

DOCKETED

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STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Forestville Water 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 001-24-ECI with Forestville Water District for a \$1,570,141 loan at one percent interest. The loan will finance a 270 kW floating solar photovoltaic (PV) system at a sewer plant and LED lighting retrofits at two sites. The project is estimated to reduce yearly electricity use by about 405,367 kWh, saving \$104,780 in utility costs per year. The simple payback period is approximately 15 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Bear Mountain Parks and Recreation District

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

RESOLVED, that the CEC approves agreement 002-24-ECI with the Bear Mountain Parks and Recreation District for a \$1,167,288 loan at one percent interest. The loan will finance three solar PV systems totaling 136 kW at three sites. The project is estimated to reduce yearly electricity use by about 201,960 kWh, saving \$68,664 in utility costs per year. The simple payback period is approximately 17 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Jamul-Dulzura 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 001-24-ECG with Jamul-Dulzura Union School District for a \$3,000,000 loan at zero percent interest. The loan will finance EV charging, 270 kW solar PV systems, LED lighting, and controls at Oak Grove Middle School and the District Office in San Diego County. The project is estimated to reduce yearly electricity use by about 464,246 kWh, saving approximately \$175,924 in utility costs per year. The simple payback period is approximately 17 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: City of Burlingame

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

RESOLVED, that the CEC approves agreement 004-24-ECI with the City of Burlingame for a \$3,000,000 loan at one percent interest. The loan will finance three PV systems totaling 489 kW at three sites. The project is estimated to generate 735,600 kWh of electricity in the first year, saving \$178,348 in utility costs per year. The simple payback period is approximately 17 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: City of Firebaugh

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

RESOLVED, that the CEC approves agreement 005-24-ECI with the City of Firebaugh for a \$550,422 loan at one percent interest. The loan will finance three PV systems totaling 177 kW at three sites. The project is estimated to generate 128,976 kWh of electricity in the first year, saving \$53,735 in utility costs per year. The simple payback period is approximately 10 years; and

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

CERTIFICATION

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AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: United Natural Foods West, 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-24-005 with United Natural Foods West, Inc. (UNFWI) for a \$5,000,000 grant. This agreement will install fifteen 180kW dual-port charging stations, one 360kW quad-port direct current fast charging station, a 1.2 megawatt (MW) PV solar canopy, and a 1MW battery energy storage system to support a zero-emission fleet of 30 battery-electric tractors at UNFWI's distribution center in Gilroy; and

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

CERTIFICATION

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: GoPowerEV, 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-23-023 with GoPowerEV, Inc. for a \$2,146,717 grant. This agreement will install at least 528 EV charging ports (176 Level 2 and 352 Level 1) across nine MFH communities in Northern California to increase EV charging access for residents; 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Ecology Action of Santa Cruz

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-23-026 with Ecology Action of Santa Cruz for a \$4,999,740 grant. The agreement will install at least 400 Level 2 EV charging ports and potentially up to 100 Level 1 EV charging ports at MFH communities and provide residents with EV purchase education and charging access support in Northern California; 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Chargie 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 ARV-24-002 with Chargie LLC for a \$4,765,040 grant. This agreement will install at least 558 Level 2 EV charging ports within a quarter mile of MFH communities throughout the Northern California project area to increase EV charging access for residents; 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: The Regents at The University of California, on behalf of the Santa Barbara Campus (UCSB)

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-24-002 with UCSB for a \$3,849,553 grant. This agreement will install at least 237 Level 2 EV charging ports and at least 142 Level 1 EV charging ports within a quarter mile of MFH communities in San Luis Obispo, Ventura, and Santa Barbara counties, providing better access to EV charging for residents; 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: EVE Energy Ventures 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-24-003 with EVE Energy Ventures Inc. for a \$1,586,989 grant. This agreement will install at least 127 Level 2 EV charging ports within a quarter mile of MFH communities throughout the Southern California project area to increase EV charging access for residents; 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: EVIUM Charging, 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 ZVI-24-006 with EVIUM Charging, LLC for a \$1,287,055 grant. This agreement will install at least 117 Level 2 EV charging ports across 4 sites to foster greater accessibility to charging for MFH communities throughout Northern California; 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Sacramento Municipal Utility 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 ZVI-23-017 with Sacramento Municipal Utility District for a \$5,000,000 grant. This agreement will install at least 300 Level 2 EV charging ports and at least 200 Level 1 EV charging ports within a quarter mile of MFH communities in the Sacramento region; 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Chargie 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 ARV-24-001 with Chargie LLC for a \$4,534,000 grant. This agreement will install at least 525 Level 2 EV charging ports within a quarter mile of MFH communities throughout the Southern California project area to increase EV charging access for residents; 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION FINDING BUILDING ENERGY EFFICIENCY STANDARDS
CONTAINED IN THE CITY OF SAN LUIS OBISPO ORDINANCE NO. 1736 (2024
SERIES) SATISFY STATUTORY REQUIREMENTS UNDER PUBLIC RESOURCES
CODE SECTION 25402.1(h)(2)

WHEREAS, The City of San Luis Obispo adopted Ordinance No. 1736 (2024 Series), which establishes certain locally adopted building energy efficiency standards; and

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

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

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

WHEREAS, The City of San Luis Obispo submitted an application to the CEC that included (1) the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 1736 (2024 Series) are cost-effective and (2) documentation that the locally adopted energy efficiency standards contained in Ordinance No. 1736 (2024 Series) will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, as required by California Code of Regulations, Title 24, Part 1, section 10-106, on June 17, 2024; and

WHEREAS, The City of San Luis Obispo adopted a determination at a public meeting on June 4, 2024, that the locally adopted energy efficiency standards contained in Ordinance No. 1736 (2024 series) are cost-effective; and

WHEREAS, CEC staff has analyzed whether the locally adopted energy efficiency standards contained in Ordinance No. 1736 (2024 Series) will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, and

determined that it will do so; and

WHEREAS, California Code of Regulations, Title 24, Part 1, section 10-106(b)(4) requires that the local governmental agency's application include any findings, determinations, declarations, or reports, including any negative declaration or environmental impact report, required pursuant to the California Environmental Quality Act, Public Resources Code section 21000 et seq.; and

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

WHEREAS, the locally adopted energy efficiency and conservation standards application filed by the City of San Luis Obispo satisfies the requirements of California Code of Regulations, Title 24, Part 1, section 10-106; and

THEREFORE, BE IT FURTHER RESOLVED, that, pursuant to Public Resources Code section 25402.1(h)(2), the CEC finds the following: (1) The City of San Luis Obispo has filed the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 1736 (2024 Series) are cost-effective, and (2) Ordinance No. 1736 (2024 Series) will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards; and

THEREFORE BE IT FURTHER RESOLVED, that the CEC directs the Executive Director to take all actions necessary to implement this Resolution.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION FINDING BUILDING ENERGY EFFICIENCY STANDARDS
CONTAINED IN THE CITY OF ENCINITAS ORDINANCE NO. 2024-04 SATISFY
STATUTORY REQUIREMENTS UNDER PUBLIC RESOURCES CODE SECTION
25402.1(h)(2)

WHEREAS, The City of Encinitas adopted Ordinance No. 2024-04, which establishes certain locally adopted building energy efficiency standards; and

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

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

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

WHEREAS, The City of Encinitas submitted an application to the CEC that included (1) the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 2024-04 are cost-effective and (2) documentation that the locally adopted energy efficiency standards contained in Ordinance No. 2024-04 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, as required by California Code of Regulations, Title 24, Part 1, section 10-106, on June 18, 2024; and

WHEREAS, The City of Encinitas adopted a determination at a public meeting on June 12, 2024, that the locally adopted energy efficiency standards contained in Ordinance No. 2024-04 are cost-effective; and

WHEREAS, CEC staff has analyzed whether the locally adopted energy efficiency standards contained in Ordinance No. 2024-04 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, and

determined that it will do so; and

WHEREAS, California Code of Regulations, Title 24, Part 1, section 10-106(b)(4) requires that the local governmental agency's application include any findings, determinations, declarations, or reports, including any negative declaration or environmental impact report, required pursuant to the California Environmental Quality Act, Public Resources Code section 21000 et seq.; and

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

WHEREAS, the locally adopted energy efficiency and conservation standards application filed by the City of Encinitas satisfies the requirements of California Code of Regulations, Title 24, Part 1, section 10-106; and

THEREFORE, BE IT FURTHER RESOLVED, that, pursuant to Public Resources Code section 25402.1(h)(2), the CEC finds the following: (1) The City of Encinitas has filed the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 2024-04 are cost-effective, and (2) Ordinance No. 2024-04 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards; and

