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| Document Title: | Orders & Resolutions of the February 14, 2024 Business Meeting |
| Description: | N/A |
| Filer: | Kristine Banaag |
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STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: ADOPTION OF REVISED CALIFORNIA ENERGY COMMISSION
TRIBAL CONSULTATION POLICY

WHEREAS, the California Energy Commission (CEC) recognizes the importance of government-to-government consultation and engagement with California Native American Tribes in energy planning and policy and is committed to ensuring California Native American Tribes have the opportunity to participate in and benefit from CEC policies and programs; and

WHEREAS, in September 2011, Governor Edmund G. Brown Jr. signed Executive Order B-10-11 directing state agencies and departments, including the California Natural Resources Agency (CNRA) and the CEC, to engage in effective cooperation, collaboration, communication, and consultation with California Native American Tribes concerning the development of legislation, regulations, rules, and policies on matters that may affect tribes in California; and

WHEREAS, in December 2014, the CEC adopted a Tribal Consultation Policy to implement Executive Order B-10-11 and CNRA's Final Tribal Consultation Policy, identifying the unique mission of the CEC as guided by the Warren-Alquist Act and implementing regulations, as well as the CEC's experience with tribal consultation; and

WHEREAS, in December 2017, the CEC solicited comments from tribes on the Native American Heritage Commission consultation list and adopted revisions to its Tribal Consultation Policy to reflect: a) the enactment of Assembly Bill (AB) 52 (Gatto, Chapter 532, Statutes of 2014), which amended the Public Resources Code in recognition of California Native American tribal sovereignty, Native Americans' knowledge of tribal cultural resources, and the unique relationship of California local governments and public agencies with California Native American tribal governments, and b) the June 2017 publication of *Technical Advisory: AB 52 and Tribal Cultural Resources in CEQA* by the Governor's Office of Planning and Research to guide agencies in their implementation of CEQA's consultative and procedural requirements; and

WHEREAS, it is desirable to refine the designation of the CEC Tribal Liaison to conform to organizational changes within the CEC and heighten the CEC's commitment to continual and effective consultation and engagement with California Native American

Tribes; and

WHEREAS, CEC staff has proposed ministerial revisions to the Tribal Consultation Policy to provide for the designation of the CEC Tribal Liaison by the CEC Lead Commissioner for Tribal Affairs, or the Chair of the CEC if no lead is assigned.

THEREFORE BE IT RESOLVED, the CEC hereby adopts staff's proposed revised Tribal Consultation Policy dated February 2024 containing conforming ministerial revisions.

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 February 14, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

***Amendment to Acceptance Test
Technician Certification Provider
Application under 2022 Building
Energy Efficiency Standards***

Docket No.: 13-ATTCP-01

**Order approving the National Energy
Management Institute Committee's
proposed Acceptance Test
Technician Certification Provider
Amendment Report**

I. BACKGROUND

The Acceptance Test Technician Certification Provider (ATTCP) Program addresses training, certification, and oversight of acceptance test technicians (ATTs), as well as the acceptance test employers (ATEs). The technicians perform the tests required by the Building Energy Efficiency Standards (Energy Code), and the employers are responsible for the technician's work. Acceptance testing ensures that installed equipment, controls, and systems in nonresidential buildings operate as required by the Energy Code.

ATTCPs are professional organizations that are approved by the CEC to provide training curricula for ATTs and ATEs, certification procedures, complaint resolution (including disciplinary procedures), quality assurance, and accountability measures.

Section 10-103.2(f) of the Energy Code permits ATTCPs to submit an amendment report to their previously approved application. Amendment reports with substantive changes are subject to the application review and determination process specified in Section 10-103.2(e).

The National Energy Management Institute Committee (NEMIC) was approved by the CEC on October 12, 2022, to be an ATTCP under the *2022 Energy Code*. NEMIC proposes to make modifications to its ATTCP program that result in changes to the application material that was previously approved.

On November 21, 2023, NEMIC submitted an amendment report that includes the following substantive changes:

1. Removing a 3rd party audit firm that was identified in its original application whose role was to perform the desk and on-site audits of ATTs. NEMIC proposes to now perform the desk and on-site audits themselves.
2. Streamlining and providing additional clarification to quality assurance audit procedures of NEMIC-certified ATTs.
3. Declaring that NEMIC-certified ATTs must submit all acceptance test documentation for all projects to the NEMIC ATTCP Database for each acceptance test performed by the ATT, and that NEMIC-certified ATEs are responsible for ensuring that all acceptance test documentation completed by NEMIC-certified ATTs under their employ is registered on the NEMIC ATTCP Database.

Staff determined that the amendment report was complete and reviewed it accordingly to the process in Section 10-103.2(e) of the *2022 Energy Code*.

II. STAFF RECOMMENDATION

As specified in Section 10-103.2(e) of the *2022 Energy Code*, staff reviewed and validated all information received in the amendment report and determined that NEMIC meets the criteria and procedures in Section 10-103.2(c) for providing acceptance testing certification services.

The Executive Director provided a written recommendation describing the review and validation of the NEMIC amendment report by CEC staff and recommending approval of the NEMIC amendment report. A copy was made available to interested persons and provided an opportunity for public comment.

Staff recommends the Energy Commission approve the NEMIC Amendment Report for the *2022 Energy Code* which allows NEMIC to continue as an approved ATTCP under its amended application.

III. ENERGY COMMISSION FINDINGS

The Energy Commission makes the following findings:

- 1) NEMIC submitted a proposed amendment to their approved application on November 21, 2023, to remove a 3rd party quality assurance audit firm, streamline quality assurance audit procedures, and declare use of NEMIC's ATTCP Database for its ATTCP program.
- 2) Staff evaluated NEMIC's amendment report and found that that NEMIC has met the requirements in Section 10-103.2(f) of the *2022 Energy Code*.
- 3) The Executive Director provided a copy of the staff evaluation to interested persons and provided an opportunity for public comment.

