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*Comment Received From: Jade Lu
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**Building Energy, Equity & Power Coalition - Comments on Draft
EBD Solicitation Materials**

Additional submitted attachment is included below.



March 29, 2024

California Energy Commission
1516 9th Street
Sacramento, CA 95814
By Email and Online

Dear Commissioners and Staff:

We are writing as members of the Building Energy, Equity and Power (BEEP) Coalition to request changes to the draft solicitation materials for the Equitable Building Decarbonization (EBD) Program.

The BEEP Coalition includes representatives from Self-Help Enterprises; PODER; the Center on Race, Poverty & the Environment; the Central Valley Air Quality Coalition; Leadership Counsel for Justice & Accountability; Local Clean Energy Alliance; Physicians for Social Responsibility-Los Angeles; Central California Asthma Collaborative; and Emerald Cities Collaborative - Northern California. The BEEP Coalition represents environmental justice communities in various parts of the state. We formed for a simple reason: low-income communities and communities of color are being left behind in conversations about building decarbonization.

While we appreciate that the Commission has made significant strides in ensuring the equitable design and implementation of the EBD Program, we want to highlight some critical issues and clarifications required in the solicitation materials.

The CEC should provide clear pathways for participants to report tenant rights violations as well as a clear process for enforcement. While we are thankful to see expanded and more specific tenant protections in the program guidelines, including multi-year rent increase restrictions and eviction protections, we are concerned that the lack of clear enforcement mechanisms will nullify these protections. The CEC should modify the solicitation materials to:

- Require that program administrators provide participants with a clear pathway to report tenant protection violations, such as a hotline number (which will be already set up to address equipment issues).
- Require that program administrators provide both tenants and landlords clear expectations on how a violation will be investigated and addressed, as well as repercussions for violations.
- Clarify that if participants (whether homeowners or tenants) must be temporarily displaced during the upgrades, the program will pay for their accommodations during displacement.

The CEC should clearly state in the solicitation materials that CBOs should be consulted on key implementation decisions and ensure that the funding guidelines enable adequate compensation for CBOs. While we commend the CEC for requiring EBD applicant teams to include multiple CBOs, without further guardrails and guidance it is unclear how effective CBO engagement

will be in ensuring equitable program outcomes. For example, CBOs are loosely defined in the program materials such that there may be a disconnect from a given “CBO” and the actual communities and residents being served. Also, while the EBD Program Guidelines lists potential roles of CBOs to include “the selection of the initial community focus areas” and “program implementation and evaluation activities,” the solicitation materials only explicitly refers to CBOs having a role in “outreach and engagement.” Further, the solicitation materials state that a maximum of 5% of available EBD funding will be allocated to administrative costs. While we understand the need to limit administrative costs to maximize implementation, the CEC should raise the cap available for outreach and engagement to ensure that this program will be able to reach communities most often left behind.

In order to address these issues, the CEC should follow the model of existing community-based advisory committees (e.g., BAAQMD Community Advisory Committee). The EBD Program Guidelines and solicitation materials should be updated to specify that community representatives should be:

- Authorized with veto power to prevent program design or implementation from harming community members;
- Directly connected to communities and residents;
- Tasked with other roles such as finalizing energy equity metrics, defining a process for identifying Community Focus Areas/application, and enforcing tenant protections; and
- Compensated adequately for their time and expertise.

In order to ensure that adequate compensation is possible, the CEC should increase the cap on available administrative funding or specify that greater than 5% of funding can go toward outreach, engagement, or other CBO activities.

Further, the CEC could directly engage existing committees and/or other CBO partners to help create Regional Community Advisory Boards. The Regional Community Advisory Boards could then nominate member representatives to sit on the overall program Advisory Group.

The CEC should elevate equity priorities in program implementation and evaluation activities and mitigate any unintended consequences with goals such as energy savings and “minimizing costs.”

While we appreciate that the CEC must balance a number of priorities in the EBD Program, including emission reduction goals and cost effectiveness, we urge the CEC to consider an expanded criteria for assessment and program success in order to reach those who can and should benefit most from this program. Specifically, we suggest the following changes:

- Assessments and metrics for success should incorporate non-energy benefits in evaluation criteria as some households may not experience energy savings because they have been underutilizing energy and/or lack some appliances.
- Clarify that participant surveys should assess factors including resident satisfaction regarding program staff, contractors, construction, and new equipment in order to capture non-energy benefits to households.
- Decrease the emphasis on cost as a primary factor in determining whether a house participates, as remediation costs will likely be higher for disadvantaged households. Failing to provide sufficient funding for necessary improvements to ensure the best functionality of new

appliances will leave behind our most disadvantaged households or leave them with higher energy bills that they cannot afford.

- Clearly incorporate the primary goal of advancing energy equity (as identified in the Program Guidelines) in determining whether a house participates by prioritizing associated metrics (e.g., funds directed toward very low-income households).
- Clarify the process for developing and finalizing program metrics that will meet the goal of advancing energy equity and incorporate CBO input, as metrics outlined in Program Guidelines are all “possible metrics.”

We again appreciate CEC staff’s commitment to advancing equity through the EBD Program and the willingness to integrate input from our coalition and other stakeholders. We look forward to continuing working with the CEC to ensure that the EBD Program provides benefits and does not perpetuate harm in the communities we represent.

If you have any questions about our position, please do not hesitate to reach out to us. Thank you for your time and consideration of these comments.

Sincerely:

BEEP Coalition