THEREFORE BE IT FURTHER RESOLVED, that the CEC directs the Executive Director to take all actions necessary to implement this Resolution.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION FINDING BUILDING ENERGY EFFICIENCY STANDARDS
CONTAINED IN THE CITY OF PALO ALTO ORDINANCE NO. 5627 SATISFY
STATUTORY REQUIREMENTS UNDER PUBLIC RESOURCES CODE SECTION
25402.1(h)(2)

WHEREAS, The City of Palo Alto adopted Ordinance No. 5627, which establishes certain locally adopted building energy efficiency standards; and

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

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

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

WHEREAS, The City of Palo Alto submitted an application to the CEC that included (1) the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 5627 are cost-effective and (2) documentation that the locally adopted energy efficiency standards contained in Ordinance No. 5627 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, as required by California Code of Regulations, Title 24, Part 1, section 10-106, on June 24, 2024; and

WHEREAS, The City of Palo Alto adopted a determination at a public meeting on June 17, 2024, that the locally adopted energy efficiency standards contained in Ordinance No. 5627 are cost-effective; and

WHEREAS, CEC staff has analyzed whether the locally adopted energy efficiency standards contained in Ordinance No. 5627 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, and

determined that it will do so; and

WHEREAS, California Code of Regulations, Title 24, Part 1, section 10-106(b)(4) requires that the local governmental agency's application include any findings, determinations, declarations, or reports, including any negative declaration or environmental impact report, required pursuant to the California Environmental Quality Act, Public Resources Code section 21000 et seq.; and

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

WHEREAS, the locally adopted energy efficiency and conservation standards application filed by the City of Palo Alto satisfies the requirements of California Code of Regulations, Title 24, Part 1, section 10-106; and

THEREFORE, BE IT FURTHER RESOLVED, that, pursuant to Public Resources Code section 25402.1(h)(2), the CEC finds the following: (1) The City of Palo Alto has filed the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 5627 are cost-effective, and (2) Ordinance No. 5627 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards; and

THEREFORE BE IT FURTHER RESOLVED, that the CEC directs the Executive Director to take all actions necessary to implement this Resolution.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION FINDING BUILDING ENERGY EFFICIENCY STANDARDS
CONTAINED IN THE CITY OF EAST PALO ALTO ORDINANCE NO. 03-2024
SATISFY STATUTORY REQUIREMENTS UNDER PUBLIC RESOURCES CODE
SECTION 25402.1(h)(2)

WHEREAS, The City of East Palo Alto adopted Ordinance No. 03-2024, which establishes certain locally adopted building energy efficiency standards; and

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

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

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

WHEREAS, The City of East Palo Alto submitted an application to the CEC that included (1) the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 03-2024 are cost-effective and (2) documentation that the locally adopted energy efficiency standards contained in Ordinance No. 03-2024 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, as required by California Code of Regulations, Title 24, Part 1, section 10-106, on June 21, 2024; and

WHEREAS, The City of East Palo Alto adopted a determination at a public meeting on June 18, 2024, that the locally adopted energy efficiency standards contained in Ordinance No. 03-2024 are cost-effective; and

WHEREAS, CEC staff has analyzed whether the locally adopted energy efficiency standards contained in Ordinance No. 03-2024 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, and

determined that it will do so; and

WHEREAS, California Code of Regulations, Title 24, Part 1, section 10-106(b)(4) requires that the local governmental agency's application include any findings, determinations, declarations, or reports, including any negative declaration or environmental impact report, required pursuant to the California Environmental Quality Act, Public Resources Code section 21000 et seq.; and

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

WHEREAS, the locally adopted energy efficiency and conservation standards application filed by the City of East Palo Alto satisfies the requirements of California Code of Regulations, Title 24, Part 1, section 10-106; and

THEREFORE, BE IT FURTHER RESOLVED, that, pursuant to Public Resources Code section 25402.1(h)(2), the CEC finds the following: (1) The City of East Palo Alto has filed the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 03-2024 are cost-effective, and (2) Ordinance No. 03-2024 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards; and

THEREFORE BE IT FURTHER RESOLVED, that the CEC directs the Executive Director to take all actions necessary to implement this Resolution.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION FINDING BUILDING ENERGY EFFICIENCY STANDARDS
CONTAINED IN THE CITY OF SAN RAFAEL ORDINANCE NO. 2036 SATISFY
STATUTORY REQUIREMENTS UNDER PUBLIC RESOURCES CODE SECTION
25402.1(h)(2)

WHEREAS, The City of San Rafael adopted Ordinance No. 2036, which establishes certain locally adopted building energy efficiency standards; and

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

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

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

WHEREAS, The City of San Rafael submitted an application to the CEC that included (1) the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 2036 are cost-effective and (2) documentation that the locally adopted energy efficiency standards contained in Ordinance No. 2036 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, as required by California Code of Regulations, Title 24, Part 1, section 10-106, on June 25, 2024; and

WHEREAS, The City of San Rafael adopted a determination at a public meeting on June 3, 2024, that the locally adopted energy efficiency standards contained in Ordinance No. 2036 are cost-effective; and

WHEREAS, CEC staff has analyzed whether the locally adopted energy efficiency standards contained in Ordinance No. 2036 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards, and

determined that it will do so; and

WHEREAS, California Code of Regulations, Title 24, Part 1, section 10-106(b)(4) requires that the local governmental agency's application include any findings, determinations, declarations, or reports, including any negative declaration or environmental impact report, required pursuant to the California Environmental Quality Act, Public Resources Code section 21000 et seq.; and

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

WHEREAS, the locally adopted energy efficiency and conservation standards application filed by the City of San Rafael satisfies the requirements of California Code of Regulations, Title 24, Part 1, section 10-106; and

THEREFORE, BE IT FURTHER RESOLVED, that, pursuant to Public Resources Code section 25402.1(h)(2), the CEC finds the following: (1) The City of San Rafael has filed the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 2036 are cost-effective, and (2) Ordinance No. 2036 will require the diminution of energy consumption levels compared to the 2022 Building Energy Efficiency Standards; and

THEREFORE BE IT FURTHER RESOLVED, that the CEC directs the Executive Director to take all actions necessary to implement this Resolution.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Foundation for California Community Colleges

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-24-005 with Foundation for California Community Colleges for a \$1,162,610 grant. This agreement will deploy three solar off-grid PV charging systems to support five zero-emission (ZE) autonomous aircraft and two ZE pickup trucks at Victoria Island Farms in San Joaquin County. This agreement will coordinate with an existing California Air Resources Board grant to advance the widespread adoption of ZE electric aircraft throughout the agricultural industry by demonstrating the use of ZE autonomous aircraft to apply agricultural chemical treatments on some of California's most important crops; 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Innovative Cold Storage Enterprises, 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 FPI-24-002 with Innovative Cold Storage Enterprises, Inc. for a \$3,967,972 grant. This agreement will replace two aging refrigeration systems with adiabatic air-cooled low-charge ammonia systems at a warehouse cold storage facility in San Diego. The upgraded systems will reduce greenhouse gas emissions, energy consumption, water use, and enable on-peak demand reductions; 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: BSREP III California Infill Santa Fe 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 FPI-24-003 with BSREP III California Infill Santa Fe LLC for a \$5,000,000 grant. This agreement will replace aging and inefficient freon (R-22) refrigeration systems with a high efficiency ammonia refrigeration system at a cold storage facility in Santa Fe Springs. The upgraded system will reduce greenhouse gas emissions, operating costs, and enable on-peak load reductions; 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Rich Products Corporation

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 FPI-24-004 with Rich Products Corporation for a \$1,509,921 grant. This agreement will install an ammonia refrigeration system to replace the existing refrigeration system at a frozen dough, crust, and flatbread processing facility in Los Angeles County. The upgraded system will reduce greenhouse gas emissions, electricity use, and enable on-peak demand reductions; 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Aspire Bakeries 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 FPI-24-005 with Aspire Bakeries LLC for a \$710,463 grant. This agreement will replace an aging and inefficient freon (R-22) refrigeration system with a new ammonia refrigeration system at a bakery facility in Van Nuys. The upgraded facility will demonstrate the potential of high efficiency ammonia refrigeration and compressed air systems to reduce greenhouse gas emissions, gas consumption, electricity use, and enable on-peak demand reductions; 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Producers Dairy Foods, 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 FPI-24-006 with Producers Dairy Foods, Inc. for a \$2,010,400 grant. This agreement will install a new high efficiency ammonia refrigeration and compressed air system at a processing facility in Fresno. The upgraded facility will demonstrate the potential of high efficiency ammonia refrigeration and compressed air systems to reduce greenhouse gas emissions, gas consumption, electricity use, and enable on-peak demand reductions; 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Primex Farms, 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 FPI-24-007 with Primex Farms, LLC for a \$4,999,376 grant. This agreement will install a solar-powered microgrid and a battery energy storage system at a pistachio processing facility in the City of Wasco. The microgrid system will reduce grid electricity consumption, enable on-peak demand reductions, and reduce greenhouse gas emissions; 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Josphe Gallo Cheese Company LP

