NONE

ABSENT: Gunda, McAllister

ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

STACK Trade Zone Park

Docket No.: 21-SPPE-02

**ORDER CERTIFYING THE FINAL
ENVIRONMENTAL IMPACT REPORT
AND GRANTING THE SMALL
POWERPLANT EXEMPTION**

I. BACKGROUND

Under the Public Resources Code, the California Energy Commission (CEC) has the exclusive jurisdiction to approve or deny applications for the construction and operation of thermal powerplants that have the capacity to generate 50 megawatts (MW) or more of electricity. Public Resources Code section 25541 creates an exemption to this exclusive jurisdiction whereby local permitting entities would obtain jurisdiction over the approval of the site and related facility if, among other criteria, the site and related facility would not generate more than 100 MW of electricity. This exemption is referred to as a Small Power Plant Exemption (SPPE).

The CEC may grant an SPPE for a thermal powerplant with a generating capacity from 50 MW to 100 MW if the commission finds that no substantial adverse impact on the environment or energy resources will result from the construction or operation of the proposed facility. Moreover, Public Resources Code section 25519(c) designates the CEC as the “lead agency” under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) for SPPE applications.

STACK Infrastructure is seeking an SPPE for the STACK Trade Zone Park project (21-SPPE-02). STACK Trade Zone Park would include an advanced manufacturing building (AMB), two data center buildings, a backup generating facility, a parking garage, and related utility infrastructure, which together constitute the “project” under CEQA. The generating facility would consist of 36 3-MW and 3 1-MW diesel-fired emergency backup generators to provide up to 91 MW to the data center buildings and the AMB in case of a loss of electrical power from Pacific Gas and Electric Company (PG&E).

II. EXECUTIVE DIRECTOR'S RECOMMENDATION

California Code of Regulations, title 20, section 1942 requires the Executive Director to recommend findings to the CEC on whether the application meets the requirements of Public Resources Code section 25541. Based on the SPPE application, CEC staff's Final Environmental Impact Report (FEIR) and other information filed in the proceeding, the Executive Director recommends the CEC find that the requirements of Public Resources Code section 25541 are met, that the FEIR be certified, and that the SPPE application be granted.

III. ENERGY COMMISSION FINDINGS

Based on the exercise of our independent judgment and review, and considering the record as a whole, we hereby adopt the following findings pursuant to Public Resources Code sections 21000 et seq. and 25541, and applicable implementing regulations:

1. The generating capacity of the project will not exceed 100 megawatts.
2. The construction and operation activities of the project will not create a substantial adverse impact on the environment.
3. The construction and operation activities of the project will not create a substantial adverse impact on energy resources.
4. The FEIR has been prepared in compliance with the California Environmental Quality Act and thoroughly and adequately analyzes potential environmental and energy resources impacts.
5. The imposition and implementation of the mitigation measures will ensure that the STACK Trade Zone Park will not have any significant environmental impacts.
6. The Mitigation Monitoring and Reporting Program (MMRP) set forth in Section 7 Mitigation Monitoring and Reporting Program of the FEIR, and the agreement by the City of San José to serve as the enforcement agency for the MMRP will ensure that the project complies with all requirements in the MMRP.

IV. CONCLUSION AND ORDER

Therefore, we order the following:

1. We hereby CERTIFY the Final Environmental Impact Report and that the requirements of California Code of Regulations, title 14, section 15090(a) have been met.
2. We hereby ADOPT, and incorporate by reference, the MMRP for the Project that is set forth in Section 7 Mitigation Monitoring and Reporting Program of the FEIR, to be overseen by the City of San José.

3. The SPPE application is GRANTED exempting the STACK Trade Zone Park from the Application for Certification provisions of the CEC's power plant licensing process. This Order is adopted, issued, effective, and final on April 12, 2023.

4. The CEC staff shall file a Notice of Determination with the State Clearinghouse within five business days of April 12, 2023, subject to Applicant paying all applicable filing fees.

IT IS SO ORDERED.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the CEC held on April 12, 2023.

AYE: Hochschild, Gallardo, Monahan

NAY: NONE

ABSENT: Gunda, McAllister

ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

Adoption of Residential Solar Permit Reporting Proposed Guidelines

WHEREAS, Senate Bill 379 (Wiener, Chapter 356, Statutes of 2022) (SB 379), as codified in Government Code section 65850.52(e)(1), directs the State Energy Resources Conservation and Development Commission (CEC) to administer the Solar Permit Reporting Guidelines as codified in Government Code section 65850.52, and directs the CEC to “set guidelines for cities, counties, and cities and counties to report to the commission on the number of permits issued for residential solar energy systems and residential energy storage systems paired with residential solar energy systems and the relevant characteristics of those systems” (Government Code § 65850.52(e)(1)); and

WHEREAS, on November 22, 2022, the CEC issued a workshop notice, informing stakeholders that a workshop for the Residential Solar Permit Reporting Proposed Guidelines would be held on December 8, 2022; and

WHEREAS, on December 6, 2022, the CEC released and published the Residential Solar Permit Reporting Proposed Guidelines to solicit stakeholder feedback, which was presented at a public workshop on December 8, 2022; and

WHEREAS, the CEC made the Proposed Guidelines available for a thirty-day public comment period, starting December 8, 2022 and ending January 9, 2023, pursuant to Government Code section 65850.52(e)(2); and