- 4) The Energy Commission concurs with the Executive Director's recommendation describing the review and validation of the NEMIC Amendment Report by CEC staff and recommending approval of the NEMIC Amendment Report.

IV. CONCLUSION AND ORDER

The Energy Commission has considered the Executive Director's recommendation, all written comments submitted, oral comments made at today's business meeting, and CEC staff's responses to all comments on this matter.

Therefore, the Energy Commission concludes that the NEMIC Amendment Report be approved for the *2022 Building Energy Efficiency Standards*.

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 February 14, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: The Leland Stanford Junior University (Stanford)

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 300-23-001, a sole source contract with The Board of Trustees of The Leland Stanford Junior University (Stanford) for \$550,000. Stanford will support technical synthesis of applied research to inform analytical and policy initiatives such as the Energy Demand Forecast, Senate Bill 100 (De Leon, 2018) activities, CEC's participation in the Joint Agency Steering Committee, CEC's Order Instituting Informational Proceeding on Gas System Decarbonization, and the activities related to the Integrated Energy Policy Report. Stanford will also serve as a technical resource and strategic advisor to support the use of research insights in energy policy and decision-making.; 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 February 14, 2024.

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

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: StratosFuel, 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-23-008 with StratosFuel, Inc. for a \$4,000,000 grant to develop and demonstrate an innovative and cost-effective hydrogen refueling station. The proposed hydrogen refueling station in Victorville will be fed by a new hydrogen pipeline from an adjacent renewable hydrogen plant to support emerging medium- and heavy-duty on-road vehicle applications; 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 February 14, 2024.

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

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Sacramento Municipal Utility District (SMUD)

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-23-010 with SMUD for a \$2,812,421 grant to deploy at least 15 direct current fast chargers to support the Sacramento region's access to charging infrastructure for high mileage on-demand transportation services, car sharing enterprises, car rental agencies, and the public; 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 February 14, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**Emergency Rulemaking
Implementing Revised SBX1-2 Spot
Market Reporting Requirements**

Docket No. 23-OIR-03

**RESOLUTION ADOPTING
EMERGENCY REGULATIONS**

WHEREAS, on March 28, 2023, the Legislature enacted, and the Governor signed Senate Bill (SB) X1-2 (Stats. 2023, 1st Ex. Sess. 2023, ch.1), which, among other things, added section 25354(l) to Chapter 4.5 of Division 15 of the Public Resources Code; and

WHEREAS, to improve reporting of data to the CEC about the petroleum market that is essential for the CEC's oversight functions and for the state to develop and administer energy policies in the best interests of the state and public welfare, Public Resources Code section 25367 authorizes the CEC to adopt regulations to implement Chapter 4.5 of Division 15 of the Public Resources Code, including the spot market transactions report pursuant to section 25354(l); and

WHEREAS, Section 25367 states that the adoption of these regulations shall be considered by the Office of Administrative Law (OAL) as an emergency, and necessary for the immediate preservation of the public peace, health, safety, and general welfare. Notwithstanding any other area of law, the emergency regulations adopted to implement this chapter shall remain in effect for two years; and

WHEREAS, on February 7, 2024, in the proceeding's docket, and on February 7, 2024, in the business meeting webpage, the CEC provided notice that it designated February 14, 2024, as the date for the business meeting to consider adoption of the proposed emergency regulations; and

WHEREAS, on February 7, 2024, at least five working days prior to submission of the proposed emergency action to OAL, the CEC provided notice of the proposed action, which included the proposed emergency regulations, to every person who has filed a request for notice of regulatory action with the agency; and

WHEREAS, on February 14, 2024, the CEC considered the proposed emergency regulations at its business meeting.

THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:

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

- The CEC has considered the application of CEQA to the proposed emergency regulations and concluded that adoption of the proposed emergency regulations is not a project under CEQA (Cal. Code Regs., tit. 14, § 15378(a)) because the regulations will not result in a physical change to the environment or reasonably foreseeable indirect physical change to the environment. In the alternative, adoption is exempt from the CEQA as a categorical exemption under the Class 6 Information Collection exemption (Pub. Resources Code, § 15061(b)(2); Cal. Code Regs., tit. 14, § 15306) and adoption of the regulations would also be exempt from CEQA under the common sense exemption. (Cal. Code Regs., tit. 14, § 15061(b)(3).); and

With regard to the Administrative Procedure Act:

- The proposed regulations are deemed an emergency by statute, and the CEC has express statutory authority to seek approval of these regulations implementing the spot market reporting requirements in section 25354(l) of Chapter 4.5 of Division 15 of the Public Resources Code through OAL's emergency rulemaking procedures; and
- The proposed emergency 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; and
- The proposed emergency regulations will result in no costs or savings in federal funding to the State of California; and
- The proposed emergency regulations will result in no nondiscretionary costs or savings to any state agencies, local agencies, or school districts; and
- None of the comments received at the business meeting on February 14, 2024, and nothing else in the record, justified any changes to the proposed emergency regulations.

