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STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

OTAY MESA ENERGY CENTER

Docket No. 99-AFC-05C

**ORDER AUTHORIZING RELEASE OF
FUNDS FROM THE OTAY MESA
PROJECT QUINO CHECKERSPOT
BUTTERFLY ENDOWMENT**

I. INTRODUCTION

On April 18, 2001, the Energy Commission (CEC) approved the Otay Mesa Generating Project, which was subsequently renamed the Otay Mesa Energy Center, a 510 megawatt gas-fired combined-cycle power plant located in San Diego County. Among other things, the Commission decision identified a potential significant adverse environmental impact to the federally endangered Quino checkerspot butterfly (*Euphydryas editha quino*) and required mitigation in the form of an endowment (called the Otay Mesa Project Quino Checkerspot Butterfly Endowment) to be used to better understand the species and provide for its management. This mitigation was contained in Condition of Certification **BIO-11** and required the Energy Commission to approve any dispersal of funds from the endowment.

On December 10, 2018, the CEC approved the first dispersal of funds from the endowment for work related to the ongoing San Diego National Wildlife Refuge Quino Checkerspot Butterfly Augmentation Project. The CEC authorized the dispersal of \$21,130.62 to pay RECON Environmental to perform activities in compliance with **BIO-11**, including vegetation treatment to prepare a site for Quino checkerspot butterfly release; specifically to reduce the weed and thatch cover in order to provide space for the growth of host plants and room for Quino larvae to bask and move within the environment.

On October 23, 2019, Energy Commission staff received a request from the United States Fish and Wildlife Service to release additional endowment funds in the amount of \$25,875.97 for the same purpose, focusing on areas without host plants but with Quino checkerspot butterfly expected to be nearby in existing patches of host plants.

On December 2, 2019, staff filed its analysis and recommendation that the Energy Commission approve the request. Staff concluded that the expenditure would not have the potential to result in any significant adverse environmental impact.

II. ENERGY COMMISSION FINDINGS

Based on the entire record, including staff's analysis and recommendation, the Energy Commission finds that the requested expenditure of funds from the Otay Mesa Project Quino Checkerspot Butterfly Endowment is in furtherance of the objectives expressed in **BIO-11**, will benefit the Quino checkerspot butterfly, and will not result in any significant adverse impacts to the environment. Additionally, the activity would be considered a Class 7 activity pursuant to Title 14, California Code of Regulations, section 15307, and thus subject to an exemption from CEQA as an action taken by a regulatory agency to assure the maintenance, restoration, or enhancement of a natural resource. No exception to this exemption applies.

III. CONCLUSION AND ORDER


The California Energy Commission hereby approves staff's recommendation to release \$25,875.97 from the Otay Mesa Project Quino Checkerspot Butterfly Endowment to pay RECON Environmental to perform activities related to the continued implementation of the project, as described above and in staff's analysis.

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 CEC held on December 11, 2019.

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



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: TRB AND ASSOCIATES

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 700-19-005 with TRB and Associates (TRB) for a \$0 contract to provide delegate chief building official (DCBO) services for the Inland Empire Energy Center Decommissioning/Demolition. TRB will conduct design review and construction inspections on behalf of the CEC. TRB will be compensated by the project owner of the Inland Empire Energy Center; and

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

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None


Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**2019 BUILDING ENERGY EFFICIENCY
STANDARDS, CALIFORNIA CODE OF
REGULATIONS, TITLE 24,
PARTS 1 AND 6**

Docket No. 16-OIR-05

**RESOLUTION APPROVING 2019
NONRESIDENTIAL COMPLIANCE
SOFTWARE ENERGYPRO VERSION
8.0**

WHEREAS, the Warren-Alquist State Energy Resources Conservation and Development Act, Public Resources Code sections 25000 et seq., 25402.1(b), requires the California Energy Commission (CEC) to, among other things, establish a process for certifying calculation methods for demonstrating compliance with its building energy efficiency standards; and

WHEREAS, as allowed by the *2019 Building Energy Efficiency Standards* (Energy Code), California Code of Regulations, Title 24, Part 1, Chapter 10, sections 10-109(c) and 10-110, an application was submitted to approve EnergyPro 8.0 as an alternative calculation method (ACM); and

WHEREAS, staff of the CEC reviewed and tested EnergyPro 8.0 to ensure it meets the requirements, specifications, and criteria for building energy models set forth in the *2019 ACM Approval Manual*, CEC-400-2018-023-CMF (December 2018); and

THEREFORE, the CEC approves EnergyPro 8.0, pursuant to Energy Code section 10-109, for estimating energy consumed by nonresidential buildings as specified in Public Resources Code section 25402.1(a), and for demonstrating compliance with the performance-based nonresidential provisions of the *2019 Energy Code*, California Code of Regulations, Title 24, Parts 1 and 6; and

THEREFORE, the CEC directs the executive director to take, on behalf of the CEC, all actions reasonably necessary to implement this resolution, as follows:

- To post information on the CEC's public website as to how to obtain EnergyPro 8.0;
- To ensure that EnergyPro 8.0, a Nonresidential ACM, is maintained and revised to accurately estimate the energy use of nonresidential buildings,
- To review and approve updates to vender software, consistent with Section 1 of the 2019 ACM Approval Manual.

