

DOCKETED

Docket Number:	23-BUSMTG-01
Project Title:	Business Meeting Agendas, Transcripts, Minutes, and Public Comments
TN #:	251565
Document Title:	Orders & Resolutions of the August 9, 2023 Business Meeting
Description:	N/A
Filer:	Chester Hong
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	8/10/2023 1:26:17 PM
Docketed Date:	8/10/2023

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: The Board of Trustees of the Leland Stanford Junior University

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 800-23-001 with The Board of Trustees of the Leland Stanford Junior University for a \$25,000 one-year contract for the CEC to continue to be a member of the Energy Modeling Forum (EMF) Affiliates Program. The purpose of the membership is to participate in an energy-environmental network of experts and modelers currently working on the EMF 37 Deep Decarbonization & High Electrification Scenarios for North America study, which seeks to explore the opportunities, limitations, trade-offs, and robustness of results associated with high electrification in North America; 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 August 09, 2023.

AYE: Hochschild, Gunda, McAllister, Monahan

NAY: NONE

ABSENT: Gallardo

ABSTAIN: NONE

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Red Bluff 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 007-23-ECG with Red Bluff Union Elementary School District for a \$3,000,000 loan at zero-percent interest. The loan will finance solar photovoltaic (PV) arrays totaling 470 kW-AC at three sites in Tehama County. Upon project completion, it is estimated to reduce 732,656 kWh of electricity consumption in the first year of solar production, saving approximately \$185,317 in utility costs per year. The simple payback period is 16.2 years; 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 August 09, 2023.

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

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Tulare County Office of Education

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 008-23-ECG with Tulare County Office of Education for a \$5,000,000 loan at zero-percent interest. The loan will finance carport solar PV array with battery energy storage, one ground mounted solar PV array, and six electric vehicle (EV) chargers in Tulare County. Upon project completion, it is estimated to reduce 1,269,894 kWh of electricity consumption in the first year of solar production, saving \$265,262 in utility costs per year. The simple payback period is 18.8 years; 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 August 09, 2023.

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

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Guadalupe Union 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 009-23-ECG with Guadalupe Union School District for a \$3,143,496 loan at zero-percent interest. The loan will finance two carport solar PV arrays totaling 248.4 kW, LED lighting retrofits, programmable thermostat and HVAC replacements, and one EV charger at two sites in Santa Barbara County. Upon project completion, it is estimated to reduce 439,426 kWh of electricity consumption in the first year, saving approximately \$160,024 in utility costs per year. The simple payback period is 19.6 years; 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 August 09, 2023.

AYE: Hochschild, Gunda, McAllister, Monahan

NAY: NONE

ABSENT: Gallardo

ABSTAIN: NONE

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Oak Valley 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 010-23-ECG with Oak Valley Union Elementary School District for a \$2,143,877 loan at zero-percent interest. The loan will finance a 279.6 kW ground mounted PV array in Tulare County. Upon project completion, it is estimated to reduce approximately 571,746 kWh of electricity consumption in the first year of solar production, saving approximately \$114,023 in utility costs per year. The simple payback period is approximately 18.8 years; 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 August 09, 2023.

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

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Pacheco 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 011-23-ECG with Pacheco Union Elementary School District for a \$3,000,000 loan at zero-percent interest. The loan will finance two carport PV arrays totaling 280 kW upgraded LED lighting and HVAC systems at two sites in Shasta County. Upon project completion, it is estimated to reduce 527,678 kWh of electricity consumption in the first year of the project, saving approximately \$156,833 in utility costs per year. The simple payback period is 19.1 years; 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 August 09, 2023.

AYE: Hochschild, Gunda, McAllister, Monahan

NAY: NONE

ABSENT: Gallardo

ABSTAIN: NONE

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Alpine Fire Protection 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 001-23-ECI with the Alpine Fire Protection District in for a \$473,790 loan at one percent interest. The loan will finance an 84 kW carport solar PV array in San Diego County. Upon project completion, it is estimated to reduce 132,800 kWh of electricity consumption in the first year of solar production, saving approximately \$27,870 in utility costs per year. The simple payback period is 17.0 years; 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 August 09, 2023.

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

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: City of Clayton

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 002-23-ECI with City of Clayton for a \$1,902,113 loan at one-percent interest. The loan will finance a carport shade structure with a 119.1 kW PV array, a 60 kW EV fast-charging station, LED lighting upgrades, and HVAC and control system upgrades in Contra Costa County. Upon project completion, it is estimated to reduce 575,805 kWh of electricity consumption in the first year, saving approximately \$139,953 in utility costs per year. The simple payback period is 13.6 years; 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 August 09, 2023.