THEREFORE, BE IT RESOLVED that, based on the entire record before it, the CEC finds that adoption of the proposed emergency regulations is not a project under CEQA (Cal. Code Regs., tit. 14, § 15378(a)) because the regulations will not result in a direct physical change to the environment or reasonably foreseeable indirect physical change

to the environment. The adoption of the proposed emergency regulations is also exempt from CEQA as a categorical exemption under the Class 6 Information Collection exemption (Pub. Resources Code, § 15061(b)(2); Cal. Code Regs., tit. 14, §15306) and adoption of the regulations would also be exempt from CEQA under the common sense exemption. (Cal. Code Regs., tit. 14, § 15061(b)(3).); and

FURTHER BE IT RESOLVED that, after considering all comments received and based on the entire record of this proceeding, the CEC hereby adopts the emergency regulations implementing the petroleum spot market reporting requirements as published on February 7, 2024 and incorporating any changes presented and adopted today. The CEC takes this action under the authority of sections 25213, 25218(e) and 25367 of the Public Resources Code, which authorize the CEC to adopt emergency regulations, as reasonable and necessary, to implement the petroleum spot market reporting requirements as part of Chapter 4.5 of Division 15 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 CEC, 715 P Street, Sacramento, California, 95814 in the custody of the Docket Unit and online in Docket Number 23-OIR-03, at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=23-oir-03> and posted on the CEC's website; and

FURTHER BE IT RESOLVED that, the CEC delegates the authority and directs CEC staff to take, on behalf of the CEC, all actions reasonably necessary to have the proposed emergency regulations go into effect, including but not limited to making any appropriate non-substantive changes to the regulations; preparing all appropriate documents; compiling and submitting the rulemaking file to the Office of Administrative Law (OAL); making any changes to the rulemaking file required by OAL; and filing a notice of exemption with the Office of Planning and Research.

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 February 14, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

*OPENING AN INFORMATIONAL
PROCEEDING ON LITHIUM VALLEY
VISION*

Docket No.: 24-OIIP-02

**ORDER INSTITUTING
INFORMATIONAL PROCEEDING**

I. INTRODUCTION

Assembly Bill 1657, (AB 1657, E. Garcia, Chapter 271, Statutes of 2020) was enacted with the vision to increase possibilities for the Salton Sea region, with both the potential for the area becoming a competitive source of lithium supply that could satisfy more than one-third of the worldwide demand and investing in local and regional economic and community investment opportunities. Pursuant to AB 1657 the California Energy Commission (CEC) convened a Blue Ribbon Commission on Lithium Extraction in California (Commission), also commonly referred to as the Lithium Valley Commission. The Commission was tasked to review, investigate, and analyze specific topics relating to lithium extraction in California and submit a report to the Legislature documenting its findings and recommendations.

The legislative report was submitted to the Legislature on December 1, 2022.

II. AUTHORITY AND ASSIGNMENT OF LEAD COMMISSIONER

Pursuant to Public Resources Code section 25210 and California Code of Regulations, Title 20, sections 1220(b) and 1222(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 and to obtain public comment and opinion. This proceeding will provide a forum for the CEC to gather necessary information from the public, peer agencies and other participants to help better define the Lithium Valley Vision and develop a Lithium Valley Strategic Plan.

Commissioner Noemí Otilia Osuna Gallardo shall be the Lead Commissioner for this Order Instituting Informational Proceeding (OIIP).

III. NATURE AND PURPOSE OF THIS PROCEEDING

Through this OIIP, the CEC seeks to collect information and perspectives on a broad Lithium Valley Vision. Using the recommendations in the Commission's report as a starting point, the OIIP will seek to:

1. Define the Lithium Valley Vision;
2. Identify the entities currently implementing Commission recommendations and establish a coordinated approach between those entities to fulfill and track progress on the completion of the Commission recommendations;
3. Determine how the Lithium Valley Vision ties into the state's climate and green energy goals;
4. Identify how infrastructure needs create barriers to reaching those goals; and
5. Explore whether new legislation is needed to fulfill the Commission's recommendations.

The OIIP seeks to establish a record of input from multiple perspectives, including those of local residents, environmental justice and environmental groups, industry, and academia, and the public. Input will also be sought from federal, state, and local entities, as well as California Native American tribes. CEC staff will use the input received through the OIIP to develop recommendations for a Lithium Valley Strategic Plan to serve to better align efforts towards a shared vision for Lithium Valley and the larger state lithium economy.

This proceeding may include extensive public engagement, including workshops, working groups, and outreach to communities and community-based organizations who cannot easily participate in regulatory proceedings. This OIIP will facilitate information exchange with interested participants. The CEC may also launch phases within the informational proceeding to further focus the proceeding's scope and to address new or emerging issues.

IV. HEARINGS AND WORKSHOPS

The Lead Commissioner will issue notices at least 14 days before the first hearing and 10 days in advance of any subsequent hearings and workshops and will identify at that time when written comments or testimony will be due, as well as the manner of the filing. Public comment will be allowed at all workshops and hearings. The CEC aims to hold the first hearing in the Spring of 2024 and it is currently planned as a hybrid workshop. Additional details will be included in the public notice. The CEC may hold additional hearings in this proceeding as necessary.

V. PUBLIC PARTICIPATION

The CEC encourages public participation in this proceeding. Any person participating in a hearing or workshop shall be afforded reasonable opportunity to make comments. Petitions to intervene are not necessary.

To foster public participation in this proceeding, the Executive Director, in conjunction with the Public Advisor, shall ensure that information regarding this order and notices of hearings and workshops are distributed to all interested persons and posted on the CEC website. 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.

For additional information about how to participate in this proceeding, please contact the CEC's Office of the Public Advisor, Energy Equity, and Tribal Affairs at (916) 957-7910, or via email at publicadvisor@energy.ca.gov. Media questions should be directed to the CEC's Media Office by email at mediaoffice@energy.ca.gov.

VI. CONCLUSION AND ORDER

The CEC therefore institutes an informational proceeding to accomplish the purposes specified above, designates Commissioner Noemí Otilia Osuna Gallardo as Lead Commissioner of this proceeding, and directs the Executive Director and staff to collect and evaluate the information needed under guidance of the Lead Commissioner.

