

DOCKETED

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STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

**IN THE MATTER OF:
KING CITY COGENERATION**

CALPINE KING CITY COGEN, LLC

Docket No. 85-AFC-05C

**ORDER APPROVING PETITION
FOR MODIFICATION TO REMOVE
ENGINEERING CONDITION
OF CERTIFICATION-1**

I. INTRODUCTION

In December 2018, Calpine King City CoGen, LLC (Calpine), the owner of the King City Cogeneration facility (facility), submitted to the California Energy Commission (Energy Commission) a Petition for Modification to Remove Engineering Condition of Certification-1 (petition) from the final decision for the facility issued in June 1987 (final decision).

Engineering Condition of Certification-1 was included in the final decision to ensure that the facility met specific efficiency requirements as a cogeneration facility, in addition to operational requirements as a qualifying facility under its power purchase agreement and the law in effect at that time.

The proposed removal of Engineering Condition of Certification-1 will eliminate the requirement that the facility produce thermal energy for a steam host in addition to electrical energy, which would be consistent with the facility's intended operations in 2019 and with subsequent changes in California law.

Energy Commission staff reviewed all project related information and, on March 20, 2019, published a revised staff analysis assessing the impacts on the environment from the granting the petition.

The staff analysis concludes that the proposed modifications would not result in any significant adverse environmental impacts, and would comply with all applicable laws, ordinances, regulations, and standards. Staff recommends approval of the Petition for Modification to Remove Engineering Condition of Certification-1 from the final decision for the facility.

II. FINDINGS

The Energy Commission produced an EIR-equivalent analysis of the King City Cogeneration facility as part of its original licensing proceeding, which culminated in the grant of a license on June, 1987. Based on the entire record of this proceeding, including staff's analysis, and the final decision and the environmental analysis of the project contained therein, the Energy Commission concludes that the proposed modifications will not result in any significant impacts to public health and safety, or to the environment. The Energy Commission finds that:

- The petition meets all the filing criteria of Title 20, section 1769 (a)(1), of the California Code of Regulations, concerning post certification changes in project design, operation, or performance;
- None of the findings specified in Title 20, section 1748(b) are applicable; and
- The modified project would not have a significant impact on the environment.

III. CONCLUSION AND ORDER

The California Energy Commission concludes that the proposed modifications to the final decision contained in the petition, and Energy Commission staff's analysis thereof, do not meet the criteria requiring production of subsequent or supplemental environmental review as specified in Title 14, California Code of Regulations, section 15162(a); therefore, no subsequent or supplemental EIR-equivalent review or documentation is required. The California Energy Commission hereby approves Calpine King City CoGen, LLC's Petition for Modification to Remove Engineering Condition of Certification-1 from the final decision for the facility issued in June 1987.

IT IS SO ORDERED.

CERTIFICATION

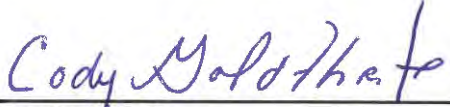
The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an Order duly and regularly adopted at a meeting of the California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: SAN DIEGO PORT TENANTS ASSOCIATION

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

RESOLVED, that the Energy Commission approves Amendment 2 to Agreement ARV-15-068 with San Diego Port Tenants Association to reallocate reimbursable funds due to a change in a major subcontractor; to revise Task 3 in the Scope of Work from using combined freight signal priority and truck platooning technologies to using only freight signal priority; to change the project location of Task 3; and to adopt staff's determination that this action is exempt from the California Environmental Quality Act (CEQA); and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION

The undersigned Secretariat to the Commission 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 California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister
NAY: None
ABSENT: None
ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

IN THE MATTER OF:

LAURELWOOD DATA CENTER

Docket No. 19-SPPE-01

**ORDER ESTABLISHING
COMMITTEE**

On March 5, 2019, MECP1 Santa Clara 1, LLC filed a small power plant exemption application for the Laurelwood Data Center. The facility would consist of two four-story buildings, with 56 diesel-fired backup generators, and a 99-megawatt maximum load of information technology, cooling, and ancillary equipment in Santa Clara, California. Pursuant to Public Resources Code section 25211 and California Code of Regulations, title 20, section 1204, the Energy Commission hereby establishes the Laurelwood Data Center Siting Committee to preside over the small power plant exemption proceedings and any other proceedings arising from the application.

The committee shall have the authority and duties necessary to conduct this proceeding as set forth in Energy Commission regulations, including the authority of a presiding member to manage the proceeding in accordance with California Code of Regulations, title 20, section 1203.

Unless otherwise ordered by the Commission, this Committee will dissolve 35 days after final action in this proceeding.