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: THERMALITO UNION ELEMENTARY 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 a change to Agreement ARV-19-028 with Thermalito Union Elementary School District to increase the grant amount by \$10,825 and to change the all-electric school buses being funded from four Type D buses without chair lifts and one Type C bus without chair lift to five Type D buses without chair lifts; and

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

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None


Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION – RE ADVANCED CLEAN TRANSPORTATION
EXPO 2020 CONFERENCE**

RESOLVED, that the State Energy Resources Conservation and Development Commission (Energy Commission) finds that the following categorical exemptions exempt the purchase order under CEQA: (1) 14 CCR 15322, Educational or Training Programs Involving No Physical Changes, because the event consists of educational presentations and tutorials which involve no physical alteration in the area affected; and (2) 14 CCR 15323, Normal Operations of Facilities for Public Gatherings, because the event consists of the normal operation of existing facilities for public gatherings at the conference center for which the facilities were designed and there is a past history of the facilities being used in the same or similar events.

RESOLVED, that the Energy Commission approves a \$4,950 purchase order with Gladstein, Neandross and Associates to co-sponsor the Advanced Clean Transportation Expo (ACT Expo) 2020 conference. The event will bring together vehicle and technology manufacturers, project developers, utilities, infrastructure operators, fleet owners, workforce training experts, the investment community, government agencies, and public interest organizations to discuss trends, challenges and market growth of clean transportation options in California.

RESOLVED, that the Energy Commission approves the use of the California Energy Commission logo in co-sponsorship advertisements of the ACT Expo 2020 conference, taking place on May 11-14, 2020 in Long Beach, California;

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION - RE: UNIVERSITY OF CALIFORNIA, BERKELEY, ENERGY
INSTITUTE AT HAAS SCHOOL OF BUSINESS**

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 800-19-001 with the University of California, Berkeley, Energy Institute at Haas School of Business for a \$12,500 contract to co-sponsor the 2020 POWER Conference on Energy Research and Policy in Berkeley on March 20, 2020. The 2020 POWER Conference will be the 25th annual conference focusing on electricity markets and systems; and

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

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None


Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

IN THE MATTER OF:

**ORDER DIRECTING EXECUTIVE
DIRECTOR TO APPROVE CERTAIN
CHANGES TO SCHOOL BUS
REPLACEMENT GRANTS**

**ORDER DIRECTING EXECUTIVE
DIRECTOR TO APPROVE CHANGES
UP TO \$5,000 FOR BUS DESIGN
SPECIFICATION CHANGES UNDER
THE SCHOOL BUS REPLACEMENT
PROGRAM**

The State Energy Resources Conservation and Development Commission (CEC) has approved School Bus Replacement Program grants to public school districts, county offices of education and joint power authorities to purchase electric school buses to replace diesel buses and to install electric bus charging infrastructure. School Bus Replacement Program grant agreements require the electric buses to have certain design specifications such as blue bumpers and wheels.

This Order directs the Executive Director, or his or her designee, to approve changes to School Bus Replacement grant agreements, but only if the changes meet the following criteria:

1. The change increases the total grant amount by no more than \$5,000 per electric school bus; and
2. The additional funds are used for bus design specification changes. Bus design specifications may include, but are not limited to, changes to the color of the bus bumpers and wheels.

This Order applies to all School Bus Replacement Program grant agreements previously approved by the CEC as well as any School Bus Replacement Program grant agreements approved by the CEC in the future.

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

IN THE MATTER OF:

SAN JOSE CITY DATA CENTER

Docket No. 19-SPPE-04

ORDER ESTABLISHING COMMITTEE

On November 15, 2019, Microsoft Corporation filed a small power plant exemption application for the San Jose City Data Center (project). The project would be located in the City of San Jose and consist of two single-story data center buildings that house data servers and associated diesel-fueled backup generators to provide an uninterruptible power supply of up to 99 megawatts for use during a loss of utility power.