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 a resolution duly and regularly adopted at a meeting of the CEC held on February 14, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION OF THE CALIFORNIA ENERGY COMMISSION ADOPTING THE CALIFORNIA ENERGY DEMAND FORECAST UPDATE, 2023-2040

WHEREAS, Public Resources Code section 25301(a) requires the California Energy Commission (CEC) to "conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices" and to "use these assessments and forecasts to develop and evaluate energy policies and programs that conserve resources, protect the environment, ensure energy reliability, enhance the state's economy, and protect public health and safety"; and

WHEREAS, the Integrated Energy Policy Report contains these assessments and associated policy recommendations and is adopted every two years, with an Integrated Energy Policy Report Update being adopted each interim year; and

WHEREAS, the CEC consulted with appropriate state and federal agencies in developing the California Energy Demand Forecast Update, 2023-2040 (Demand Forecast 2023) including, but not limited to, the California Public Utilities Commission (CPUC), the California State Air Resources Board (CARB), and the California Independent System Operator (CAISO).

WHEREAS, the CEC held public workshops on August 15, 2023, August 18, 2023, November 15, 2023, December 6, 2023, and December 19, 2023, and Demand Analysis Working Group Meetings were held on June 1, 2023, July 31, 2023, August 8, 2023, and October 26, 2023, to discuss the Demand Forecast 2023; and

WHEREAS, on January 31, 2024, staff docketed the Notice of Availability for the Demand Forecast 2023 identifying the documents that make up the forecast, including forecasts for electricity consumption, gas consumption, retail electricity sales, and peak and hourly electricity demand for each of the major planning areas and for the state as a whole; and

WHEREAS, the Demand Forecast 2023 provides forecasts which reflect expected impacts from recent economic and demographic projections, projections of electric vehicle adoption, and projections of behind-the-meter photovoltaic and storage system adoption and which are consistent with the latest historical data available for consumption, peak demand, temperatures, and electricity rates; and

WHEREAS, the Demand Forecast 2023 will serve as a key input into a number of planning and procurement efforts, including transmission and distribution system

planning, integrated resource planning, resource adequacy, and other studies and proceedings; and

WHEREAS, consistent with an agreement among leadership at the CEC, CPUC, and CAISO, specific variants of the adopted demand forecast to be used in individual applications are described as the “single forecast set agreement” in the text of the *2023 Integrated Energy Policy Report*; and

WHEREAS, the CEC has considered all comments received on the Demand Forecast 2023;

THEREFORE BE IT RESOLVED, the CEC hereby adopts the Demand Forecast 2023 along with any changes identified at its February 14, 2024 Business Meeting, and directs CEC staff to make the forecast available to the public and to incorporate the results of the Demand Forecast 2023 into the *2023 Integrated Energy Policy Report*.

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 a resolution duly and regularly adopted at a meeting of the CEC held on February 14, 2024.

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

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

ADOPTION OF THE
FINAL 2023 INTEGRATED ENERGY POLICY REPORT

WHEREAS, the Warren-Alquist Act requires the California Energy Commission (CEC) in odd-numbered years to "conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices" and to "use these assessments and forecasts to develop and evaluate energy policies and programs that conserve resources, protect the environment, ensure energy reliability, enhance the state's economy, and protect public health and safety" (Public Resources Code § 25301, subd. (a)); and to update these assessments and forecasts in even-numbered years (Public Resources Code § 25302, subd. (c)); and

WHEREAS, on March 29, 2023, the Lead Commissioner issued a Scoping Order for the 2023 Integrated Energy Policy Report proceeding stating that the *2023 Integrated Energy Policy Report (2023 IEPR)* would address the following: Accelerating the Connection of Clean Energy Technologies With the Electric Grid; Updating the California Energy Demand Forecast; Analyzing the potential growth of hydrogen; and providing updates, including gas decarbonization, estimation of benefits from the transition to clean transportation systems, strategies and options for the use of gas, and implementation of energy efficiency measures; and

WHEREAS, the CEC held eleven workshops and one webinar, between January through December 2023 on the topics identified in the scoping order, to solicit input from stakeholders on these topics; and

WHEREAS, the CEC has considered the application of the California Environmental Quality Act (CEQA) to the adoption of the *Final 2023 Integrated Energy Policy Report*, and concluded that the adoption of this report is not a "project" under CEQA, because no commitment to any specific project is made in this *2023 IEPR*, and approving it will not cause a direct or reasonably foreseeable indirect change in the environment. However, in the event that the adoption of the *2023 IEPR* were determined to be a project, the CEC has determined that it would nonetheless be exempt from CEQA requirements pursuant to the "common sense" exemption (CEQA Guidelines, § 15061, subd. (b)(3)) for the same reason, and it can be seen with certainty that there is no possibility that the adoption of the *2023 IEPR* may have a significant effect on the environment.

THEREFORE BE IT RESOLVED, the CEC hereby accepts, approves, and adopts the *Final 2023 Integrated Energy Policy Report*, incorporating any changes presented and

adopted today along with any non-substantive changes such as typographical corrections, and directs CEC staff to make the document accessible to state, local, and federal entities, the public, and the Legislature.