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 FPI-24-008 with Joseph Gallo Cheese Company LP for a \$4,410,810 grant. This agreement will replace aging and inefficient freon refrigeration systems with a high efficiency CO2 refrigeration system at a dairy production facility in Atwater. The upgraded system will demonstrate the potential of high efficiency CO2 refrigeration technologies to reduce greenhouse gas emissions, gas use, water consumption, operating costs, and enable on-peak demand reductions; 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

RESOLUTION ADOPTING OPT-IN AMENDMENTS

WHEREAS, on June 30, 2022, the Legislature enacted, and the Governor signed Assembly Bill (AB) 205 (ch. 61, stats. 2022), which, among other things, added Chapter 6.2 to Division 15 of the Public Resources Code; and

WHEREAS, to expedite the State's transition to clean energy projects and maintain energy reliability in the face of climate change, Public Resources Code section 25545.12 authorizes the CEC to adopt and amend regulations to implement the optional permitting program (Opt-In) for non-fossil fueled power plants, energy storage facilities, and related facilities; and

WHEREAS, Public Resources Code section 25545.12 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 until amended by the commission; and

WHEREAS, in the proceeding's docket on August 28, 2024, and the business meeting webpage on August 30, 2024, the CEC provided notice that it designated September 11, 2024, as the date for the business meeting to consider adoption of the proposed emergency regulations; and

WHEREAS, on August 28, 2024, and August 30, 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 September 11, 2024, the CEC considered the proposed emergency regulations at its business meeting and adopted the proposed emergency regulations as published on August 28, 2024, and August 30, 2024.

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 (Cal. Code Regs., tit. 14, §§ 15061(b)(2), 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 or amendment of these regulations implementing Chapter 6.2 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 September 11, 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 (Cal. Code Regs., tit. 14, §§ 15061(b)(2), 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 emergency regulations amending the Opt-In program. The CEC takes this action under the authority of sections 25213, 25218(e) and 25545.12 of the Public Resources Code, which authorize the CEC to adopt and amend emergency regulations, as reasonable and necessary, to implement the Opt-In program; 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 24-OIR-02, <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=24-OIR-02>; 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION ADOPTING PROPOSED REGULATIONS

IN THE MATTER OF:

**2025 BUILDING ENERGY EFFICIENCY
STANDARDS RULEMAKING PROCEEDING
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 1,**

Docket No. 24-BSTD-01

I. INTRODUCTION

The State Energy Resources Conservation and Development Commission (“California Energy Commission” or “CEC”) has, as directed by Section 25402 of the California Public Resources Code, developed and undertaken a proceeding to adopt triennial revisions to the Building Energy Efficiency Standards.

The Building Energy Efficiency Standards apply to residential, nonresidential, and hotel and motel buildings. The standards are located in Part 6 (also known as the “California Energy Code” or “Energy Code”) and associated administrative regulations in Part 1, Chapter 10, of Title 24 of the California Code of Regulations. The Building Energy Efficiency Standards also include the Reference Appendices. The revised standards are called the 2025 Building Energy Efficiency Standards (2025 Energy Code), and include the comprehensive regulations, including Parts 1 and 6 and the Reference Appendices, as noticed on June 13, 2024 and updated with amended provisions noticed on August 22, 2024 for an additional 15-day public comment period, and as further revised by this Resolution (the Final Proposed Express Terms), including the errata and provisions the CEC declines to adopt, as identified in Appendix A. Following approval from the California Building Standards Commission (CBSC), the 2025 Energy Code will go into effect on January 1, 2026.

As adoption of the revised standards is a “discretionary project” under the California Environmental Quality Act (CEQA),¹ CEC staff determined that CEQA applies to the adoption of the 2025 Energy Code and, pursuant to CEQA, prepared an Initial Study

¹ Pub. Resources Code, § 21000, *et seq.*

and Proposed Negative Declaration (IS/PND). On September 11, 2024, the CEC certified the Initial Study and Proposed Negative Declaration as complying with CEQA and found that there is no substantial evidence, in light of the whole record, that the Proposed 2025 Energy Code may have a significant adverse effect on the environment.

The CEC hereby adopts the proposed additions and amendments to the Energy Code. The CEC takes this action under the authority given by Public Resources Code Sections 25213, 25218, 25218.5, 25402, 25402.1, and 25605. The CEC proposes to implement, interpret, or make specific Public Resources Code Sections 21080.4, 21153, 25007, 25008, 25218.5, 25310, 25402, 25402.1, 25402.4, 25402.5, 25402.8, 25605, 25910, 25942, and 25943, and Health and Safety Code Sections 18930, 18934, and 18935.

II. HISTORY OF THE PROCEEDING

A. Rulemaking

To develop the 2025 Energy Code, the CEC conducted an open, transparent, and extensive public process. Between March 2022 and today, the CEC held and participated in 33 stakeholder meetings and public workshops, in addition to holding three days of Lead Commissioner hearings. Development began with a presentation of the overall plan and schedule for this rulemaking, and the priority concepts that would be used to propose revisions to the California Energy Code. Subsequent workshops addressed a wide range of different aspects of the 2025 Energy Code in detail. During this process, stakeholder groups assessed, analyzed, discussed, and helped to improve numerous versions of the proposed standards, and the CEC staff considered more than 140 formal public comments.

On March 28, 2024, the CEC mailed and posted on its website a Notice of Proposed Action (NOPA), formally notifying the public of the CEC's intent to adopt the 2025 Energy Code, the Express Terms of the regulations designated as "45-day language (March 2024)", an Initial Statement of Reason (ISOR) describing the rationale for the proposal, and the fiscal and economic impact analysis.

On March 29, 2024, the NOPA was published in the California Regulatory Notice Register², 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. The CEC provided each of these documents and notices to every person on the CEC's Building Energy Efficiency Standards list server, the CEC's Efficiency list server, and to every person who had requested notice of such matters. The CEC also posted each of these documents to its website.³

On April 16, 2024, April 17, 2024, and April 18, 2024, the CEC held Lead Commissioner Hearings on the 2025 Energy Code. On May 13, 2024, the 45-day comment period established by the NOPA closed. The CEC received a large number of written public

² California Regulatory Notice Register, Mar. 29, 2024, vol. no. 13-Z, p.362.

³ See <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2025-building-energy-efficiency>.

comments on the 2025 Energy Code during the 45-day comment period. Accordingly, on June 13, 2024, the CEC issued a Notice of Availability for proposed changes to the 45-day language (March 2024), which is referred to as “June 2024 Express Terms”, and which was available for public comment for 15 days. Upon consideration of comments received throughout the proceeding, the CEC issued an additional Notice of Availability for proposed changes to the June 2024 Express Terms on August 22, 2024, triggering a second 15-day public comment period, through September 6, 2024. This set of regulatory text is designated as “August 2024 Express Terms”.

B. Initial Study and Negative Declaration

On March 28, 2024, the CEC published a Notice of Availability, Initial Study, and a Proposed Negative Declaration (IS/PND) for the 2025 Energy Code to its website.

On July 26, 2024, a Notice of Intent to Adopt a Negative Declaration (Notice of Intent); Availability of the Initial Study and Proposed Negative Declaration was published on the CEC’s website. This document was then republished on August 5, 2024, clarifying that no revisions had been made to the IS/PND since its original publication on March 28, 2024. These documents, including the IS/PND, were additionally submitted to the State Clearinghouse on July 26, 2024, for state agencies to review.

On July 29, 2024, the Notice of Intent was sent to all county clerks in California. Finally, a public notice was published in the Los Angeles Times on July 30, 2024.

1. The CEC provided a review and comment period for the IS/PND from March 29, 2024, through April 29, 2024, and again from July 29, 2024, through August 29, 2024. The IS/PND is currently subject to a 30-day public review and comment period, which began on July 29, 2024, and concludes on August 29, 2024. On September 11, 2024, the CEC held a public hearing to consider adoption of the IS/PND.