AYE: Hochschild, Gunda, McAllister, Monahan

NAY: NONE

ABSENT: Gallardo

ABSTAIN: NONE

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: City of Newark

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 003-23-ECI with the City of Newark for a \$1,598,265 loan at one percent interest. The loan will finance high efficiency LED luminaries replacement streetlights in Alameda County. Upon project completion, it is estimated to save 828,494 kWh annually, saving approximately \$218,696 in utility costs per year. The simple payback period is 7.3 years; 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 August 09, 2023.

AYE: Hochschild, Gunda, McAllister, Monahan

NAY: NONE

ABSENT: Gallardo

ABSTAIN: NONE

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: ADOPTION OF THE STATEWIDE WATER & ENERGY ELECTRICITY
SUPPLY RELIABILITY RESERVE FUND INVESTMENT PLAN

WHEREAS, Assembly Bill (AB) 205 (Committee on Budget, Chapter 61, Statutes of 2022), AB 178 (Ting, Chapter 56, Statutes of 2022), and AB 180 (Ting, Chapter 44, Statutes of 2021) collectively established the Electricity Supply Strategic Reliability Reserve Program (ESSRRP) and set forth new responsibilities and project activities for the Department of Water Resources (DWR); and

WHEREAS, DWR's Electricity Supply Strategic Reserve Office (ESSRO) manages the ESSRRP in support of improving California's electric reliability, increasing affordability, and accelerating the deployment of resources needed to achieve California's clean energy transition; and

WHEREAS, the requirements of Water Code Section 80710, subdivision (i) directed DWR to prepare an investment plan detailing the terms, costs, and scope of contracts entered into for the ESSRRP after October 31, 2022, and for anticipated future investments; and

WHEREAS, AB 205 also directed DWR to present the investment plan to the State Energy Resources Conservation and Development Commission (CEC) for approval at a CEC business meeting; and

WHEREAS, AB 205 directed the executive director of the CEC to provide written notice of the approval of the investment plan to the Joint Legislative Budget Committee; and

WHEREAS, DWR's investment plan reflects the critical balance between supporting electric reliability, while being a prudent steward of state funds, mitigating project risk, and being cognizant of local communities, and continuing efforts to prioritize zero- and low-emission technologies; and

WHEREAS, DWR submitted the investment plan to the CEC which published the report on June 2, 2023 for public review and comment; and

WHEREAS, the Investment Plan was considered at the June 16, 2023, business meeting and comments were received but no votes were taken on the item; and

WHEREAS, DWR submitted for approval and gave a presentation of the investment plan to the CEC at the August 9, 2023, CEC business meeting.

THEREFORE, BE IT RESOLVED, the CEC hereby adopts and approves DWR's Statewide Water & Energy Electricity Supply Reliability Reserve Fund Investment Plan (June 2023); and

FURTHER BE IT RESOLVED, the CEC will provide written notice of the approval of the investment plan to the Joint Legislative Budget Committee; and

FURTHER BE IT RESOLVED, that DWR's Statewide Water & Energy Electricity Supply Reliability Reserve Fund Investment Plan (June 2023) can be found at the CEC, 715 P Street, Sacramento, California, 95814 in the custody of the Docket Unit and online in [Docket Number 22-RENEW-01](#).

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 August 09, 2023.

AYE: Hochschild, Gunda, McAllister, Monahan

NAY: NONE

ABSENT: Gallardo

ABSTAIN: NONE

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

***Rulemaking on Appliance Efficiency
Regulations for Commercial
Foodservice Equipment***

Docket No.: 23-AAER-01

ORDER INSTITUTING RULEMAKING

I. PURPOSE AND SCOPE OF THE PROCEEDING

Pursuant to the California Public Resources Code Sections 25210, 25213, 25218(e), and 25402(c), and Sections 1220-1225 of Title 20 of the California Code of Regulations (CCR), the California Energy Commission (CEC) hereby institutes a proceeding to consider amendments to the CEC's Appliance Efficiency Regulations (Title 20, C CR, Sections 1601 - 1609).

In this proceeding, the CEC will consider establishing efficiency standards, test procedures, marking requirements, certification requirements, and any other appropriate regulations for four appliances within the commercial foodservice equipment classification: commercial steam cookers, commercial dishwashers, commercial convection ovens, and commercial fryers. The goal of this rulemaking is to reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy and, if applicable, water consumption in the state of California. Additional changes to the CEC's Appliance Efficiency Regulations may also be considered as necessary.