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 February 14, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**CalCERTS, Inc. Application for
Modification of its Residential Data
Registry under the 2022 Energy Code**

Docket No.: 22-HERS-01

**ORDER TO (1) RE-CERTIFY
CALCERTS, INC. AS A HOME
ENERGY RATING SYSTEM
PROVIDER AND (2) APPROVE
MODIFICATION OF THE CALCERTS
2022 ENERGY CODE RESIDENTIAL
DATA REGISTRY TO INCLUDE LOW-
RISE MULTIFAMILY BUILDING
TYPES**

I. BACKGROUND

The Warren-Alquist Act directs the California Energy Commission (CEC) to establish criteria for a statewide Home Energy Rating System (HERS) program. The CEC's California HERS program regulations establish requirements for home energy rating services offered by providers (including the providers' training and certification of raters) and for the CEC's certification of providers. The regulations define a provider as an organization that administers a California HERS program.¹

The 2022 Building Energy Efficiency Standards (Energy Code) requires field verification and diagnostic testing (FV&DT) of specified residential energy efficiency measures to demonstrate compliance with the Energy Code.² This testing must be performed by raters who are certified by a CEC-approved HERS provider. Additionally, the 2022 Energy Code describes the approval process as well as functional and technical requirements for a residential data registry. Finally, "[f]or residential compliance document registration, the Registration Provider shall be approved in accordance with the requirements in Section JA7.8, and shall also be a HERS Provider approved by the Energy Commission."³

¹ California Code of Regulations, title 20, section 1671.

² California Code of Regulations, title 24, part 1, section 10-103(a).

³ 2022 Reference Appendices, Joint Appendix section JA7.4.1 Registration Provider

CalCERTS, Inc. (CalCERTS), an approved HERS provider, has applied to modify its 2022 Energy Code residential data registry to incorporate low-rise multifamily projects and compliance documents.

II. EXECUTIVE DIRECTOR'S RECOMMENDATION

On June 7, 2023, CalCERTS, Inc. submitted an application to the CEC requesting modification of a residential data registry under section 10-109(g) of the 2022 Energy Code. CalCERTS submitted subsequent application materials, with the final filing received on November 6, 2023.

Staff determined the application to be complete. Pursuant to Title 20 of the California Code of Regulations (CCR) section 1674(c)2, and Title 24 section 10-110(b), a public notice was posted to docket number [22-HERS-01](#).⁴ The notice provided an opportunity for public comment, and any comments received were considered as of January 2, 2024.

As specified in 20 CCR section 1674(f), staff reviewed and validated all information received and determined that CalCERTS meets the criteria to administer a California HERS Program and oversee raters conducting FV&DT under the 2022 Energy Code.

Staff concluded that CalCERTS has met the requirements specified in the 2022 Energy Code. Staff has also concluded that CalCERTS has met the requirements of 20 CCR section 1674 for re-certification as a HERS provider.

On January 17, 2024, the executive director concurred with these conclusions and signed a recommendation to approve the CalCERTS application and to recertify CalCERTS as a HERS provider. A copy of the recommendation was sent to CalCERTS on January 18, 2024, which was at least fifteen business days before the next scheduled business meeting, as required by 20 CCR section 1674(c)(5). Staff also posted the recommendation to docket log 22-HERS-01.

III. ENERGY COMMISSION FINDINGS

1. 24 CCR section 10-109(g) requires a previously submitted data registry application to undergo resubmittal and approval to the Commission if it has undergone changes. CalCERTS has submitted modifications to the CalCERTS residential data registry to register low-rise multifamily compliance documents for the 2022 Energy Code.
2. 20 CCR section 1674(f) requires where this changed information could affect the provider's compliance with these regulations, the Energy Commission may require that the provider be recertified. The Energy Commission found that the

⁴ Available at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-HERS-01>

changes could affect the Provider's compliance with these regulations and, therefore, required the Provider to undergo recertification.

3. Pursuant to 24 CCR section 10-110(a), within 75 days of receipt of an application the executive director shall determine if the application is complete. The application was determined complete on December 19, 2023.
4. 24 CCR section 10-110(b) allows the public the opportunity to comment on the proposed modifications once an application is determined complete. A public notice was posted to docket number 22-HERS-01, the notice provided an opportunity for public comment, and any comments received were considered as of January 2, 2024. No adverse comments were received.
5. 20 CCR section 1674(c) requires the executive director to provide a copy of its evaluation to all interested persons and provide the applicant and the Energy Commission a written recommendation that approves or denies the recommendation. Meanwhile, 24 CCR section 10-110(f) requires the complete application package, any additional information considered by the executive director, and the executive director's recommendation to be considered at the next business meeting after submission of the recommendation. On January 17, 2024, the executive director recommended CalCERTS data registry modification be approved and to recertify CalCERTS as a HERS provider, the evaluation was publicly available. On January 18, 2024, a copy of the recommendation was sent to the applicant as required by 20 CCR 1674(c)(5). The Energy Commission confirms the executive director's recommendation and finds that the requirements of 20 CCR 1674 and 24 CCR 10-110 have been met. Therefore, CalCERTS has met the requirements to be recertified as a HERS Provider, and their residential data registry to register low-rise multifamily compliance documents is therefore approved.

IV. CONCLUSION AND ORDER

The CEC hereby recertifies CalCERTS as a HERS provider and approves the modifications to the CalCERTS residential data registry to register low-rise multifamily compliance documents for the 2022 Energy Code.

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 a resolution duly and regularly adopted at a meeting of the CEC held on February 14, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Eneridge 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-23-002 with Eneridge Inc. for a \$4,627,904 grant to install at least 400 19.2kW high-speed Level 2 charging ports at 13 sites in Irvine to enhance perception of Level 2 charging access and test and demonstrate business models through high-density Level 2 charger installations; 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 February 14, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: FlashParking, 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-23-003 with FlashParking, Inc. for a \$5,827,602 grant to install at least 446 Level 2 electric vehicle charging ports and two battery energy storage systems across 14 sites in downtown Oakland. This project will provide highly visible charging to Oakland's downtown community with the goal of enhancing driver confidence in locating Level 2 chargers; 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 February 14, 2024.