III. FINDINGS AND CONCLUSIONS

Several statutes govern the CEC’s adoption of the 2025 Energy Code: the California Environmental Quality Act (CEQA),⁴ the Warren-Alquist State Energy Resources Conservation and Development Act,⁵ the administrative rulemaking provisions of the Administrative Procedure Act (APA),⁶ and the Building Standards Law.⁷ Pursuant to these statutes, the CEC has reviewed the entire record of this proceeding, including public comments, reports and other documents, transcripts of public events, and all other materials that have been filed in this proceeding (Docket No. 24-BSTD-01).⁸ All 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 at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=24->

⁴ Pub. Resources Code, § 21000, *et seq.*

⁵ Pub. Resources Code, § 25000, *et seq.*

⁶ Gov. Code, § 11340, *et seq.*

⁷ Health & Safety Code, § 18901, *et seq.*

⁸ The documents and other materials that constitute the rulemaking record can be found online at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=24-BSTD-01>.

[BSTD-01.](#)

Based on that record, the CEC makes the following findings and conclusions.

A. The California Environmental Quality Act, Public Resources Code Sections 21000, et seq.

2. The California Environmental Quality Act requires that state agencies consider the environmental impact of their discretionary decisions, including the adoptions of regulations. The 2025 Energy Code satisfies those requirements.
3. As detailed above, the CEC has complied with the corresponding CEQA requirements for noticing the IS/PND, provided the required public comment periods, and considered all comments received. (See California Code Regulations, Title 14, §§ 15060 – 15075).
4. As the lead agency pursuant to CEQA, the CEC considered air emissions, water savings at California power plants, indoor air pollution, and increased materials use associated with the 2025 Energy Code. The initial study concludes that the potential environmental impacts associated with implementing the 2025 Energy Code are less than significant without need for mitigation. Thus, the initial study proposes no mitigation measures.
5. After review and consideration of the IS/PND and all related materials, and pursuant to the requirements of CEQA, and the associated regulations, and consistent with the analysis included in the Initial Study and Proposed Negative Declaration originally published by the CEC on March 28, 2024, the CEC finds the above actions and conclusions to satisfy the requirements of CEQA and, therefore, adopts the negative declaration for the 2025 Energy Code.

B. The Warren-Alquist Act, Public Resources Code Sections 25400, et seq.

The 2025 Energy Code satisfies the requirements of the Warren-Alquist Act, in Public Resources Code Section 25402, which requires the CEC to adopt building design and construction standards that increase the efficiency in the use of energy and water for new residential and new nonresidential buildings, and energy and water conservation design standards. The 2025 Energy Code fulfills these directives and will reduce the wasteful, uneconomic, inefficient, and unnecessary consumption of energy and manage energy loads to help maintain electrical grid reliability. In addition, the standards contained within the 2025 Energy Code are technologically feasible and attainable.

Further, Section 25402 requires the standards contained within the 2025 Energy Code to be cost-effective when taken in their entirety, and when amortized over the economic life of the structure when compared with historic practice. Information in the administrative record indicates that the 2025 Energy Code as a whole will result in significant savings. Conservatively, these estimated costs over 30 years are roughly \$692 million. However, the benefits over the same 30-year period are more than \$4.9 billion. Therefore, the CEC finds that the 2025 Energy Code is cost-effective.

Section 25402.8 requires the CEC to consider the impact that building energy efficiency standards would have on indoor air pollution. The CEC considered the impacts to indoor

air quality and established energy standards that have a specific health & safety co-benefit of improved indoor air quality. The CEC therefore finds and concludes that the 2025 Energy Code is reasonably necessary to carry out the mandate of Section 25402.8.

C. The Administrative Procedure Act, Government Code Sections 11340, et seq.

The 2025 Energy Code meets all the requirements of the California Administrative Procedure Act (APA). The California APA requires all state agencies to take certain steps and assess several matters when adopting regulations. Many of these matters, analyses, and findings are required to be addressed in the Initial Statement of Reasons (ISOR) prepared as part of the Notice of Proposed Action (NOPA) or in the Final Statement of Reasons (FSOR) that is required to be prepared after the regulations are adopted. In support of those documents, the CEC makes the following findings and determinations in adopting the 2025 Energy Code.

The 2025 Energy Code will likely result in the creation of new businesses, will likely not result in the elimination of existing businesses, 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. The 2025 Energy Code will require energy efficiency and other energy consumption reducing measures for newly constructed nonresidential and residential buildings, as well as for certain additions and alterations to existing buildings. While the increased energy measures in California's buildings may have short-term initial costs, there are long-term savings that typically repay those costs by a significant positive ratio. The 2025 Energy Code therefore will create long-term economic growth and stability by increasing the disposable income of Californians and California businesses in the long-term, making it possible for new businesses to be created to provide compliance services and to supply energy efficient and energy consumption reducing products. The 2025 Energy Code will likely result in the expansion of businesses currently doing business in California.

The 2025 Energy Code will impose direct costs or savings, and direct or indirect requirements or mandates, on local agencies, or school districts, and costs of complying with the standards are not required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code. Further, the 2025 Energy Code will impose direct costs or savings, or direct or indirect requirements or mandates, on state agencies, as buildings owned and occupied by state agencies are required to comply with them.

The 2025 Energy Code may result in both the creation and elimination of jobs within California. California businesses producing products and technology that meet or exceed the proposed standards are likely to expand sales of those products and technologies due to the implementation of these proposed standards. Construction related companies and occupations, and companies that provide products and services needed for compliance, will likely benefit from increased demand for those products and services, likely creating jobs.

The 2025 Energy Code will result in no costs or savings in Federal funding to the state of California. While the CEC receives Federal State Energy Program funding for the building standards program, the updates proposed to the standards do not alter or affect

the state's ongoing participation in the Federal State Energy Program.

The 2025 Energy Code will have an impact on upfront housing costs but will not impact the market value of buildings. California's Energy Code is part of the California Building Standards Code and therefore impacts newly constructed buildings and certain additions and alterations to existing buildings. Increasing energy efficiency and reducing energy consumption in California's buildings through the Energy Code often incurs initial costs, largely for California homebuilders and commercial building developers, but results in much greater long-term benefits to large numbers of residents and businesses across the state. For residents and businesses alike, advancing the state's Energy Code results in reduced energy costs, lower overall expenses for renters, lower costs of ownership, greater housing affordability and lower risks of default for borrowers.

The 2025 Energy Code will not adversely impact the health and welfare of California residents, worker safety, or the state's environment.

The CEC found no alternatives to the 2025 Energy Code that would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

The 2025 Energy Code may have a significant adverse economic impact on small business. The 2025 Energy Code does not differentiate between a small business and a regular business. No alternatives were proposed during the public comment periods that would lessen any adverse economic impact on small business.

The 2025 Energy Code, specifically Part 1, Chapter 10, section 10-103.3, would impose new reporting requirements on Energy Code Compliance (ECC) providers and ECC independent raters and rater companies. It is necessary for the health, safety, or welfare of the people of the state, that these regulations, which require a report, apply to these businesses.

None of the comments received during the comment period or at the public adoption hearing, and nothing else in the record, justify any changes to the 2025 Energy Code as published on August 22, 2024, except for those non-substantive edits noted in the Errata to the 2025 Energy Code, attached as Appendix A to this resolution.

D. The Building Standards Law, Health and Safety Code Section 18901, et seq.

The 2025 Energy Code meets all the requirements of the Building Standards Law necessary for this adoption. The 2025 Energy Code must be submitted to the California Building Standards Commission (CBSC) for approval and is required to be accompanied by an analysis which will, to the satisfaction of the CBSC, justify its approval. (Health & Safety Code, Section 18930, subd. (a).) For the reasons described below, the CEC finds, determines, and concludes that the 2025 Energy Code complies with each one of the applicable criteria.

1. The 2025 Energy Code does not conflict with, overlap, or duplicate other building standards. The CEC is the only state agency authorized to set energy efficiency and energy consumption reducing standards for buildings. Therefore, there is no overlap, duplication, or conflict with other building standards.

2. The 2025 Energy Code is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency. The CEC has statutory authority under Public Resources Code Sections 25213, 25402, 25402.1, 25402.4, 25402.5, 25402.8, and 25910 to promulgate and update energy and water efficiency and energy consumption reducing standards for residential and nonresidential buildings, including both newly constructed buildings as well as additions and alterations to existing buildings.
3. The public interest requires the adoption of the 2025 Energy Code. California law declares that the welfare of California's citizens and economy depends on an adequate, reasonably-priced, and environmentally-sound supply of energy, and that wasteful, uneconomic, inefficient, and unnecessary uses of energy will result in serious depletion or irreversible commitment of energy, land, and water resources, and potential threats to the state's environmental quality. It is the policy of the state to:
 - Employ a range of measures to reduce wasteful, uneconomic, and unnecessary uses of energy, thereby reducing the rate of growth of energy consumption,
 - Prudently conserve energy resources,
 - Assure progress towards statewide environmental, public safety, and land use goals, and
 - Reduce wasteful, uneconomic, inefficient and unnecessary uses of energy, including through the use of solar photovoltaics and battery energy storage systems.