WHEREAS, the CEC’s legal office has considered the application of the California Environmental Quality Act (CEQA) to the CEC’s adoption of the Proposed Guidelines and determined that the CEC’s adoption of these Guidelines is exempt from CEQA under Title 14, California Code of Regulations, sections 15307, 15308, and 15061(b)(3); and

WHEREAS, the CEC is exempt from the Administrative Procedure Act (APA) pursuant to Government Code section 65850.52(e)(3); and

THEREFORE, BE IT RESOLVED, the CEC hereby adopts the Proposed Guidelines for the Residential Solar Permit Reporting, along with any changes identified at its April 12, 2023 Business Meeting; and

FURTHER BE IT RESOLVED, the CEC hereby finds the adoption of the Guidelines to be exempt from CEQA under California Code of Regulations, title 14, sections 15307 and 15308 (Class 7 and 8 exemptions) and section 15061(b)(3) (common sense

exemption); and finds the CEC is exempt from the APA pursuant to Government Code section 65850.52(e)(3); and

FURTHER BE IT RESOLVED, that documents and other materials that constitute the full record can be found at the CEC, 715 P Street, Sacramento, California, 95814 in the custody of the Docket Unit and online in Docket Number [21-SOLAR-01](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-SOLAR-01), <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=21-SOLAR-01>; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall take all steps necessary to implement this resolution.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan
NAY: NONE
ABSENT: Gunda, McAllister
ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: CALSTART, Inc

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement ZVI-22-035 with CALSTART, Inc. for an up to \$25,000,000 block grant to solicit, select, and fund with CEC oversight, projects that will promote in-state battery manufacturing for zero-emission vehicles and related infrastructure. Under this block grant agreement, CEC will perform CEQA review for every proposed sub-grant. Every proposed sub-grant will be brought to a CEC business meeting for approval and a CEQA determination, and no funds may be disbursed until the sub-grant and CEQA determination have been approved; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan
NAY: NONE
ABSENT: Gunda, McAllister
ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: GC Green Incorporated

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement ZVI-22-033 for a \$500,000 grant to install two public direct current fast chargers, one public Level 2 charger, and on-site solar with battery storage at Tule River Eagle Feather Trading Post #1 to increase electric vehicle (EV) charging access and enable greater plug-in EV adoption by the Tule River Indian Tribe of the Tule River Reservation; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan
NAY: NONE
ABSENT: Gunda, McAllister
ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Liminal Insights, Inc

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement EPC-22-010 with Liminal Insights, Inc. for a \$2,750,000 grant to scale the manufacturing of EchoStat ultrasound-based Lithium-ion battery inspection system, transitioning from the predominantly manual assembly of testbench prototypes to mostly automated LRIP of factory-ready equipment. EchoStat is an advanced inspection and analytics platform that provides visibility inside batteries throughout the manufacturing process. This allows customers to detect and resolve design or production flaws in real-time, resulting in quick improvements in quality and productivity while minimizing the exposure to potential defects; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan

NAY: NONE

ABSENT: Gunda, McAllister

ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Next Energy Technologies, Inc

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement EPC-22-011 with Next Energy Technologies Inc. for a \$2,997,395 grant to accelerate commercialization of their innovative power-generating window technology by meeting market-entry production requirements. The thin-film, organic PV technology is applied as a transparent coating directly to windowpanes that provide buildings with onsite clean electricity and protection from solar heat gains. Under this agreement, the recipient will develop and demonstrate manufacturing capabilities that achieve low-rate initial production levels, from their current pilot-scale production tools and processes; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan
NAY: NONE
ABSENT: Gunda, McAllister
ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Skyven Technologies, Inc.

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement EPC-22-012 with Skyven Technologies, Inc. (Skyven) for a \$2,971,730 grant to bring an innovative, industrial steam-generating, heat pump technology to LRIP. This new electric heat pump technology recycles industrial heat waste to aid in the production of industrial steam at temperatures and pressures that have only been achievable using traditional fossil fuel-fired boilers. Skyven has proven the efficacy of this technology in custom-engineered installations, and with this grant, seek to substantially lower installation costs by bringing a packaged, pre-engineered, family of system into LRIP. This simplified design and production process will create a commercially viable solution for electrifying industrial steam generation; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan
NAY: NONE
ABSENT: Gunda, McAllister
ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: TS Conductor Corp

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the CEC approves Agreement EPC-22-013 with TS Conductor Corp. for a \$3,000,000 grant to expand its manufacturing capabilities at its FutureWire facility in Huntington Beach, California. The facility will produce advanced, high-efficiency conductors that can reduce electricity line loss by 40 percent, allowing more generated electricity to reach load centers while lowering the carbon intensity of grid electricity. The project aims to design and commission a new manufacturing line capable of producing up to 2,300 miles of covered smart conductors per year and reduce manufacturing costs by 50 percent; and

FURTHER BE IT RESOLVED, that the Executive Director or their designee shall execute the same on behalf of the CEC.

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 April 12, 2023.

AYE: Hochschild, Gallardo, Monahan

NAY: NONE

ABSENT: Gunda, McAllister

ABSTAIN: NONE

Dated: April 14, 2023

SIGNED BY:

Liza Lopez
Secretariat