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

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: California Pollution Control Financing Authority

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 interagency agreement 600-23-008 with the California Pollution Control Financing Authority (CPCFA) for a \$5,000,000 contract to establish a loan loss reserve account for the construction of zero-emission medium- and heavy-duty (MDHD) vehicle charging and fueling infrastructure, participation in CPCFA's California Capital Access Program (CalCAP) as an Independent Contributor. Under CalCAP, the CEC will offer loan loss reserve contributions as a credit enhancement to participating financial institutions that enroll qualified loans for zero-emission MDHD charging and fueling infrastructure. The pilot project will be administered in coordination with the California Air Resources Board, who will provide funding through CPCFA for the zero-emission MDHD vehicles; 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 February 14, 2024.

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

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: California Department of Transportation (Caltrans)

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 RMB600-23-009 for Caltrans to provide up to \$60,418,469 to the CEC to administer California's Electric Vehicle Charger Reliability and Accessibility Accelerator (EVC RAA) Program. The CEC will provide \$483,532 in match funds for the EVC RAA Program, and will work with Caltrans to ensure charging infrastructure investments made by California through the EVC RAA Program are strategic, coordinated, efficient, and equitable while meeting applicable laws and regulations; 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 February 14, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: BYD BATTERY ELECTRIC SCHOOL BUS
MANUFACTURING FACILITY

WHEREAS, the City of Lancaster (City), through its Planning Commission, is the Lead Agency for purposes of the California Environmental Quality Act (CEQA) with respect to the BYD Battery Electric School Bus Manufacturing Facility (Project), a proposed project for the construction of a manufacturing facility in Lancaster to produce battery-electric powered school buses; and

WHEREAS, the City prepared an Initial Study and Mitigated Negative Declaration (IS/MND or CEQA Documents), filed with the State Clearinghouse (SCH # 2023100285) to evaluate the potential impacts of the Project (proposed Agreement ZVI-23-009); and

WHEREAS, the City, on November 13, 2023, through General Plan Amendment No. 17-007, Zone Change No. 17-006, passed, approved, and adopted the CEQA Documents, copies of which are on file with the CEC, thereby imposing mitigation measures on the project described in proposed Agreement ZVI-23-009; and

WHEREAS, the CEC is now considering the proposed Agreement ZVI-23-009 with BYD Coach & Bus LLC dba RIDE Coach & Bus (BYD), the Recipient of proposed Agreement ZVI-23-009, for a \$30,000,000 grant for the construction of a manufacturing facility in Lancaster to produce battery-electric powered school buses, which, at full capacity, will be capable of producing up to 4,000 battery-electric school buses annually; and

WHEREAS, the Energy Commission has both reviewed the CEQA Documents as well as used its own independent judgment to consider the potential environmental impacts of proposed Agreement ZVI-23-009 and the proposed Project; and

Prior to acting on ZVI-23-009, the Energy Commission desires to make certain findings pursuant to CEQA Guidelines, title 14, sections 15091 and 15096.

THEREFORE, BE IT RESOLVED, to the extent relevant to proposed Agreement ZVI-23-009, the Energy Commission has reviewed and considered the information and CEQA findings contained in the City's CEQA Documents, identified in the General Plan Amendment of November 13, 2023, approving the project described in proposed Agreement ZVI-23-009.

FURTHER BE IT RESOLVED, that, the Energy Commission finds the City's CEQA Documents are adequate for its use as the decision-making body for its consideration of ZVI-23-009, and that approval of Agreement ZVI-23-009 is within the scope of the City's CEQA documents. The Energy Commission further finds that the City has adopted the mitigation measures recommended in the City's CEQA Documents, and has authority to implement the mitigation measures or to seek any required approvals for those measures, and the Energy Commission has no direct authority to implement those measures.

FURTHER BE IT RESOLVED, that approval of ZVI-23-009 is within the scope of the activities evaluated in the City's CEQA Documents, as addended, to wit, the Initial Study and Mitigated Negative Declaration.

FURTHER BE IT RESOLVED, that, since the City's CEQA Documents were finalized, there have been no substantial project changes and no substantial changes in the project circumstances that would require major revisions to these documents due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth therein.

FURTHER BE IT RESOLVED, that the Energy Commission has not identified any feasible alternative or additional feasible mitigation measures within its power that would substantially lessen or avoid any significant effect which Agreement ZVI-23-009 would have on the environment.

THEREFORE BE IT RESOLVED, that the Energy Commission finds, on the basis of the entire record before it, that the mitigation measures and conditions of approval, as previously determined, incorporated into the City's CEQA Documents, will prevent Agreement ZVI-23-009 from having any significant effects on the environment.

FURTHER BE IT RESOLVED, that this document authorizes the Executive Director or his or her designee to prepare and file a Notice of Determination on behalf of the Energy Commission.

FURTHER BE IT RESOLVED, that the Energy Commission approves Agreement ZVI-23-009 with BYD Coach & Bus LLC dba RIDE Coach & Bus (BYD) for a \$30,000,000 grant for the construction of a manufacturing facility in Lancaster to produce battery-electric powered school buses, which, at full capacity, will be capable of producing up to 4,000 battery-electric school buses annually; 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 February 14, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: 2023–2024 Investment Plan Update for the Clean Transportation Program

WHEREAS, Assembly Bill 118 (Núñez, Chapter 750, Statutes of 2007) established the Clean Transportation Program (CTP, formerly the Alternative and Renewable Fuel and Vehicle Technology Program) to be administered by the Energy Commission (CEC), with a goal to “develop and deploy innovative technologies that transform California’s fuel and vehicle types to help attain the state’s climate change policies” (Health and Safety Code §44272(a)). The same law also directs the CEC to develop and update an investment plan that will determine priorities and opportunities for the CTP (Health and Safety Code §44272.5); and

WHEREAS, the CEC must prepare and submit an investment plan update to the Legislature (Health and Safety Code §44272.7(b)); and

WHEREAS, Assembly Bill 126 (Reyes, Chapter 319, Statutes of 2023) extended the collection of fees supporting the CTP through July 1, 2035; and

WHEREAS, the development of the *2023–2024 Investment Plan Update* has benefited from two public Advisory Committee meetings, as well as 18 comments submitted to public docket; and

WHEREAS, after considering all materials and comments received, Commissioner Monahan, Lead Commissioner for Transportation, released the latest draft of the *2023–2024 Investment Plan Update* on January 30, 2024. The *2023–2024 Investment Plan Update* includes proposed funding allocations for fuels and technologies designed to advance the goals of the CTP.