The Committee members are as follows:

Presiding: Douglas

Associate: Scott

CERTIFICATION


The undersigned Secretariat to the Energy Commission does hereby certify that the foregoing is a full, true, and correct copy of an Order duly and regularly adopted at a meeting of the California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat



**Before the Energy Resources Conservation and Development
Commission of the State of California
1516 Ninth Street, Sacramento, CA 95814
1-800-822-6228 – www.energy.ca.gov**

IN THE MATTER OF:

**COMPLAINT AGAINST STOCKTON PORT
DISTRICT FOR NONCOMPLIANCE WITH THE
RENEWABLES PORTFOLIO STANDARD**

Docket No. 18-RPS-01

Order No. 19-0410-3

COMMISSION ADOPTION ORDER

This Commission Order adopts the Commission Decision for the Complaint Against Stockton Port District for Noncompliance with the Renewable Portfolio Standard. The Commission Decision consists of the Committee Proposed Decision¹ (CPD) as modified by the Commission during the April 10, 2019 Business Meeting. The Commission Decision is based upon the record of these proceedings and considers the comments received prior to and at the April 10, 2019 Business Meeting. The Commission Decision contains a summary of the proceedings, the evidence presented, and the rationale for the findings and conclusions it reaches.

FINDINGS

The Commission hereby adopts, pursuant to the Warren-Alquist Act (California Public Resources Code section 25000 et seq.) and Public Utilities Code section 399.11 et seq., the findings and conclusions contained in the Commission Decision:

ORDER

Therefore, the Commission Orders the following:

1. The CPD filed on March 29, 2019, as modified by the Commission during the April 10, 2019 Business Meeting, is hereby adopted as the Commission Decision and incorporated by reference into this Order.
2. This Order is adopted, issued, effective, and final on the date that it is filed in the Docket of this proceeding.
3. Judicial review of this Order is governed by Public Resources Code section 25901.

¹ TN 227456

4. The Docket file for this proceeding shall be closed and this proceeding shall terminate effective after filing of the compilation described in paragraph 5, below.
5. The Hearing Officer shall incorporate the CPD and any modifications made during the April 10, 2019 Business Meeting into a single document, removing the markings showing additions and text marked for deletion. Publication of that compilation shall not affect the adoption, effective, issuance, or final dates of this Order established in paragraph 2, above.

IT IS SO ORDERED

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an Order duly and regularly adopted at a meeting of the California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

Docket No. 19-EPS-01

**SOUTHERN CALIFORNIA PUBLIC POWER
AUTHORITY EMISSION PERFORMANCE
STANDARD COMPLIANCE FILING**

I. INTRODUCTION

Pursuant to Public Utilities Code section 8341(e)(1), the Energy Commission established a greenhouse gases emission performance standard (EPS) of 1,100 pounds carbon dioxide per megawatt hour, as codified in Title 20 of the California Code of Regulations, sections 2900 et seq. The Energy Commission is responsible for reviewing all long-term financial commitments entered into by local publicly owned electric utilities for compliance with the EPS.

II. FINDINGS

a. On March 19, 2019, the Southern California Public Power Authority (SCPPA) submitted a compliance filing requesting that the Energy Commission find that SCPPA's Power Purchase Agreement with ORNI 50 LLC for electricity from the Mammoth Casa Diablo IV geothermal plant be determined to be compliant with the EPS;

b. Energy Commission staff reviewed SCPPA's filing and found it complete. Based on its review, staff recommended that the procurement be found to be in compliance with the EPS; specifically, staff concluded the geothermal plant listed in the PPA meets the criteria of a renewable electricity generation facility as defined in Chapter 8.6 of Division 15 of the Public Resources Code and as such is determined to be compliant with the EPS; and

c. The Energy Commission concurs with staff's recommendation that SCPPA's compliance filing is complete and that the contract with ORNI 50 LLC, as described in the compliance filing, complies with the EPS.

III. CONCLUSION AND ORDER

The California Energy Commission hereby adopts staff's recommendation and orders that the long-term financial commitment described in SCPPA's compliance filing complies with the Energy Commission's Greenhouse Gases Emission Performance Standard, as codified in Title 20 of the California Code of Regulations, section 2900 *et seq.*

CERTIFICATION

The undersigned Secretariat to the Energy Commission does hereby certify that the foregoing is a full, true, and correct copy of an Order duly and regularly adopted at a meeting of the California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**ATLAS COPCO NORTH AMERICA
AND QUINCY COMPRESSORS**

**PETITION FOR RULEMAKING
HEARING**

Docket No. 18-AAER-05

**ORDER DENYING THE PETITION
FOR RULEMAKING HEARING**

I. INTRODUCTION AND PROCEDURAL HISTORY

On January 9, 2019, at a public hearing, the California Energy Commission (Commission) adopted efficiency standards and reporting requirements for commercial and industrial air compressors (air compressors).

On February 1, 2019, after the public comment period closed and the Commission had adopted the regulations, legal counsel for Atlas Copco North America and Quincy Compressors submitted a proposed regulatory advisory to the air compressors docket.

On March 6, 2019, Atlas Copco North America and Quincy Compressors filed a petition requesting that the Commission initiate a rulemaking hearing under California Code of Regulations, title 20, section 1221 and Government Code section 11340.6, for the purpose of amending or repealing the efficiency standards and reporting requirements for air compressors. Specifically, the petition requested that the Commission change the adopted regulatory language to allow Petitioners to:

1) Rely on previously conducted test results to certify compliance with California's efficiency standards: (1) regardless of the date of the test, (2) even if the testing occurred prior to lab approval by the Commission, and (3) even if the testing was conducted before the federal test method was approved by the Department of Energy (DOE). (Exhibit 1 to the petition.)