The 2025 Energy Code serves all these public interests by carrying out the CEC's statutory mandate to provide energy- and water-efficiency and other energy consumption reducing standards for both newly constructed residential and nonresidential buildings. By saving large amounts of energy, the standards will also make a major contribution in meeting the state's goals for reductions in greenhouse gas emissions in buildings. By making buildings more efficient and affordable to operate, the 2025 Energy Code encourages investment in newly constructed buildings, and making capital available for other investments, thereby stimulating economic growth. The 2025 Energy Code will continue to improve upon the existing building standards and continue to address past and new policy directives.

4. The 2025 Energy Code is not unreasonable, arbitrary, unfair, or capricious, in whole or in part. The proposed standards, as a whole and with respect to each part, were carefully developed through an open, transparent, data-driven process that necessarily responds to, incorporates, and reasonably balances a broad array of interests, state policy goals, and legal requirements. The proposed standards originated with proposals that describe measures that are technically feasible and cost-effective, including supporting data and analysis. These proposals were then vetted during the public pre-rulemaking process, including several public workshops, during which time CEC staff received stakeholder

input and refined the proposed standards based on stakeholder input and evidence in the record.

5. The cost to the public is reasonable, based on the overall benefit to be derived from the building standards. The CEC must determine that any efficiency or conservation standards it adopts, including the 2025 Energy Code, are cost-effective pursuant to Public Resources Code Section 25402. To be cost-effective, the standards, when taken in their entirety, and when amortized over the economic life of the structure compared with historic practice, must result in greater savings to consumers than the up-front costs required to attain that efficiency. In the proposed standards, the CEC continues its longstanding adoption process of requiring that each individual measure (except for indoor air quality and electric ready measures) be cost-effective, not just the standards when taken in its entirety. The 2025 Energy Code will deploy on-site renewable energy generation often in combination with battery energy storage, reduce carbon emissions from newly constructed buildings (building decarbonization), reduce growth in energy demand, increase energy demand flexibility, and ensure that California buildings are as energy efficient as is found to be technically feasible and cost-effective. Added construction costs that the building standards will impose are reasonable based on the economic and environmental benefits that will be derived from the building standards. Therefore, the benefits will substantially outweigh the upfront costs of the 2025 Energy Code.
6. The 2025 Energy Code is not unnecessarily ambiguous or vague, in whole or in part. These standards include many changes that improve clarity and prevent ambiguity. Proposals or comments suggesting clarifying improvements were incorporated into the building standards where it was determined that they provide a benefit to clarity without otherwise changing the application or effect of the intended regulatory change.
7. The applicable national specifications, published standards, and model codes have been incorporated into the 2025 Energy Code as required by the State Building Standards Law, where appropriate. The 2025 Energy Code incorporates Federal energy standards for particular appliances that may be installed in buildings. In addition, the CEC included published standards and model and national codes and specifications in the 2025 Energy Code wherever appropriate.
8. The format of the 2025 Energy Code is consistent with that adopted by the CBSC.
9. The 2025 Energy Code has the written approval of the State Fire Marshal. On July 17, 2024, the State Fire Marshal sent a letter to the CEC, stating that the Office of the State Fire Marshal reviewed the 2025 Energy Code, finding no conflict in the proposed regulations, and therefore granting written approval.

Therefore, the CEC finds that the 2025 Energy Code complies with the requirements of the California Building Standards Law.

IV. ADOPTION OF 2025 ENERGY CODE; DELEGATION TO EXECUTIVE DIRECTOR

After considering all comments received and the staff's responses, and based on the entire record of this proceeding, the CEC hereby adopts the Initial Study and Proposed Negative Declaration, and the amendments in the 2025 Energy Code as set forth in the Proposed Final Express Terms and as further revised by Appendix A of this Resolution.

The CEC delegates the authority and directs CEC staff to take, on behalf of the CEC, all actions reasonably necessary to have the 2025 Energy Code 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 CBSC or Office of Administrative Law (OAL); making any changes to the rulemaking file required by CBSC or OAL; and preparing and filing the Negative Declaration 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 September 11, 2024.

AYE: Hochschild, Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

Appendix A

1. Errata to the 2025 Energy Code, 15-day language

- Page 100, Section 10-111(a)1A: NFRC 705 is miss titled, it should be titled Component Modeling Approach. This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 161, Table 110.2-B: Air cooled (heating mode) split system and single package >240,000 Btu/h and < 760,000 Btu/h, revise the Efficiency of 3.2 to "Federal Minimum, pointing to the Federal Minimum Efficiency to prevent confusion within the industry.
- Page 168, Table 110.2-F: VRF Air Cooled (heating mode) <65,000 Btu/h (cooling capacity), pointing to the Federal Minimum Efficiency to prevent confusion within the industry.
- Page 170, Table 110.2-G: VRF Air Cooled (heating mode) <65,000 Btu/h (cooling capacity), pointing to the Federal Minimum Efficiency to prevent confusion within the industry.
- Page 172, Table 110.2-G: VRF Air Cooled (heating mode) <65,000 Btu/h (cooling capacity), We updated effective dates for both the Minimum Efficiency and Test procedure to the effective date of the code. This a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 237, Table 120.1-A: Minimum Occupancy Load Density for a few Occupancies Category were incorrectly drafted. This a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 237, Table 120.1-A: "General manufacturing (excludes heavy...." was mistakenly included in the title header during formatting. This needs to have its own row with minimum occupant load of 5, Area-based ventilation of 0.15, Air class 3, and Notes NA This a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 262, Table 120.6-A-2: Subscripted the 2 in CO₂ to read CO₂. This a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 299, Section 130.1(d)2F: Fixed the subsection numbering from Section 130.1(d)2G to 130.1(d)2F. This a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 314, Section 140.1(a): Bolded the heading of the subsection "Energy

Budget”. This a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.

- Page 314, Section 140.1(a)1A and B: The numbering sequence is wrong. This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 314, Section 140.1(a)1B: added “covered process loads”. This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 340, Section 140.4(b)3A(i): Remove reference to ASHRAE Equipment Volume and Applications Volume for clarity and consistency. The text should read, “Outdoor design conditions shall be selected from Reference Joint Appendix JA2, which is based on data from the ASHRAE Climatic Data for Region X or the ASHRAE Handbook, Fundamentals Volume”. This is a typographical clerical error that has been removed in other sections of the August 2024 15-Day Express Terms and could lead to confusion if not corrected in Section 140.4 as well.
- Page 367, Section 140.4(s)1A: The numbering format is wrong. This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 407, Section 140.9(b)1B: Fixed the Table reference number from Table 140.9-A to Table 140.9-C. This a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 456, Section 150.1(m)12C: Particle size efficiency should be in Micro meters μm and not in mm. This a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 456, Section 150.0(o)1Gvi: Edit made to fix the section number in the Code to align with the section numbering of ASHRAE 62.2-2022 for sound rating has been moved from Section 7.2 to 7.3. This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 458, Exception 1 Section 150.0(m)13C: Edit to align with Exception 1 to Section 160.3(b)5Liii. These are non-substantive edits to improve readability and clarity.
- Page 465, Section 150.0(o)1Gvi: Edit made to fix the section number in the Code to align with the section numbering of ASHRAE 62.2-2022 for sound rating has been moved from Section 7.2 to 7.3. This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.