The proposed allocations for the *2023–2024 Investment Plan Update* combine both CTP funding of \$95.2 million (current fiscal year only) and the Greenhouse Gas Reduction Fund and General Fund Zero-Emission Vehicle (ZEV) Package investments from the enacted budget of 2023, equaling \$1,759.5 million (\$438.5 million for the current fiscal year); and

WHEREAS, CEC staff will develop solicitations, grants, and other types of agreements in the ensuing fiscal years to implement these funding allocations; and

WHEREAS, the CEC has considered the application of the California Environmental Quality Act (CEQA) to the adoption of the *2023–2024 Investment Plan Update*, and concluded that the adoption of this report is not a “project” under CEQA, but that in the

event that adoption were determined to be a project, that it would nonetheless be exempt from CEQA requirements pursuant to the “common sense” exemption (CEQA Guidelines, § 15061, subd. (b)(3)).

THEREFORE, BE IT RESOLVED, the CEC hereby finds the *2023–2024 Investment Plan Update* not to be a project under CEQA, adopts the *2023–2024 Investment Plan Update* with any errata or edits approved at the February 14, 2024 Business Meeting, and directs CEC staff to prepare the *2023–2024 Investment Plan Update* incorporating any non-substantive changes such as typographical corrections, to forward the *2023–2024 Investment Plan Update* to the appropriate committees of the Legislature for review pursuant to Health and Safety Code section 44272.7(b), and to make the *2023–2024 Investment Plan Update* available to the public.

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 February 14, 2024.

AYE: Hochschild, Gunda, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: NONE

ABSTAIN: NONE

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

ADOPTION OF THE ASSEMBLY BILL 2127 SECOND ELECTRIC VEHICLE
CHARGING INFRASTRUCTURE ASSESSMENT REVISED STAFF REPORT

WHEREAS, Assembly Bill 2127 (Ting, Chapter 365, Statutes of 2018) tasked the California Energy Commission (CEC) with preparing a statewide assessment of the electric vehicle charging infrastructure needed to support the levels of electric vehicle adoption required for the state to meet its goals of putting at least five million zero-emission vehicles on California roads by 2030, and of reducing emissions of greenhouse gases to 40 percent below 1990 levels by 2030; and

WHEREAS, Executive Order N-79-20 (issued September 23, 2020) expanded statewide vehicle electrification targets and directed the CEC to update its assessment under Assembly Bill 2127 to support the levels of electric vehicle adoption required by the order; and

WHEREAS, Assembly Bill 2127 calls on the CEC to expand upon prior electric vehicle infrastructure projections to consider all necessary charging infrastructure, including, but not limited to, the chargers, make-ready electrical equipment, and supporting hardware and software, all vehicle categories, road, highway, and off-road electrification, port and airport electrification, and other programs to accelerate the adoption of electric vehicles; and

WHEREAS, Senate Bill 589 (Hueso, Chapter 732, Statutes of 2021) requires the CEC to identify workforce training and development resources needed to meet the state's goals of putting at least five million zero-emission vehicles on California roads by 2030, and of reducing emissions of greenhouse gases to 40 percent below 1990 levels by 2030, and include this information as part of the AB 2127 assessment starting with the second assessment; and

WHEREAS, CEC staff sought data and input relating to electric vehicle charging infrastructure from stakeholders, including, but not limited to, the Public Utilities Commission, the State Air Resources Board, the Governor's Office of Business and Economic Development, electrical corporations, local publicly owned electric utilities, state and local transportation and transit agencies, charging infrastructure companies, environmental groups, and automobile manufacturers in preparing the *Assembly Bill 2127 Electric Vehicle Charging Infrastructure Assessment Staff Report*, which was released on August 24, 2023; and

WHEREAS, CEC staff hosted a public workshop on September 7, 2023 to discuss and seek feedback on the findings presented in the *Assembly Bill 2127 Electric Vehicle Charging Infrastructure Assessment Staff Report* and received 19 comments submitted to the public docket for Implementation of AB 2127 Electric Vehicle Charging Assessments, docket no.19-AB-2127; and

WHEREAS, after considering all materials and comments received, CEC staff incorporated stakeholder feedback and updated modeling into the *Assembly Bill 2127 Second Electric Vehicle Charging Infrastructure Assessment Revised Staff Report*, which was released on January 26, 2024; and...

WHEREAS, the CEC has considered the application of the California Environmental Quality Act (CEQA) to the adoption of the *Assembly Bill 2127 Second Electric Vehicle Charging Infrastructure Assessment Revised Staff Report*, and concludes that the adoption of the *Assembly Bill 2127 Second Electric Vehicle Charging Infrastructure Assessment Revised Staff Report* is not a “project” under CEQA, but in the event that adoption was determined to be a project, that it would nonetheless be exempt from CEQA requirements pursuant to the “common sense” exemption (CEQA Guidelines, § 15061, subd. (b)(3)).