2) Rely on test results from a single machine to certify compliance with California's commercial and industrial air compressor efficiency standards. (Exhibit 1 to the petition.)

3) Use test results based upon the ISO1217- 2009 test method to certify compliance with California's efficiency standards. (Exhibit 1 to the petition.)

On March 13, 2019, the Commission's Executive Director certified that the petition was complete and contained the informational requirements of CCR title 20, section 1221.

On April 5, 2019, Commission Staff filed a response to the petition recommending denial of the petition because changes to the adopted regulatory language are not necessary. According to the staff recommendation, no ambiguities exist regarding the use of results from DOE compliant tests to certify models into the Commission's database, the use of test results generated prior to laboratory approval, or the number of machines that need to be tested.

On April 10, 2019, the Commission held a hearing to consider the petition.

II. FINDINGS

Based on the record, the Commission finds that:

1) Public Resources Code section 25218 empowers the Commission to adopt any rule or regulation, or take any action it deems reasonable and necessary to carry out its statutory duty. Public Resources Code section 25402 authorizes the Commission to adopt technologically feasible and cost effective regulations that will reduce the wasteful, uneconomic, inefficient, or unnecessary consumption of energy for appliances that require a significant amount of energy. Thus, the Commission has the authority to initiate a rulemaking amending or repealing previously adopted regulatory language, as requested in the petition.

2) On January 9, 2019, the Commission adopted efficiency standards and reporting requirements for commercial and industrial air compressors.

3) The Commission adopts, amends, or repeals regulations, which implement, interpret or make specific any provision of Division 15 of the Public Resources Code or any other statute enforced or administered by the Commission. (Cal. Code Regs., tit. 20, section 1220.) In this case, the Commission implemented and made specific its appliance efficiency mandate under Public Resources Code section 25402.

4) The Commission determined whether the adopted regulatory language contains ambiguities, whether there has been a change in law, or whether the regulatory language has become obsolete, to warrant the amendment or repeal of the regulatory language related to air compressors. We do not find such conditions and agree with Staff that initiating a rulemaking to amend or repeal the regulatory language related to testing and certification of air compressors is not necessary. (Staff Memo, p.5.)

5) The Commission's adopted language does not prohibit manufacturers from using test results to certify an appliance to the Commission's database, whether those tests were performed prior to or after the test lab was approved, or whether the test was performed

prior to the DOE's approval of the test method, as long as the tests were performed according to the test procedure. . (Staff Memo, p.4.)

6) The Commission's adopted language does not require more than a single unit to be tested for certification purposes. Moreover, the Commission's adopted language did not include the DOE's sampling requirements for air compressors. (Staff Memo. pp. 3-4.)

7) The Commission's adopted language does not prohibit manufacturers from certifying that their historical ISO 1217:2009 test data is in accordance with the test procedure in CCR, title 20, section 1604 (i.e., the DOE test procedure).¹ Federal law preempts the Commission from accepting test results from a test procedure inconsistent with the DOE test procedure.² (Staff Memo, p. 3.)

III. CONCLUSION AND ORDER

For the reasons stated above, the Petition is hereby DENIED.

IT IS SO ORDERED.

CERTIFICATION


The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of an Order duly and regularly adopted at a meeting of the California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat

¹ Transcript of Energy Commission January 9, 2019, Business Meeting, p. 31.

² United States Code, title 42, section 6297(a).

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: RIO ALTO WATER DISTRICT

WHEREAS, Rio Alto Water District (hereafter "District") has requested funding for the "Rio Alto Water District Solar Photovoltaic System Project" (hereafter, "Project"), a project for solar photovoltaic system installations at three District-owned sites, as more fully set forth in proposed Agreement 004-18-ECD (hereafter, "004-18-ECD"); and

WHEREAS, District is the lead agency pursuant to the California Environmental Quality Act (hereafter, "CEQA") (Pub. Resources Code section 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., tit. 14, section 15000 et seq.); and

WHEREAS, District prepared an Initial Study to determine the possible environmental impacts of the Project; and on the basis of the Initial Study, prepared a Mitigated Negative Declaration (hereafter, "MND"); and

WHEREAS, District considered the Initial Study, MND and other related documents in the record before it, and on March 5, 2019 approved and adopted the MND; and

WHEREAS, the State Energy Resources Conservation and Development Commission (hereafter, "Energy Commission") is a responsible agency and must therefore, pursuant to CEQA Guidelines, sections 15091 and 15096, subdivision (h), make certain findings prior to approval of 004-18-ECD; and

WHEREAS, the Energy Commission has reviewed and considered the Initial Study and MND and other related documents in the record before it; and

WHEREAS, the Energy Commission has no information indicating that the environmental documentation is inadequate, and has used its own independent judgment to consider the Initial Study and MND and other related documents in the record before it in deciding whether to approve 004-18-ECD.