II. DELEGATION OF AUTHORITY

Commissioner J. Andrew McAllister is lead commissioner for this proceeding. The CEC delegates the authority to staff, under the direction of the lead commissioner, to take all actions reasonably necessary to present proposed regulations to the CEC for final adoption, including but not limited to, complying with requirements of the Administrative Procedure Act (Government Code Sections 11340 et seq.) and the California Environmental Quality Act (Public Resources Code section 21000 et seq.). Adoption of any changes to the CEC's regulations pursuant to this Order Instituting Rulemaking (OIR) will be by vote of the CEC at a noticed Business Meeting.

III. PUBLIC PARTICIPATION

The CEC encourages full and free public participation in this proceeding. Any person present at any hearing or workshop shall be afforded a reasonable opportunity to make oral comments on the subject matter of the proceeding. Petitions to intervene are not necessary. At present, no workshop or hearing dates have been specifically identified. The Executive Director, in conjunction with the Public Advisor, shall ensure that this order and subsequent public notices, including notices of hearings and workshops, are distributed to all interested persons and that drafts of the regulations are made available sufficiently in advance of workshops, interim hearings, and final adoption by the CEC to allow timely participation. The CEC will establish a date for the receipt of written comments on draft regulations.

The CEC will set forth a deadline for the receipt of written comments in a Notice of Proposed Action, which will be published later in the proceeding(s). Anyone who would like to participate in or receive information regarding this proceeding should, register with the Appliances Efficiency Standards [subscription list](https://www.energy.ca.gov/rules-and-regulations/appliance-efficiency-regulations-title-20/appliance-efficiency-proceedings) with webpage address: <https://www.energy.ca.gov/rules-and-regulations/appliance-efficiency-regulations-title-20/appliance-efficiency-proceedings>. When new information is posted, including information regarding hearings, workshops, and various documents, an email will be sent to those on the Appliances Efficiency Standards subscription list.

The CEC encourages use of its electronic commenting system. Visit the e-commenting page available on the [commercial food service equipment webpage](https://www.energy.ca.gov/proceeding/commercial-food-service-equipment) with webpage address: <https://www.energy.ca.gov/proceeding/commercial-food-service-equipment>. Enter your contact information and a comment title describing the subject of your comment(s). Comments may be included in the “Comment Text” box or attached as a downloadable, searchable document consistent with 20 CCR Section 1208.1. The maximum file size allowed is 10 MB. Enter your contact information and a comment title describing the subject of your comment(s). Comments may be included in the “Comment Text” box or attached as a downloadable, searchable document consistent with 20 CCR Section 1208.1. The maximum file size allowed is 10 MB.

Written comments may be submitted by email. Include docket number 23-AAER-01 and “Rulemaking on Appliance Efficiency Regulations for Commercial Foodservice Equipment” in the subject line and email to docket@energy.ca.gov. A paper copy may be sent to:

Docket No. 23-AAER-01
Docket Unit, MS-4
California Energy Commission
715 P Street
Sacramento, California 95814-5512

Written and oral comments, attachments, and associated contact information (including address, phone number, and email address) will become part of the public record of this proceeding with access available via any internet search engine.

The CEC's Public Advisor assists the public with participating in CEC proceedings. For information on public participation or to request interpreting services or reasonable accommodations, please call (916) 957-7910 or contact publicadvisor@energy.ca.gov. Requests should be made as soon as possible. The CEC will work diligently to meet all requests based on the availability of service or resource needed.

If you have questions about the subject matter, please contact Alejandro Galdamez, Mechanical Engineer, at Alejandro.Galdamez@energy.ca.gov or call (916) 237-2550.

Direct media inquiries to the Media and Public Communications Office at mediaoffice@energy.ca.gov or call (916) 654-4989.

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 August 09, 2023.