- Page 465, Section 150.0(o)1l: Edit made to fix the section number in the Code to align with the section numbering of ASHRAE 62.2-2022 for sound rating has been moved from Section 7.2 to 7.3. This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 488, Table 150.1-A: Fixed the requirement for Cathedral Ceilings to not have a radiant barrier: This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 491, Table 150.1-A: Fixed the footnote that is refer to Space-Heating - if gas, AFUE: This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 531, Section 160.2(c)5Eic: This was missed copy past from the Nonresidential Section, Section 120.1(d)5Aiii. This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 571, Exception to Section 160.5(b)1Aii: Fixed the wrong section numbering. Should be Section 160.5(b)1Aii and not Section 160.5(b)1Aii. This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 615, Section 170.2(c)3Bv: Fixed the wrong section numbering. Should be Section 170.2(c)3Bv and not Section 170.2(c)3Bivc. This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 615, Section 170.2(c)3Bvi: Fixed the wrong section numbering. Should be Section 170.2(c)3Bvi and not Section 170.2(c)3Bvi. This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 639, Section 170.2(d): Remove subsection 3 and 4 for the Domestic Hot Water Systems.” This is a typographical clerical error that could lead to confusion if not corrected since the subsection 3 and 4 have been deleted.
- Page 642, Table 170.2-k: Fixed the footnote 3 in row 4- Unitary4 – Heat Pump3, HSPF2/HSPF21,2 and 5 - Unitary4 – Dual-Fuel Heat Pump 3, AFUE of the table: This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page 694, Section 180.2(b)3A: correct the reference from Section160.4(f) to Section160.4(e). This is a typographical clerical error that could lead to confusion if not corrected.

- Page 700, Section 180.2(b)5Bic: Edit made to fix the section number in the Code to align with the section numbering of ASHRAE 62.2-2022 for sound rating has been moved from Section 7.2 to 7.3. This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page JA1-4, Section JA1: Aligning the definition of Battery Energy Storage System with that in Section 100.1. This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page JA15-1, Section JA15.1: Fixed the wrong section numbering. Should be Section 160.9(f) and not Section 160.9(e). This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.
- Page RA3-104, Section RA3.6.3: Fixed reference to Section 170.2(d) and removed the word Mandatory. This is a typographical clerical error that renders the sentence nonsensical and therefore could lead to confusion if not corrected.

2. Decline to Adopt

- Page 159, Table 110.2-A: Condensing Units, Air cooled, water cooled and Evaporatively Cooled: Due to comments from stakeholders, decline to adopt addition in 15-day language in Table 110.2-A.
- Page 299, Section 130.1(d)2F: Due to comments from stakeholders, decline to adopt addition in 15-day language, but retain the existing 2022 code language that was moved from Section 130.1(f)6.
- Page JA8.5, Joint Appendix JA 8.5: Due to comments from stakeholders, decline to adopt edits, either from 45-day or 15-day language, of Joint Appendix JA 8.5.
- Page JA8.14, Joint Appendix JA 8.9: Due to comments from stakeholders, decline to adopt addition in 15-day language of Joint Appendix JA 8.9.

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

RESOLUTION ADOPTING PROPOSED REGULATIONS

IN THE MATTER OF:

Docket No. 24-BSTD-02

**2025 CALIFORNIA GREEN BUILDING
STANDARDS CODE RULEMAKING
PROCEEDING CALIFORNIA CODE OF
REGULATIONS, TITLE 24, PART 11**

I. INTRODUCTION

The State Energy Resources Conservation and Development Commission (“California Energy Commission” or “CEC”) has, as directed by Section 25402 of the Public Resources Code, developed and undertaken a proceeding to adopt triennial revisions to voluntary standards, which are more stringent than the Building Energy Efficiency Standards (“California Energy Code” or “Energy Code”) in Part 6 of Title 24 of the California Code of Regulations. These voluntary standards are known as the California Green Building Standards Code (“2025 CALGreen”) and found in Appendices A4 and A5 to Part 11 of Title 24 of the California Code of Regulations.

The voluntary standards contained in the 2025 CALGreen proposal are changes to model code language that serve as recommendations, examples, and templates for local jurisdictions to use in considering above-code ordinances (also known as “reach codes”) and apply to newly constructed buildings and additions or alterations to existing buildings. Additionally, they provide above-code measures a builder could choose to utilize to comply with the Energy Code via performance standards if preferred. The 2025 CALGreen amendments increase the number of available voluntary options that residential buildings may utilize to gain compliance credits and provide recommended Long-term System Cost targets for California Climate Zones 1 through 16. Neither the public nor local jurisdictions are compelled to require or follow these voluntary standards.

Because the 2025 CALGreen proposal is entirely comprised of voluntary energy-saving provisions with no identifiable significant effects on the environment, the CEC staff have determined that the action is exempt from CEQA under the common-sense exemption because it can be seen with certainty that there is no possibility that the proposed amendments will have a significant effect on the environment.

Therefore, the CEC hereby adopts the 2025 CALGreen proposal as posted on August

16, 2024, for 15-day review effective January 1, 2026, following approval by the California Building Standards Commission.

The CEC takes this action under the authority granted by Public Resources Code Sections 25213, 25218, 25218.5, 25402, 25402.1, 25402.4, 25402.5, 25402.8, 25910, 25942, and 25943.

The CEC does so to implement, interpret, or make specific Public Resources Code Sections 25007, 25008, 25310, 25402, 25402.1, 25402.4, 25402.5, 25402.8, 25910, 25942, and 25943, and Health and Safety Code Sections 18390, 18934, and 18935.

II. HISTORY OF THE PROCEEDING

A. Rulemaking

The CEC developed the 2025 CALGreen amendments concurrently with the amendments to the mandatory 2025 Energy Code, which the CEC adopted at a public hearing on September 11, 2024.

To develop the 2025 CALGreen proposal, the CEC conducted an open, transparent, and extensive public process. Between March 2022 and today, the CEC held and participated in numerous stakeholder meetings and public workshops on the broader topic of the 2025 Energy Code and CALGreen. Nine staff-led, pre-rulemaking workshops were held addressing various aspects of the 2025 Energy Code and CALGreen in detail. Additionally, a Lead Commissioner Hearing for CALGreen was held on June 5, 2024, where staff presented all of the proposed measures to the public. During this process, stakeholder groups submitted comments to help improve versions of the proposed standards, and the CEC staff considered all public comments.

The CEC initiated the formal rulemaking proceeding on May 17, 2024, by posting the following rulemaking documents on its website to formally notify the public of the CEC's proposal to adopt the 2025 CALGreen amendments: a Notice of Proposed Action ("NOPA"), which described the proceeding, summarized the proposed voluntary standards, and explained how interested persons could participate; proposed Express Terms ("45-day language"); an Initial Statement of Reasons ("ISOR"), describing the rationale for the proposal; and the estimated fiscal and economic impact analysis. On May 17, 2024, 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. The CEC provided each of these documents and notices to every person on the CEC's Building Energy Efficiency Standards list server, the CEC's Efficiency list server, and to every person who had requested notice of such matters. The CEC also posted each of these documents, as well as the 15-day language (discussed below), to its website.

On June 5, 2024, the CEC held a Lead Commissioner Hearing on the 2025 CALGreen proposal. On July 1, 2024, the 45-day comment period established by the NOPA closed. The CEC received several written public comments on the 2025 CALGreen amendments during the 45-day comment period. Accordingly, on August 16, 2024, the CEC issued a Notice of proposed changes to the 45-day language, which was available for 15-day comment from August 16, 2024 through September 3, 2024 ("15-day

Language”).

III. FINDINGS AND CONCLUSIONS

Several statutes govern the CEC’s adoption of the 2025 CALGreen proposal: the California Environmental Quality Act (“CEQA”);¹ the Warren-Alquist State Energy Resources Conservation and Development Act;² the administrative rulemaking provisions of the Administrative Procedure Act (“APA”);³ and the State Building Standards Law.⁴ Pursuant to these statutes, the CEC has reviewed the entire record of this proceeding, including public comments, reports and other documents, transcripts of public events, and all other materials that have been filed in this proceeding (Docket No. 24-BSTD-02).⁵

Based on that record, the CEC makes the following findings and conclusions.

A. The California Environmental Quality Act (CEQA), Public Resources Code Sections 21000, et seq.

CEQA requires that state agencies consider the environmental impact of their discretionary decisions, including the adoption of regulations. A project is exempt from CEQA where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. (California Code of Regulations, Title 14, Section 15061(b)(3)). A significant effect on the environment is defined as a substantial, or a potentially substantial, adverse change in the environment, and does not include an economic change by itself. (Public Resources Code Section 21068; California Code of Regulations, Title 14, Section 15382).

The CEC has considered the application of CEQA to the 2025 CALGreen proposal. These energy-saving voluntary standards are intended as model codes and examples for local jurisdictions to use in considering above-code ordinances or for above-code measures a builder could choose to utilize. If adopted by a local jurisdiction, the standards would not result in substantial or potentially adverse changes to the environment, since the adopted standards would apply to newly constructed buildings, alterations, and additions, but would not trigger the construction itself. Adherence to adopted standards would result in benefits to the environment from increased energy efficiency; no significant adverse impacts are foreseeable. Thus, it can be seen with certainty that there is no possibility that the adoption of the 2025 CALGreen proposal may have a significant effect on the environment.