THEREFORE BE IT RESOLVED, District has previously adopted certain mitigation measures recommended in the MND and has authority to implement the mitigation measures, or to seek any required approvals for the mitigation measures, and such measures are within the responsibility of District and that the Energy Commission

finds, on the basis of the entire record before it, that the mitigation measures incorporated in the MND and mitigation measures different from, and in addition to those incorporated in the MND will collectively eliminate or mitigate the environmental impacts of the proposed project to less than significant levels; and

BE IT FURTHER RESOLVED, that the Energy Commission has identified additional potentially significant impacts to biological resources and cultural resources and has also identified feasible mitigation measures different from, and in addition to, those analyzed in the Initial Study and MND within the Energy Commission's powers that would substantially lessen these potential effects to biological resources and cultural resources; these mitigation measures are: the execution by a qualified biologist of at least two pre-construction surveys for nesting birds if any construction activities will take place during the nesting season of native or migratory bird species potentially nesting within 500 feet of project work; placement of construction fencing around oak trees that are not removed to protect the trees from ground disturbance and root damage; contact of a qualified archaeologist if archaeological material is discovered during construction and the County Coroner if a human burial is discovered during construction; and implementation of a worker environmental awareness program for cultural resources discoveries; and

BE IT FURTHER RESOLVED, that the mitigation measures different from, and in addition to those incorporated in the MND will be implemented by District, and the disbursement of loan funds is conditioned on the Energy Commission's review and approval of District's implementation of these mitigation measures, as more fully set forth in 004-18-ECD; and

BE IT FURTHER RESOLVED, that the Energy Commission approves Agreement 004-18-ECD with Rio Alto Water District for \$1,590,800; and

BE IT FURTHER RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION

The undersigned Secretariat to the Commission 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 California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister
NAY: None
ABSENT: None
ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION – RE: ADOPTING “ELECTRIC
PROGRAM INVESTMENT CHARGE 2018 ANNUAL REPORT”

WHEREAS, Public Resources Code Section 25711.5 requires the Energy Commission to prepare and submit to the Legislature an Electric Program Investment Charge (EPIC) Program Annual Report by April 30th of each year, reporting information on activities and projects funded in the previous calendar year; and

WHEREAS, Section 25711.5 requires the EPIC annual reports to provide specific information for each project awarded, concluded, or ongoing during the reporting period, including: the name of the recipient; the amount of the award; a description of how the project is thought to lead to, or has led to, technological advancement or breakthroughs to overcome barriers to achieving the state’s statutory energy goals; a description of why the project was selected; identification of awards made to California-based entities, small businesses, or businesses owned by women, minorities, or disabled veterans; identification of how awards were made, including any action by the Joint Legislative Budget Committee; identification of the total amount of administrative and overhead costs incurred for each project; and a brief description of the impact on program administration from the low-income and disadvantaged community allocations required under Public Resources Code Section 25711.6, including any information that would help the Legislature determine whether to reauthorize those allocations beyond June 30, 2023; and

WHEREAS, Energy Commission staff have prepared the EPIC 2018 Annual Report in accordance with the requirements of Public Resources Code Section 25711.5 and the requirements of the California Public Utilities Commission (CPUC) as specified in Decisions 12-05-037, 13-11-025, 15-04-020, and 18-10-052; and

WHEREAS, CPUC Decision 13-11-025 directs the Energy Commission to promptly provide copies to the CPUC of each EPIC annual report submitted to the Legislature; and

WHEREAS, the California Energy Commission has reviewed the staff proposed EPIC 2018 Annual Report, which was also posted on the Energy Commission EPIC webpage for public access as of February 26, 2019; and

THEREFORE, BE IT RESOLVED, the California Energy Commission hereby approves the EPIC 2018 Annual Report and directs the Executive Director, or his designee, to take the following action:

- Finalize the EPIC 2018 Annual Report, including adding links for any project final reports that are posted on the Energy Commission website between today and April 30th;
- Forward the final report to the Legislature and to the CPUC;
- Make the final report available to the public on the Energy Commission's website.

CERTIFICATION

The undersigned Secretariat to the Commission 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 California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldinrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: GLADSTEIN, NEANDROSS & ASSOCIATES LLC

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


RESOLVED, that the Energy Commission approves Agreement 300-18-001 with Gladstein, Neandross & Associates LLC for a \$3,788,265 contract to fund a range of technology transfer services that ensure results of projects funded through EPIC are effectively disseminated and communicated to stakeholders, industry leaders, and the general public. Specifically, the contract team will 1) redesign the Energy Commission's Energy Innovation Showcase website to improve its effectiveness and usefulness; 2) plan and facilitate up to nine forums across California, discussing key topics affecting the electricity sector; and 3) plan and facilitate two EPIC symposiums; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION

The undersigned Secretariat to the Commission 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 California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister
NAY: None
ABSENT: None
ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: SAN DIEGO COMMUNITY COLLEGE DISTRICT