THEREFORE, BE IT RESOLVED, the CEC hereby finds the *Assembly Bill 2127 Second Electric Vehicle Charging Infrastructure Assessment Revised Staff Report* not to be a project under CEQA, or in the alternative, if deemed a project it is exempt; adopts the *Assembly Bill 2127 Second Electric Vehicle Charging Infrastructure Assessment Revised Staff Report* with any errata approved at the February 14, 2024 Business Meeting; directs CEC staff to prepare a *Assembly Bill 2127 Second Electric Vehicle Charging Infrastructure Assessment Commission Report* incorporating any non-substantive changes such as typographical corrections; and directs staff to make the *Assembly Bill 2127 Second Electric Vehicle Charging Infrastructure Assessment Commission Report* with any non-substantive changes available to the public.

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 February 14, 2024.

AYE: Hochschild, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Gunda

ABSTAIN: NONE

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Department of the Air Force

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Contract Request Form; and

RESOLVED, that the CEC approves a Memorandum of Understanding (MOU) between CEC and the Department of the Air Force. The MOU fosters collaboration between the Participants on energy issues of mutual interest in support of each organization's respective goals in the areas of energy assurance and resilience, climate initiatives, greenhouse gas reduction, fossil fuel reduction, energy efficiency, renewable energy, and zero-emission vehicles. No funds will be committed by either the CEC or the Department of the Air Force under the MOU; and

FURTHER BE IT RESOLVED, that the Chair of the CEC 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 February 14, 2024.

AYE: Hochschild, McAllister, Monahan, Gallardo

NAY: NONE

ABSENT: Gunda

ABSTAIN: NONE

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: California Clean Energy Fund dba CALCEF Ventures

WHEREAS, pursuant to Public Resources Code section 25710 et seq. the State Energy Resources Conservation and Development Commission (“CEC”) is authorized to establish and administer the Electric Program Investment Charge (“EPIC”) Program; and

WHEREAS, the CEC has recognized that California’s electricity ratepayers benefit from energy research, development and demonstration (“RD&D”) activities conducted by individuals, small businesses, academics and small non-profit institutions; and

WHEREAS, the CEC has created the California Sustainable Energy Entrepreneur Development (“CalSEED”) Initiative within the EPIC Program to provide funding for the aforementioned public interest RD&D activities; and

WHEREAS, New Energy Nexus dba California Clean Energy Fund or CalCEF Ventures (“CalCEF”) is the administrator of the CalSEED Initiative under CEC Agreement Number 300-15-007 and is responsible for soliciting grant applications, recommending grant awards to the CEC, and managing approved grant projects; and

WHEREAS, CalCEF, in compliance with its duties under Agreement Number 300-15-007, in August 2023 held a competitive solicitation, and as a result has proposed to CEC small grant projects for funding; and

WHEREAS, CEC staff has reviewed the small grant projects CalCEF has proposed, and recommends the following 6 small grant projects for funding:

1. \$500,000 is being requested for the Piloting a Grid-interactive, Autonomous, Clean Energy Building Control System at School Campuses project with Community Energy Labs, Inc., a project to further develop a grid-interactive, autonomous clean energy building control system for small to mid-sized commercial building operators; and
2. \$500,000 is being requested for the Building High-Performance Lithium-ion Batteries (LIBs) to Obsolete Diesel in Heavy Duty project with Tyfast Energy Corp., a project to scale up a vanadium-based anode lithium-ion battery to a five amp-hour pouch cell; and
3. \$500,000 is being requested for the Demonstrating Automated Assembly of a Ready-to-Install All-in-One Residential Solar Panel project with Solvari, a

- project to verify and certify a solar PV system that installs four times faster and is 25% cheaper than what is currently available; and
4. \$500,000 is being requested for the Prototyping a Low-Cost, Next Level Zinc Battery for Stationary Storage project with Ariya Energy, a project to further develop a water and zinc-based low-cost, non-flammable battery for stationary storage; and
 5. \$500,000 is being requested for the Demonstrating a Real-Time Aerodynamic Modification Technology to Improve Energy Efficiency for the Trucking Industry project with Aeromutable Corporation, a project to build and test a real-time software adjusted aerodynamic modification technology for the trucking industry with an add-on device; and
 6. \$500,000 is being requested for the Energy Utilities Decision Support Tool: Highly Accurate Localized Near-to-Long Term Prediction of Extreme Weather Events project with Climformatics Inc., a project to further develop a machine learning technology that uses large-scale local climate data to predict localized near-to long-term extreme climate, fire-weather, solar power, and net load up to a year in advance with great accuracy; and

WHEREAS, CEC staff has reviewed the projects and determined that each project is exempt from the California Environmental Quality Act, as described in CEC staff's "Project Summaries and California Environmental Quality Act (CEQA) Analysis For Proposed Concept Small Grant Awards Under the California Sustainable Energy Entrepreneur Development (CalSEED) Initiative" Memorandum ("Memorandum") dated February 2, 2024, a document that is included in the backup materials to this Business Meeting item.

THEREFORE, BE IT RESOLVED, that the CEC adopts CEC staff's CEQA findings contained in the Memorandum for the 6 small grant projects; and

FURTHER BE IT RESOLVED, that the CEC approves the 6 small grant projects for a total of \$3,000,000; and

FURTHER BE IT RESOLVED, that the CEC directs CalCEF to execute grant agreements with the approved awardees pursuant to the requirements of Agreement Number 300-15-007.

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 February 14, 2024.

AYE: Hochschild, McAllister, Gallardo

NAY: NONE

ABSENT: Gunda, Monahan

ABSTAIN: NONE

Dated: February 15, 2024

SIGNED BY:

Kristine Banaag
Secretariat