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

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**RULEMAKING TO AMEND HOME ENERGY
RATING SYSTEM REGULATIONS**

Docket No.: 23-HERS-01

**RESOLUTION
ADOPTING REGULATION
AMENDMENTS**

WHEREAS, on February 9, 2023, the State Energy Resources Conservation and Development Commission (“California Energy Commission” or CEC) mailed and posted on the CEC’s website a Notice of Proposed Action (NOPA) formally notifying the public of the CEC’s intent to adopt proposed regulations for the Amendment of the Home Energy Rating System (HERS) Regulations, the Express Terms of the proposed regulations, an Initial Statement of Reasons (ISOR) describing the rationale for the proposal, and the fiscal and economic impact analysis; and

WHEREAS, on February 10, 2023, the NOPA was published in the California Regulatory Notice Register, delivered to the Secretary of the California Natural Resources Agency, and mailed to a representative number of small business enterprises or their representatives that are likely to be affected by the proposed action; and

WHEREAS, each of the above-referenced documents and notices was provided to every person on the CEC’s Building Energy Efficiency Standards subscription list, the CEC’s Rulemaking subscription list, and to every person who had requested notice of such matters, and was posted to the Commission’s website; and

WHEREAS, on March 28, 2023, the CEC held a public hearing, as noticed in the NOPA, to receive comments on the proposed regulation amendments; and

WHEREAS, on March 27, 2023, the 45-day written comment period established by the NOPA closed; and

WHEREAS, on June 1, 2023, the CEC issued a Notice of Availability of 15-Day Language, establishing a written public comment period for the revised language ending on June 16, 2023; and

WHEREAS, on June 16, 2023, the 15-day written comment period established by the 15-Day Language notice closed; and

WHEREAS, on July 19, 2023, the CEC issued a Notice of Public Hearing Date, informing the public that the CEC would consider the 15-day language express terms for adoption on August 9, 2023; and

WHEREAS, on August 9, 2023, the CEC considered adopting the proposed amendments, as reflected in the 15-day language on June 1, 2023, at the business meeting.

THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:

With regard to the California Environmental Quality Act:

- The CEC has considered the application of the California Environmental Quality Act (CEQA) to the proposed regulations and concluded that the proposed regulations will not have any direct, indirect, or cumulatively considerable significant adverse effect on the environment; and
- The CEC has considered the application of CEQA to the proposed regulations and concluded that the proposed regulations are exempt from CEQA under the commonsense exemption (Cal. Code Regs., tit. 14, § 15061 subd. (b)(3)) because it can be seen with certainty that there is no possibility that the proposed amendments will have a significant effect on the environment; and

With regard to the Warren-Alquist Act:

- The CEC promulgated California Code of Regulations, title 20, sections 1670 through 1675, establishing the Home Energy Rating System (HERS) program, pursuant to Public Resources Code section 25942, which directed the CEC to “establish criteria for adopting a statewide home energy rating program for residential dwellings.”
- Another program, the Field Verification and Diagnostic Testing program, which currently utilizes HERS Providers and Raters, is a mandatory administrative program used to collect data and verify compliance with the Building Energy Efficiency Standards (Energy Code) located in Title 24, Parts 1 and 6 of the California Code of Regulations and promulgated pursuant to Public Resources Code section 25402.

With regard to the Administrative Procedure Act:

- The proposed regulations will not result in the creation of new businesses or elimination of existing businesses, will not result in the expansion of businesses currently doing business in California, and will not result in a significant statewide

adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states; and

- The proposed regulations will not result in the creation or elimination of a significant number of jobs within California; and
- The proposed regulations will impose no direct costs or savings, or direct or indirect requirements or mandates, on state agencies, local agencies, or school districts, including but not limited to costs that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code, when savings accruing over the lifetime of the appliance is considered; and
- The proposed regulations will result in no costs or savings in federal funding to the State of California; and
- The proposed regulations will not result in any costs or savings to the CEC or any other state agency; and
- The proposed regulations will result in no nondiscretionary costs or savings to local agencies or school districts; and
- The proposed regulations will have no impact on housing costs; and
- The proposed regulations will result in no cost impacts to representative private persons or businesses in reasonable compliance with the regulations; and
- The proposed regulations will not adversely impact the health and welfare of California residents, worker safety, or the state's environment; and
- The proposed regulations have no alternatives that would be more effective in carrying out the purposes of the statutes for which it is proposed, that would be as effective and less burdensome to affected private persons in carrying out those purposes, or that would be more cost effective to affected private persons and equally effective in implementing those purposes; and
- The proposed regulations will not have a significant adverse economic impact on small business and no alternatives were proposed that would lessen any adverse economic impact on small business; and
- The proposed regulations will not require completion of any new report; and
- None of the comments received during the comment period or at the public adoption hearing, and nothing else in the record, justified any changes to the proposed regulations as published on June 1, 2023.