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

RESOLVED, that the Energy Commission approves Agreement 600-18-005, for a \$1,395,110 contract with San Diego Community College District through the Advanced Transportation and Logistics Center at San Diego Miramar College and adopting staff's determination that this action is exempt from CEQA. This agreement will support specialized training programs in advanced vehicle technologies through faculty training, curriculum development, and equipment purchases throughout the California Community College system. This agreement will fund college automotive programs to expand alternative fuel and advanced vehicle technology training opportunities; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION


The undersigned Secretariat to the Commission 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 California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: IWATANI CORPORATION OF AMERICA

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


RESOLVED, that the Energy Commission approves Agreement ARV-18-004 from GFO17-601 with Iwatani Corporation of America for a \$300,000 grant to cover O&M costs of the existing hydrogen refueling station at 830 Leong Drive, Mountain View, CA 94043, and adopting staff's determination that this action is exempt from CEQA. The recipient will collect and report data about the station equipment, operation, and utilization. The station serves the growing number of FCEVs deployed in California; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION

The undersigned Secretariat to the Commission 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 California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister
NAY: None
ABSENT: None
ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: IWATANI CORPORATION OF AMERICA

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

RESOLVED, that the Energy Commission approves Agreement ARV-18-005 from GFO-17-601 with Iwatani Corporation of America for a \$300,000 grant to cover O&M costs of the existing hydrogen refueling station at 2451 Bishop Drive, San Ramon, CA 94583, and adopting staff's determination that this action is exempt from CEQA. The recipient will collect and report data about the station equipment, operation, and utilization. The station serves the growing number of FCEVs deployed in California; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION


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AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: EQUILON ENTERPRISES LLC DBA SHELL
OIL PRODUCTS US

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

RESOLVED, that the Energy Commission approves Amendment 1 to Agreement ARV-17-004 from GFO-15-605 with Equilon Enterprises LLC dba Shell Oil Products US to decrease the grant amount from \$2,337,500 to \$1,448,512; reduce the Scope of Work to just acquisition of hydrogen refueling station equipment to be used under new proposed ARFVTP grant agreement, ARV-18-008, for a new station site at 101 Bernal Road, San Jose, CA 95119; and adopt staff's determination that this action is exempt from CEQA; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION

The undersigned Secretariat to the Commission 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 California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: EQUILON ENTERPRISES LLC DBA
SHELL OIL PRODUCTS US

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

RESOLVED, that the Energy Commission approves Agreement ARV-18-008 from GFO-15-605 with Equilon Enterprises LLC dba Shell Oil Products US for an \$888,988 grant to develop a hydrogen refueling station at 101 Bernal Road, San Jose, CA 95119, and adopting staff's determination that the project is exempt from CEQA. Recipient will use the equipment acquired under ARV-17-004 for completion of the ARV-18-008 station at 101 Bernal Road, San Jose, CA 95119. This station will serve the growing number of hydrogen powered zero emission vehicles deployed in California and increase the reliability of the hydrogen refueling network in the San Francisco Bay Area and the surrounding communities; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION

The undersigned Secretariat to the Commission 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 California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: ANTELOPE VALLEY SCHOOLS
TRANSPORTATION AGENCY

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

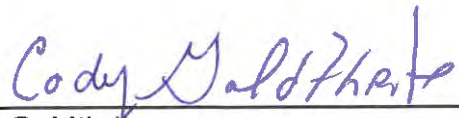
RESOLVED, that the Energy Commission approves Agreement ARV-18-010 from GFO-17-607 with Antelope Valley Schools Transportation Agency for a \$1,090,000 grant to replace six existing diesel school buses with new compressed natural gas (CNG) school buses and make upgrades to their existing CNG fueling infrastructure and adopting staff's determination that this action is exempt from CEQA.; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION

The undersigned Secretariat to the Commission 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 California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister
NAY: None
ABSENT: None
ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: ELK GROVE UNIFIED SCHOOL DISTRICT

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

RESOLVED, that the Energy Commission approves Agreement ARV-18-011 from GFO-17-607 with Elk Grove Unified School District for a \$995,000 grant to replace three existing diesel school buses with new CNG school buses and make upgrades to their existing CNG fueling infrastructure and adopting staff's determination that this action is exempt from CEQA; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION

The undersigned Secretariat to the Commission 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 California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: LAKE ELSINORE UNIFIED SCHOOL DISTRICT

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

RESOLVED, that the Energy Commission approves Agreement ARV-18-012 from GFO-17-607 with Lake Elsinore Unified School District for a \$1,490,000 grant to replace six existing diesel school buses with new CNG school buses and make upgrades to their existing CNG fueling infrastructure and adopting staff's determination that this action is exempt from CEQA; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION

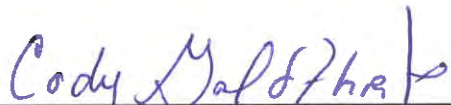
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AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: NORTH MONTEREY COUNTY UNIFIED
SCHOOL DISTRICT