Accordingly, the CEC finds that the adoption of the 2025 CALGreen proposal is exempt from CEQA under the commonsense exemption (California Code of Regulations, Title 14, Section 15061, subdivision (b)(3)) because it can be seen with certainty that there is

¹ Pub. Res. Code § 21000, *et seq.*

² Pub. Res. Code, § 25000, *et seq.*

³ Gov. Code, 11340, *et seq.*

⁴ Health & Safety Code, § 18901, *et seq.*

⁵ The documents and other materials that constitute the rulemaking record can be found online at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?doctetnumber=24-BSTD-02>.

no possibility that the adoption of the proposed amendments will have a significant effect on the environment.

B. The Warren-Alquist Act, Public Resources Code Sections 25000, et seq.

The 2025 CALGreen proposal satisfies the requirements of the Warren-Alquist Act, in Public Resources Code Section 25402, which requires the CEC to adopt building design and construction standards that increase the efficiency in the use of energy and water for new residential and new nonresidential buildings, and energy and water conservation design standards.

The 2025 CALGreen amendments fulfill these directives. The 2025 CALGreen proposal includes voluntary measures that exceed the mandatory standards in the 2025 Energy Code, and where adopted by a local jurisdiction would increase energy efficiency and conserve energy by reducing the energy budget otherwise allotted to a building in the 2025 Energy Code. Although it is unclear which standards local jurisdictions may choose to adopt, to the extent that a local jurisdiction does choose to implement any of these voluntary standards without further modifications, they would reduce the wasteful, uneconomic, inefficient, and unnecessary consumption of energy for appliances that require a significant amount of energy or water on a statewide basis. The reduction in statewide electricity demand would also marginally decrease water consumption in the electricity generation sector.

There are no estimated costs or savings associated with the 2025 CALGreen amendments because they are voluntary standards. However, the voluntary standards in the proposed 2025 CALGreen are designed to be cost-effective if implemented, as well as technologically feasible and attainable. If a local jurisdiction chooses to adopt a local ordinance that requires compliance with any of these voluntary standards, it must submit the local ordinance to the CEC, which must find, under Public Resources Code Section 25402.1, subdivision (h)(2),⁶ that the city or county has filed the basis of its determination that standards are cost-effective with the CEC and that the local ordinance would result in a diminution of energy consumption compared to the mandatory provisions of the California Energy Code before the local ordinance becomes enforceable. The local jurisdiction is also responsible for performing its own CEQA analysis and subsequently submitting the required documentation with the CEC, as applicable.

Therefore, the CEC finds the 2025 CALGreen proposal has met all the requirements of the Warren-Alquist Act.

C. The Administrative Procedure Act, Government Code Sections 11340, et seq.

The California Administrative Procedure Act (APA) requires all state agencies to take certain steps and assess several matters when adopting regulations. Many of these matters, analyses, and findings are required to be addressed in the ISOR, prepared as part of the NOPA, or included in the Final Statement of Reasons (FSOR) that is required to be prepared after the regulations are adopted. In support of those documents, the CEC makes the following findings and determinations in adopting the

⁶ See also Cal. Code Regs., tit. 24, part 6, § 10-106.

2025 CALGreen proposal.

The 2025 CALGreen proposal contains only voluntary measures, clarifying language, references to existing requirements, and other non-substantive changes. Due to this, the 2025 CALGreen amendments do not impact any party's legal rights or responsibilities, and therefore the CEC finds that:

- The 2025 CALGreen amendments will not have a significant statewide economic impact on businesses, will not result in the creation of new businesses, will not result in the elimination of existing businesses, 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. Businesses may, but are not required to, comply with the 2025 CALGreen amendments. Consideration of potential future actions is uncertain and is not included in the assessment of the effects of the proposed standards.
- The 2025 CALGreen amendments will not impose any direct costs or savings, or any direct or indirect requirements or mandates, on 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.
- The 2025 CALGreen amendments will not result in the creation or elimination of jobs within California. The 2025 CALGreen proposal is voluntary and has no regulatory effect.
- The 2025 CALGreen amendments will not result in costs or savings in Federal funding to the state of California and will not alter or affect the CEC's receipt of Federal State Energy Program funding for the building standards program or alter or affect the state's ongoing participation in any Federal programs.
- The 2025 CALGreen amendments will not result in any nondiscretionary costs or savings to local agencies or school districts.
- The 2025 CALGreen proposal will not have an impact on housing costs. Although these voluntary measures provide templates and examples that could, if enacted by a local jurisdiction, potentially affect housing prices, any likely effect would be to increase energy efficiency, resulting in energy bill savings over the life of the building that will be greater than any increased construction costs that could result from those heightened standards.
- The 2025 CALGreen amendments will not result in cost impacts to representative private persons or businesses, as these are voluntary standards, templates, examples, and non-substantive changes to the regulations that do not require compliance. Further, the CEC is not aware of any cost impacts that a represented private person or business would necessarily incur in reasonable compliance with the 2025 CALGreen amendments.

- The 2025 CALGreen proposal will not adversely impact the health and welfare of California’s residents, worker safety, or the state’s environment. The 2025 CALGreen amendments may encourage consideration and adoption of local ordinances relating to energy efficiency in buildings, and such ordinances, if adopted may have positive impacts on health, welfare, and the environment known to result from energy efficiency. However, such impacts are uncertain.
- The 2025 CALGreen amendments have no alternatives that would be more effective in carrying out the purposes of the statutes for which they are 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, as neither affect the rights or responsibilities of any individual.
- The 2025 CALGreen proposal will not have a significant adverse economic impact on small businesses, does not differentiate between a small business and a regular business, and no alternatives were proposed that would lessen any adverse economic impact on small business.
- The 2025 CALGreen amendments will not require completion of any new report.

There is nothing else in the record that justifies any changes to the proposed 2025 CALGreen as published on August 16, 2024. Therefore, the CEC finds that the 2025 CALGreen proposal meets the requirements of the APA.

D. The Building Standards Law, Health and Safety Code Sections 18901, et seq.

The 2025 CALGreen proposal must be submitted to the California Building Standards Commission (“CBSC”) for approval and is required to be accompanied by an analysis which will, to the satisfaction of the CBSC, justify its approval. (Health & Safety Code Section 18930, subdivision (a)). For the reasons described below, the CEC finds and concludes that the 2025 CALGreen amendments comply with each one of the applicable criteria.

- 1) The 2025 CALGreen amendments do not conflict with, overlap, or duplicate other building standards. The CEC is the only state agency authorized to set efficiency standards for buildings.
- 2) The 2025 CALGreen proposal is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency. The CEC has statutory authority under Public Resources Code Sections 25213, 25402, 25402.1, 25402.4, 25402.5, 25402.8, and 25910 to promulgate and update energy and water efficiency standards for residential and nonresidential buildings, including both newly constructed buildings and additions and alterations to existing buildings.
- 3) The public interest requires the adoption of the 2025 CALGreen amendments. California law declares that the welfare of California’s citizens and economy depends on an adequate, reasonably priced, and environmentally-sound supply

of energy and that wasteful, uneconomic, inefficient, and unnecessary uses of energy will result in serious depletion or irreversible commitment of energy, land, and water resources, and potential threats to the state's environmental quality. It is the policy of the state to:

- Employ a range of measures to reduce wasteful, uneconomical, and unnecessary uses of energy, thereby reducing the rate of growth of energy consumption,
- Prudently conserve energy resources,
- Assure progress towards statewide environmental, public safety, and land use goals, and
- Reduce wasteful, uneconomic, inefficient and unnecessary uses of energy, including through the use of solar photovoltaics and other renewable energy.

The 2025 CALGreen proposal serves all these public interests by providing voluntary energy- and water-efficiency and conservation standards that go beyond the mandatory standards set forth in the 2025 Energy Code. By providing a blueprint for the public to voluntarily adopt more efficient measures and for local jurisdictions to adopt local ordinances requiring more stringent standards, the 2025 CALGreen proposal makes a major contribution in meeting the state's goals for reductions in greenhouse gas emissions in buildings. The 2025 CALGreen amendments, where adopted by local jurisdictions, will continue to improve upon the existing building standards and continue to address past and new policy directives.