THEREFORE, BE IT RESOLVED, that, on the basis of the entire record before it, the CEC finds that the proposed regulations are exempt from CEQA under the commonsense exemption (Cal. Code Regs., tit. 14, § 15061 subd. (b)(3)) because it can be seen with certainty that there is no possibility that the proposed regulations will have a significant effect on the environment; and

FURTHER BE IT RESOLVED, after considering all comments received and the staff's responses, and based on the entire record of this proceeding, the CEC hereby adopts the amendments to its HERS, as set forth in the express terms that were published in the June 1, 2023, Notice of Availability of 15-day language (Cal. Code of Regs., tit. 20, §§ 1390-1394.2).

The CEC takes this action under the authority of sections 25213 and 25218 (e) of the Public Resources Code, which authorize the CEC to adopt rules or regulations, as reasonable and necessary, to implement, inter alia, the Warren Alquist Act, as well as section 25942 of the Public Resources Code; and

FURTHER BE IT RESOLVED, that documents and other materials that constitute the rulemaking record can be found at the Warren-Alquist State Energy Building, 715 P Street, Sacramento, California, 95814 in the custody of the Docket Unit and online at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=23-HERS-01>; and

FURTHER BE IT RESOLVED, the CEC delegates the authority and directs CEC staff to take, on behalf of the CEC, all actions reasonably necessary to have the proposed regulations go into effect, including but not limited to making any appropriate non-substantive changes to the regulations; preparing all appropriate documents, such as the Final Statement of Reasons; compiling and submitting the rulemaking file to the Office of Administrative Law (OAL); making any changes to the rulemaking file required by OAL; and preparing and filing the Notice of Exemption with the State Clearinghouse.

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 August 9, 2023.

AYE: Hochschild, Gunda, McAllister, Monahan

NAY: NONE

ABSENT: Gallardo

ABSTAIN: NONE

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Antora Energy, 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-23-010 with Antora Energy, Inc. for a \$2,999,695 grant to expand their pilot-scale manufacturing line in Sunnyvale for thermophotovoltaic (TPV) cells that convert radiant heat into electricity. The novel TPV cells are combined with inexpensive thermal storage to create a cost-effective long-duration energy storage system capable of providing 200 hours of capacity. This project will develop and scale new TPV cell manufacturing techniques to reduce system 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 August 09, 2023.

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

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Triton Anchor 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 EPC-23-007 with Triton Anchor LLC. for a \$3,447,131 grant to develop a floating offshore wind turbine anchor system. The anchor system will be specifically designed for California's dynamic soil conditions, based on technology involving helical piles grouped together to provide greater holding capacity; 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 August 09, 2023.

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

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Institute of Gas Technology dba GTI Energy

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 PIR-23-005 with Institute of Gas Technology dba GTI Energy for a \$999,319 grant to test a non-destructive evaluation tool to identify cracks in the wall of plastic pipes and defects in fusion joints. The project will combine historic and new inspection data to enhance decision support tools and improve cost-effectiveness of plastic pipeline integrity management; 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 August 09, 2023.

AYE: Hochschild, Gunda, McAllister, Monahan

NAY: NONE

ABSENT: Gallardo

ABSTAIN: NONE

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: The Regents of the University of California on behalf of the Los Angeles Campus

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 PIR-23-004 with The Regents of the University of California, on behalf of the Los Angeles Campus for a \$2,992,909 grant to demonstrate a novel approach to monitor ground motion and impacts on gas pipeline integrity. The project will develop an integrated platform using remote and embedded sensing technologies and models to monitor, predict, and reduce the risk of natural hazard impacts to gas pipelines; 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 August 09, 2023.

AYE: Hochschild, Gunda, McAllister, Monahan

NAY: NONE

ABSENT: Gallardo

ABSTAIN: NONE

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Air Products and Chemicals, 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-23-002 with Air Products and Chemicals, Inc., for a \$2,780,123 grant to develop one multi-use hydrogen refueling station with multiple fueling positions for both light-duty and heavy-duty vehicles in Galt; 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 August 09, 2023.

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

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: FirstElement Fuel 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-23-003 with FirstElement Fuel Inc., for a \$3,000,000 grant to develop one multi-use hydrogen refueling station with multiple fueling positions for both light-duty and heavy-duty vehicles in Kettleman City; 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 August 09, 2023.

AYE: Hochschild, Gunda, McAllister, Monahan

NAY: NONE

ABSENT: Gallardo

ABSTAIN: NONE

Dated: August 10, 2023

SIGNED BY:

Kristine Banaag
Secretariat