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

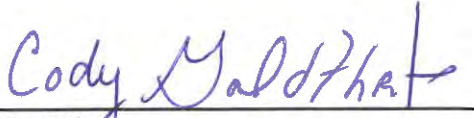
RESOLVED, that the Energy Commission approves Agreement ARV-18-013 from GFO-17-607 with North Monterey County Unified School District for an \$830,000 grant to replace two existing diesel school buses with new CNG school buses and construct a new CNG fueling station, and adopting staff's determination that this action is exempt from CEQA; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION

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AYE: Hochschild, Scott, Douglas, McAllister
NAY: None
ABSENT: None
ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: PALO VERDE UNIFIED SCHOOL DISTRICT

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

RESOLVED, that the Energy Commission approves Agreement ARV-18-014 from GFO-17-607 with Palo Verde Unified School District for a \$995,000 grant to replace three existing diesel school buses with new CNG school buses and upgrade an existing CNG fueling station, and adopting staff's determination that this action is exempt from CEQA; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION

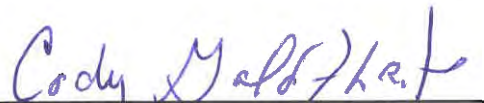
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AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: RAISIN CITY ELEMENTARY SCHOOL DISTRICT

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

RESOLVED, that the Energy Commission approves Agreement ARV-18-015 from GFO-17-607 with Raisin City Elementary School District for a \$165,000 grant to replace one existing diesel school bus with a new CNG school bus; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION

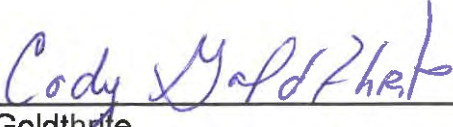
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AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrie
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: WASHINGTON UNIFIED SCHOOL DISTRICT

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

RESOLVED, that the Energy Commission approves Agreement ARV-18-016 from GFO-17-607 with Washington Unified School District for a \$390,529 grant to replace three existing diesel school buses with new CNG school buses; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION


The undersigned Secretariat to the Commission 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 California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: WEST PARK ELEMENTARY SCHOOL DISTRICT

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

RESOLVED, that the Energy Commission approves Agreement ARV-18-017 from GFO-17-607 with West Park Elementary School District for a \$165,000 grant to replace one existing diesel school bus with a new CNG school bus; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION

The undersigned Secretariat to the Commission 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 California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

RESOLUTION - RE: AEMETIS LOW CARBON ADVANCED ETHANOL PROJECT

WHEREAS, Aemetis Advanced Products Keyes, Inc. has requested funding for the "Aemetis Low Carbon Advanced Ethanol Project" (hereafter, "Project"), a project to construct and operate a cellulosic ethanol production facility at the former Riverbank Army Ammunition Plant ("RAAP") in Riverbank, California, and more fully set forth in proposed Agreement ARV-18-019 (hereafter, "ARV-18-019"); and

WHEREAS, the City of Riverbank ("City") is the lead agency pursuant to California Environmental Quality Act (hereafter, "CEQA") (Pub. Resources Code section 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., tit. 14, section 15000 et seq.); and

WHEREAS, the City prepared an Environmental Impact Report ("EIR") for the proposed redevelopment of the RAAP; and on the basis of the EIR, prepared a Mitigation Monitoring and Reporting Plan ("MMRP") and Statement of Overriding Considerations ("SOC"); and

WHEREAS, the City considered the EIR, MMRP and SOC and other related documents in the record before it, and on February 10, 2014 via City Resolution No. 2014-006 approved and adopted the EIR, MMRP, and SOC and approved the Project; and

WHEREAS, the United States Department of Agriculture ("USDA") is the lead agency pursuant to National Environmental Policy Act ("NEPA") (Code of Federal Regulations, Title 40, section 1508.8); and

WHEREAS, the USDA prepared an Environmental Assessment (EA) for the Project; and on the basis of the EA, prepared a Finding of No Significant Impact ("FONSI"); and

WHEREAS, the USDA considered the EA, FONSI, comments received, and other related documents in the record before it, and on September 12, 2017 approved and adopted the FONSI and approved the Project; and

WHEREAS, the State Energy Resources Conservation and Development Commission (hereafter, "Energy Commission") is a responsible agency and must therefore, pursuant to CEQA Guidelines, sections 15091 and 15096, subdivision (h), make certain findings prior to approval of ARV-18-019; and

WHEREAS, the Energy Commission has reviewed and considered the EIR, MMRP, SOC and other related documents in the record before it; and

WHEREAS, the Energy Commission has no information indicating that the environmental documentation is inadequate, and has used its own independent judgment to consider the EIR, MMRP and SOC and other related documents in the record before it in deciding whether to approve ARV-18-019; and

WHEREAS, the Energy Commission desires to make certain findings pursuant to CEQA Guidelines, title 14, sections 15091 and 15096;

THEREFORE BE IT RESOLVED, that the Energy Commission has reviewed the information contained in the EIR that is relevant to its approval of ARV-18-019 and has reviewed the CEQA findings contained in the City's Resolution No. 2014-006, as well as the Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations, which are adopted to the extent that they are relevant to the Energy Commission's decision to approve ARV-18-019; and