- 4) The 2025 CALGreen proposal is not unreasonable, arbitrary, unfair, or capricious, in whole or in part. The proposed voluntary standards, as a whole and with respect to each part, were carefully developed through an open, transparent, data-driven process that necessarily responds to, incorporates, and reasonably balances a broad array of interests, state policy goals, and legal requirements. The proposed voluntary standards originated with proposals that were vetted during the public rulemaking process, including public workshops, during which time CEC staff received stakeholder input and refined the proposed voluntary standards based on evidence in the record.
- 5) There are no costs associated with the 2025 CALGreen proposal because it is voluntary, and therefore, the cost to the public is reasonable.
- 6) The 2025 CALGreen amendments are not unnecessarily ambiguous or vague, in whole or in part. These standards include changes that improve clarity and prevent ambiguity. Proposals or comments suggesting clarifying improvements were incorporated into the voluntary standards where it was determined that they provide a benefit to clarity without otherwise changing the application or effect of the intended regulatory change.
- 7) The applicable national specifications, published standards, and model codes have been incorporated into the 2025 CALGreen amendments as required by the State Building Standards Law, where appropriate. The 2025 CALGreen amendments incorporate Federal energy standards for particular appliances that

may be installed in buildings. In addition, the CEC included model and national codes and specifications in the 2025 CALGreen proposal wherever appropriate.

- 8) The format of the 2025 CALGreen proposal is consistent with that adopted by the CBSC. The proposed standards continue to use the format of the other building standards in the California Building Standards Codes.
- 9) The 2025 CALGreen proposal has the written approval of the State Fire Marshal. On July 17, 2024, the State Fire Marshal sent a letter to the CEC stating that the Office of the State Fire Marshall reviewed the 2025 CALGreen amendments, finding no conflict in the proposed regulations, and therefore granting written approval.

Therefore, the CEC finds that the 2025 CALGreen proposal complies with the requirements of the California Building Standards Law.

IV. ADOPTION OF 2025 CALGREEN; DELEGATION TO EXECUTIVE DIRECTOR

Based on the entire record of this proceeding, including all comments received and the staff's responses, the CEC finds that the 2025 CALGreen proposal is exempt from CEQA and meets all statutory requirements. Therefore, the CEC hereby adopts the amendments in the 2025 CALGreen proposal, as set forth in the 15-day language.

The CEC delegates the authority and directs CEC staff to take, on behalf of the CEC, all actions reasonably necessary to have the 2025 CALGreen proposal 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 CBSC or Office of Administrative Law (OAL); making any changes to the rulemaking file required by CBSC or OAL; and preparing and filing all necessary CEQA documentation.

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 September 11, 2024.

AYE: Hochschild, Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Tule River Indian Tribe of the Tule River Reservation, California

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 001-24-ECT with the Tule River Indian Tribe of the Tule River Reservation, California for a \$2,220,909 loan at one percent interest. The loan will finance two rooftop and two ground mounted solar PV systems each paired with battery energy storage in Tulare County. The project is estimated to reduce grid electricity use by 873,741 kWh saving approximately \$153,092 in utility costs per year; and

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION: Regents of the University of California; University of California,
San Diego**

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

RESOLVED, that the CEC approves agreement DBA-24-004 with the Regents of the University of California; University of California, San Diego (UCSD) for a \$7,146,296 grant. Under this agreement, UCSD will purchase, install, and report performance of a four-hour lithium-ion battery energy storage system with a nameplate capacity of 9.8 MW / 39.2 MWh. The system will replace (upgrade) an existing two-hour lithium-ion battery system with a nameplate capacity of 2.5 MW / 5.0 MWh that is part of the existing bulk grid power assets owned and operated by UCSD; and

RESOLVED, that this agreement will ensure the availability of the incremental capacity of the battery energy storage system during extreme events for a term of five years from the commercial online date of the battery energy storage system; 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Skyven Technologies, Inc.

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

RESOLVED, that the CEC approves agreement IND-24-001 with Skyven Technologies, Inc. for a \$5,000,000 federal cost share grant. This agreement will deploy an open-cycle mechanical vapor recompression steam-generating heat pump at Proctor & Gamble's pulp and paper facility in Oxnard; 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Gallo Glass Company

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 IND-24-002 with Gallo Glass Company for a \$5,000,000 federal cost share grant. This agreement will deploy electric-driven glass melting equipment to shift away from fossil gas operated glass furnaces to a hybrid, less carbon intensive solution at Gallo Glass's facility in Modesto; 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: NeWolrd 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 EPC-24-016 with NeWorld Energy for a \$2,000,000 grant. This agreement will fund the development, certification, deployment, demonstration, and data analysis of the Energy Quarterback (EQB) system which enables scaled deployment of low-cost zero emissions backup power systems and streamlined grid interconnection. The technology will be deployed at two MFH locations in Tuolumne County and ten single-family homes in San Diego County. Both sites are in Disadvantaged Communities and the Tuolumne County site is within a High Fire Threat District; 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Prospect Silicon Valley

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-24-017 with Prospect Silicon Valley for a \$1,712,504 grant. This agreement will demonstrate how distributed load-shedding smart panels and modular plug-in batteries can be centrally controlled to expand panel capacity at power-constrained MFH communities without triggering costly electric utility service upgrades, while providing energy resiliency for both the individual units and the building as a whole and performing grid services to support reliability. The demonstration will take place at two affordable housing apartment communities in Humboldt County, both in High Fire Threat Districts and low-income communities; 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Zimeno, 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-24-018 with Zimeno, Inc. dba Monarch Tractor for a \$1,999,992 grant. This agreement will fund the development, certification, deployment, demonstration, and data analysis of the Monarch Electrical Load Distribution system which enables intelligent electric load monitoring and critical zero-emission load support during blackouts to dwellings with 50-200+ amp service connections. The technology will be demonstrated at six family-owned farms across Fresno, San Diego, Riverside, San Luis Obispo, Calaveras, and Mendocino Counties; 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Zero6 EV Charging CA | 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 RNEV-24-001 with Zero6 EV Charging CA I LLC for a \$4,650,000 grant. This agreement will install, operate, and maintain public EV direct current fast charging stations compliant with NEVI Program requirements along the sections of Interstate 15 between Hesperia and Nevada, Interstate 40 between Barstow and Needles, and State Route 58 between Buttonwillow and Barstow; 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Zero6 EV Charging CA | 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 RNEV-24-002 with Zero6 EV Charging CA I LLC for a \$6,075,000 grant. This agreement will install, operate, and maintain public EV direct current fast charging stations compliant with NEVI Program requirements along Interstate 5 from Kettleman City to Santa Clarita; 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Zero6 EV Charging CA | 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 RNEV-24-003 with Zero6 EV Charging CA I LLC for a \$3,675,000 grant. This agreement will install, operate, and maintain public EV direct current fast charging stations compliant with NEVI Program requirements along Interstate 5 from Sacramento to 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Skychargers, 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 RNEV-24-004 with Skychargers, LLC for a \$2,965,854 grant. This agreement will install, operate, and maintain EV direct current fast charging stations compliant with NEVI Program requirements along Interstate 5 from Kettleman City to Santa Clarita; 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Skychargers, 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 RNEV-24-005 with Skychargers, LLC, for \$4,008,069. This agreement will install, operate, and maintain EV direct current fast charging stations compliant with the NEVI Program requirements along the section of Interstate 5 from Sacramento to 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 September 11, 2024.

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

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Sustainable Energies CA 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 RNEV-24-007 with Sustainable Energies CA LLC for a \$1,860,000 grant. This agreement will install, operate, and maintain public EV direct current fast charging stations compliant with the NEVI Program requirements along sections of Interstate 8, Interstate 15, and Interstate 805 in San Diego and Riverside counties; 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Sustainable Energies CA 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 RNEV-24-008 with Sustainable Energies CA LLC for a \$1,200,000 grant. This agreement will install, operate, and maintain public EV direct current fast charging stations compliant with NEVI Program requirements along sections of Interstate 210, Interstate 215, and Interstate 405 in Los Angeles, Riverside, and San Bernardino counties; 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Sustainable Energies CA 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 RNEV-24-009 with Sustainable Energies CA LLC for a \$1,800,000 grant. This agreement will install, operate, and maintain public EV direct current fast charging stations compliant with the NEVI Program requirements along sections of Interstate 110, Interstate 710, Interstate 605, and Interstate 105 in Los Angeles County; 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Electrify America, 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 RNEV-24-010 with Electrify America, LLC for a \$6,488,372 grant. This agreement will install, operate, and maintain public EV direct current fast charging stations compliant with NEVI Program requirements along sections of Interstate 15 between Hesperia and Nevada, Interstate 40 between Barstow and Needles, and State Route 58 between Buttonwillow and Barstow; 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 September 11, 2024.

AYE: Gunda, McAllister, Gallardo

NAY: NONE

ABSENT: Hochschild, Monahan

ABSTAIN: NONE

Dated: September 12, 2024

SIGNED BY:

Kristine Banaag
Secretariat