

DOCKETED

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Re: 19-ERDD-01 EPIC GFO Criteria Additions

Additional submitted attachment is included below.

February 15, 2019

California Energy Commission
Docket Office
1516 Ninth St.
Sacramento, CA 95814

VIA DOCKET
Energy Commission Docket 19-ERDD-01

Re: 19-ERDD-01 EPIC GFO Criteria Additions

Dear Commissioners:

The Greenlining Institute and California Environmental Justice Alliance (CEJA) submit the following comments on the Proposed Evaluation Criteria for Benefits and Impacts to Low Income and Disadvantaged Communities in Electric Program Investment Charge (EPIC) Grant Funding.

Dirty fossil fuel facilities in California are disproportionately located in disadvantaged communities,¹ and disadvantaged communities disproportionately bear the adverse environmental and health impacts from the use of fossil fuels.² Communities that bear a disproportionate impact of environmental pollution also generally have a higher energy burden,³ making them more vulnerable to fluctuating energy prices and the expected increased energy needs due to climate change.⁴ Due to reasons such as these, climate change will continue to hit disadvantaged communities first and worst.⁵

¹ See L. Cushing, et. al, A Preliminary Environmental Equity Assessment of California's Cap-and-Trade Program at p. 2, 4, 5 (2016), *available at* <https://dornsife.usc.edu/PERE/enviro-equity-CA-cap-trade>.

² See, e.g., Manuel Pastor, et. al., Minding the Climate Gap: What's at Stake if California's Climate Law Isn't Done Right and Right Away 8–12 (2010), *available at* <http://dornsife.usc.edu/pere/documents/mindingthegap.pdf>.

³ See, e.g., Low-Income Barriers Study, Part A: Overcoming Barriers to Energy Efficiency and Renewables for Low-Income Customers and Small Business Contracting Opportunities in Disadvantaged Communities, Low-Income Barriers Study, Part A: Overcoming Barriers to Energy Efficiency and Renewables for Low-Income Customers and Small Business Contracting Opportunities in Disadvantaged Communities, (Dec. 2016), http://www.energy.ca.gov/sb350/barriers_report/ (last accessed Sep 22, 2017) (hereinafter "CEC Barriers Study"); Campaign for Home Energy Assistance, The LIHEAP Investment 1 (2010), *available at* http://liheap.org/assets/investment/LIHEAP_investment_june2010.pdf (discussing a program to provide assistance to low-income households to pay for heating and cooling their home).

⁴ See Rachel Morello-Frosch, et. al., The Climate Gap, at p. 5.

⁵ See, e.g., Rachel Morello-Frosch, et. al., The Climate Gap, at p. 7, *available at* https://dornsife.usc.edu/assets/sites/242/docs/The_Climate_Gap_Full_Report_FINAL.pdf (discussing how disadvantaged communities will suffer more from the impacts of climate change.) The key finding of this report is: "[t]here is a climate gap. The health consequences of climate change will harm all Americans – but the poor and people of color will be hit the worst."

Despite this, disadvantaged communities are still the least likely to benefit from California's transition to a clean energy future. The benefits of the transition to a clean energy economy have not been spread equally in the State. Currently, Electric Program Investment Charge (EPIC) are not proportionately reaching the communities that need them the most. Better serving low-income and disadvantaged communities is consistent with relevant statutes, the California Energy Commission's (CEC) triennial investment plan and *SB 350 Barriers Study*, and the mission of EPIC to invest in clean energy technologies that benefit all ratepayers.

Greenlining and CEJA support the CEC's continued commitment to meeting the needs of low-income and disadvantaged communities. Greenlining and CEJA recognize the CEC's efforts to invest in and collaborate with low-income and disadvantaged communities on EPIC projects. Greenlining and CEJA support the spirit of proposed Solicitation Manual Language and Evaluation Criteria. Greenlining and CEJA support the inclusion of non-energy benefit (NEB) analysis, the prioritization of community engagement in low-income and disadvantaged communities, the multiple pathways available for applicants to demonstrate the comprehensive impacts of potential projects on their host communities. Greenlining and CEJA offer suggested modifications requiring the prioritization of pollution reduction in AB 523 EPIC projects, a more robust analysis on the health impacts of proposed projects, and more specific community engagement guidance for project applicants.

Greenlining and CEJA support:

- The Solicitation Manual Language's inclusion of CalEnviroScreen 3.0 and California Air Resources Board Low-Income Map.
- The Solicitation Manual Language's encouragement of EPIC projects that reduce localized pollution.
- The Evaluation Criteria's consideration of the economic benefits of EPIC projects and consideration of community input in project design.
- The Evaluation Criteria's consideration of letters of support from community-based organizations in low-income and disadvantaged communities.
- The Evaluation Criteria's consideration of scalable benefits across low-income and disadvantaged communities statewide.
- The Evaluation Criteria's consideration of how projects meet the specific community and energy needs of low-income and disadvantaged communities.

Greenlining and CEJA suggest the following modifications:

- The Evaluation Criteria's Localized Health Impact Analysis should require applicants provide information and meet each of the individual criteria identified in 8.1 (a), (b), and (c).
- The Evaluation Criteria's Localized Health Impact Analysis should require that EPIC projects do not increase pollution in both low-income and disadvantaged communities.
- The Evaluation Criteria's Localized Health Impact Analysis should read, "Summarizes the potential localized health benefits and impacts of the proposed project and provides reasonable analysis and assumptions." In particular, we request that the Criteria's Localized Health Impact Analysis remove the modifier "net." AB

523 does not include the modifier “net” in its language, and the utilization of the word “net” limits the potential analysis related to a project.

- The Evaluation Criteria should require applicants detail a “community engagement strategy” for implementation of their proposed EPIC project in addition to the letters of support listed in 8.4. The Community Engagement Strategy should detail planned collaboration and outreach with community-based organizations and community residents. The Evaluation Criteria should further require information about how community input is reflected, not just considered, in the design of the project.

Greenlining and CEJA look forward to continuing to work with the CEC and all partners on ensuring the benefits of EPIC reach all Californians.

Respectfully Submitted,

The Greenlining Institute

The California Environmental Justice Alliance