BE IT FURTHER RESOLVED, that the City has already adopted the mitigation measures recommended in the EIR and MMRP, has authority to implement the mitigation measures or to seek any required approvals for the mitigation measures, and the Energy Commission has no direct authority to implement the mitigation measures; and

BE IT FURTHER RESOLVED, that the Energy Commission has reviewed and considered the EIR, MMRP, and SOC and other documents in the record before it and finds those documents adequate for its consideration of ARV-18-019; and

BE IT FURTHER RESOLVED, that approval of the ARV-18-019 is within the scope of the project approved by the City and activities evaluated in the EIR; and

BE IT FURTHER RESOLVED, that since the EIR was finalized there have been no substantial project changes and no substantial changes in the project circumstances that would require major revisions to the EIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial import that would change the conclusion set forth in the EIR or SOC; and

BE IT FURTHER RESOLVED, that the Energy Commission has not identified any feasible alternative or additional feasible mitigation measures within its power that would substantially lessen or avoid any significant effect that the Project would have on the environment; and

BE IT FURTHER RESOLVED, that the Energy Commission finds, on the basis of the entire record before it, that the mitigation measures incorporated will prevent the Project from having any significant environmental impacts, or on balance, there are economic, legal, social, technological or other benefits associated with the Project which serve to outweigh the Project's significant unavoidable effects, including the revitalization of an existing industrial area; additional income for the City of Riverbank, job opportunities, the reduction of regional greenhouse gas emissions, and the production of renewable energy from organic waste; and

BE IT FURTHER RESOLVED, that the Energy Commission approves Agreement ARV-18-019 with Aemetis for \$4,999,956; and

BE IT FURTHER RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION

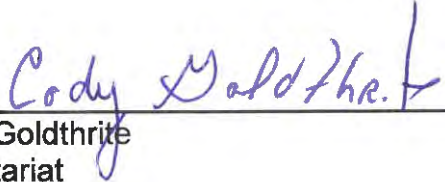
The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: ROSEVILLE ENERGY RECOVERY PROJECT

WHEREAS, the City of Roseville is the Lead Agency for the Pleasant Grove Wastewater Treatment Plant Expansion & Energy Recovery Projects (hereinafter collectively, "Project,"); and

WHEREAS, the City of Roseville prepared an Initial Study/Mitigated Negative Declaration (hereinafter "Mitigated Negative Declaration") to evaluate the potential environmental impacts of implementing the Project; and

WHEREAS, the City of Roseville, on April 5, 2017, certified the Mitigated Negative Declaration for the Project, a copy of which is on file with the California Energy Commission; and

WHEREAS, the City of Roseville, on April 5, 2017, reviewed and considered the Mitigated Negative Declaration for the Project, including a Mitigation Monitoring Program, adopted findings required by the California Environmental Quality Act ("CEQA"), and approved the Project, by Adoption of Resolution NO. 17-114, a copy of which is on file with the Energy Commission; and

WHEREAS, the City of Roseville, on November 7, 2018, certified an Addendum to the Mitigated Negative Declaration ("Addendum"), a copy of which is on file with the California Energy Commission; and

WHEREAS, the City of Roseville, on November 7, 2018, reviewed and considered the Addendum to the Mitigated Negative Declaration, including a revised Mitigation Monitoring Program, adopted findings required by CEQA, and approved the revised Project, by Adoption of Resolution NO. 18-457, a copy of which Resolution is on file with the California Energy Commission; and

WHEREAS, the Energy Commission is considering a proposed Agreement ARV-18-020, "Roseville Energy Recovery Project" (hereafter, "ARV-18-020"), a grant to fund a biofuel infrastructure component to the Project, which would use municipal wastewater organics to produce biomethane; and Prior to acting on the Agreement ARV-18-020, the

Energy Commission desires to make certain findings pursuant to the CEQA Guidelines, title 14, section 15096;

NOW THEREFORE, BE IT RESOLVED:

1. The Energy Commission has reviewed the information contained in the Mitigated Negative Declaration and the Addendum that is relevant to its approval of ARV-18-020, and has reviewed the CEQA findings contained in the Mitigated Negative Declaration and the Addendum, including the Mitigation Monitoring Program, and the City's Resolutions, which are adopted to the extent that they are relevant to the Energy Commission's decision to approve ARV-18-020.
2. The City of Roseville has already adopted the mitigation measures recommended in the Mitigated Negative Declaration and the Addendum, has authority to implement the mitigation measures or to seek any required approvals for the mitigation measures, and the Energy Commission has no direct authority to implement the mitigation measures.
3. The Energy Commission has reviewed and considered the Mitigated Negative Declaration and the Addendum, and finds that the Mitigated Negative Declaration and the Addendum are adequate for its use as the decision-making body for its consideration of ARV-18-020.
4. Approval of ARV-18-020 is within the scope of the Pleasant Grove Wastewater Treatment Plant Expansion & Energy Recovery Projects, and the activities evaluated in the Mitigated Negative Declaration and the Addendum.
5. Since the Mitigated Negative Declaration and the Addendum were finalized, there have been no substantial project changes and no substantial changes in the Project circumstances that would require major revisions to the Mitigated Negative Declaration or the Addendum due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusion set forth in the Mitigated Negative Declaration or the Addendum.
6. The Energy Commission has not identified any feasible alternative or additional feasible mitigation measures within its power that would substantially lessen or avoid any significant effect the Project would have on the environment.

THEREFORE BE IT RESOLVED, that the Energy Commission finds, on the basis of the entire record before it, that the mitigation measures incorporated in the Mitigated Negative Declaration and the Addendum will prevent ARV-18-020 from having any significant environmental impacts; and

BE IT FURTHER RESOLVED, that the Energy Commission approves Agreement ARV-18-020, for \$3,000,000; and

BE IT FURTHER RESOLVED, that this document authorizes the Executive Director or his or her designee to execute the same on behalf of the Energy Commission.

CERTIFICATION

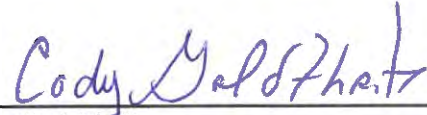
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AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: CALIFORNIA GRINDING, INC.

WHEREAS, the Energy Commission is considering proposed Agreement ARV-18-021, Thermophilic Bacterial Pretreatment of Organic Feedstocks Demonstration (hereinafter "ARV-18-021"), a grant to fund the demonstration of an innovative anaerobic digestion pre-treatment technology able to break down lignocellulosic biomass and turn them into precursors for methane formation in the anaerobic digestion process (the "Project"); and

WHEREAS, the Project is proposed to be built in Fresno, California and the City of Fresno is the Lead Agency for purposes of the California Environmental Quality Act ("CEQA") for the Project; and

WHEREAS, the City of Fresno approved CEQA documentation consisting of an Initial Study Impact Checklist and Initial Study (IS); Negative Mitigated Declaration (NMD); and City of Fresno General Plan Master Environmental Impact Report Mitigation Monitoring Checklist and Project-Specific Mitigation Monitoring Checklist (jointly, the MMC), copies of which are posted on the Energy Commission website; and

WHEREAS, the City of Fresno, on August, 22, 2016 filed a Notice of Determination (NOD) with the County of Fresno regarding the Project stating that mitigation measures were made a condition of approval of the Project; finding the Project will not have a significant effect on the environment, and approving a Mitigated Negative Declaration for the Project; and

Prior to acting on Agreement ARV-18-021, the Energy Commission desires to make certain findings pursuant to CEQA Guidelines, title 14, sections 15091, 15092, 15096, and 15162;

NOW THEREFORE, BE IT RESOLVED:

1. To the extent relevant to ARV-18-021, the Energy Commission, as a Responsible Agency, has considered the information contained in the City of Fresno's IS,

- NMD, MMC and NOD (collectively referred to as the “Lead Agency CEQA Documents”);
2. As a responsible agency, the Energy Commission finds that the Lead Agency CEQA Documents are adequate and the Project falls within the scope of the Lead Agency CEQA Documents;
 3. As a responsible agency, the Energy Commission finds there have been no proposed substantial Project changes or substantial changes with respect to Project circumstances that would require major revisions to the Lead Agency CEQA Documents due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant effects, and there is no new information of substantial importance that would change the conclusions set forth therein;
 4. Any mitigation measures and changes to the Project are within the jurisdiction of the City of Fresno and MMC have already been adopted as they relate to the Project; and
 5. The Energy Commission has not identified any feasible alternative or additional feasible mitigation measures within its power that would substantially lessen or avoid any significant effect the Project would have on the environment.

BE IT FURTHER RESOLVED, that the Executive Director or his or her designee is authorized to prepare and file, on behalf of the Energy Commission, a Notice of Determination for the Project; and

BE IT FURTHER RESOLVED, that the Energy Commission approves Agreement ARV-18-021 with California Grinding, Inc. for \$3,000,000; and

BE IT FURTHER RESOLVED, that the Executive Director or his or her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION


The undersigned Secretariat to the Commission 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 California Energy Commission held on April 10, 2019.

AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION - RE: THE SOUTHERN CALIFORNIA
GAS COMPANY (SoCalGas)**

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

RESOLVED, that the Energy Commission approves Agreement ARV-18-023 with SoCalGas for a \$3,000,000 grant towards a biofuel demonstration project at the Central Contra Costa Sanitary District Wastewater Treatment Plant in Martinez, CA, and adopting staff's determination that this action is exempt from CEQA. The project will use a skid-mounted hydrothermal processing unit that converts wastewater solids into renewable natural gas and biocrude; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION

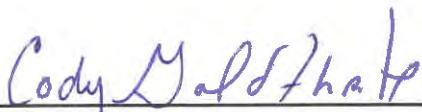
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AYE: Hochschild, Scott, Douglas, McAllister

NAY: None

ABSENT: None

ABSTAIN: None



Cody Goldthrite
Secretariat