Pursuant to Public Resources Code section 25211 and California Code of Regulations, title 20, sections 1204 and 1205, the California Energy Commission (CEC) hereby establishes a 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 CEC 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 CEC, this Committee will dissolve 35 days after final action in this proceeding.

The Committee members are as follows:

Presiding: Douglas

Associate: Monahan

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

INLAND EMPIRE ENERGY CENTER

Docket No. 01-AFC-17C

**ORDER APPROVING REVISED
CLOSURE PLAN**

On June 20, 2019, Inland Empire Energy Center, LLC (facility owner) submitted a *Decommissioning and Demolition Plan* (Closure Plan) to the California Energy Commission (CEC) for the Inland Empire Energy Center (IEEC), as required by General Compliance Condition COM-12 of the facility's Final Commission Decision. On November 11, 2019 the facility owner submitted an updated closure plan (Revised Closure Plan) to the IEEC docket. As outlined in the plans, the facility owner proposes to initially undertake decommissioning activities to ensure that the discontinuation of power generation at the IEEC in December 2019 can be conducted safely, then to demolish and remove certain equipment and facilities, while leaving in place select equipment and facilities that have been identified for potential future reuse.

STAFF RECOMMENDATION

CEC staff reviewed the Closure Plan and provided feedback to the facility owner that resulted in the filing of the Revised Closure Plan. In staff's *Inland Empire Energy Center Closure Plan: Staff Analysis and Recommendation*, filed to the IEEC docket on November 27, 2019, staff concluded that the activities proposed in the Revised Closure Plan would not have a significant effect on the environment or on an environmental justice population and would be consistent with applicable laws, ordinances, regulations and standards, as required by General Compliance Condition COM-12, Planned Closure.

Accordingly, CEC staff recommended that the CEC, pursuant to its authority under General Compliance Condition COM-12 of the IEEC Final Commission Decision, adopt the Revised Closure Plan and the new conditions proposed by the facility owner, which are included in the Revised Closure Plan and as an appendix to staff's analysis.

ENERGY COMMISSION FINDINGS

Based on staff's analysis, the CEC finds that the activities proposed in the Revised Closure Plan would not have a significant effect on the environment or on an environmental justice population and would be consistent with applicable laws, ordinances, regulations and standards. The CEC further finds that:

1. The Revised Closure Plan meets all of the criteria included in General Compliance Condition COM-12 of the IEEC Final Commission Decision, including the requirements that the closure plan:
 - a. identify and discuss any impacts and mitigation to address significant adverse impacts associated with proposed closure activities and to address facilities, equipment, or other project related remnants that will remain at the site;
 - b. identify a schedule of activities for closure of the power plant site, transmission line corridor, and all other appurtenant facilities constructed as part of the project;
 - c. identify any facilities or equipment intended to remain on site after closure, the reason, and any future use; and
 - d. address conformance of the plan with all applicable laws, ordinances, regulations, standards, local/regional plans in existence at the time of facility closure, and applicable conditions of certification.

CONCLUSION AND ORDER

The CEC hereby adopts staff's recommendations and approves the Revised Closure Plan under General Compliance Condition COM-12. The CEC further adopts the proposed conditions contained in the appendix to staff's *Inland Empire Energy Center Closure Plan: Staff Analysis and Recommendation* and reproduced here in full:

Hazardous Materials Management

D-HM-3 The project owner shall direct all vendors carrying any liquid hazardous materials greater than 500 gallons not to deliver during the time in the mornings and afternoons when children are going to and from school, as required by Condition of Certification HAZ-11.

Verification: Not required, as this is an extension of an existing condition of certification.

Noise and Vibration

D-Noise-1 Temporary noise attenuation fences, preferential location of equipment, and use of noise suppression technology will be utilized

as necessary to bring average noise levels below thresholds as advised in the County of Riverside General Plan N13.3.

Traffic and Transportation

- D-T&T-1** A traffic management plan shall be developed to ensure compliance with the Riverside County CMP. This plan must include information regarding truck access routes, confirm the adequacy of existing streets to be used, and assess safety issues related to truck traffic.

Waste Management

- D-WM-1** The project owner shall ensure its contractor ships all hazardous waste, as defined under the applicable regulations, resulting from decommissioning and demolition, to a Class I or II disposal facility or to a permitted TSDF authorized to treat specified waste streams.

Verification: The project owner or its contractor will submit records of the types, quantities, and disposition of hazardous waste generated during decommissioning and demolition to the CPM upon completion of decommissioning and demolition.

- D-WM-2** The project owner shall require its contractor to prepare a Construction Waste Management Plan that identifies the non-hazardous demolition waste materials to be diverted from disposal by salvage, sale, recycling, or other form of disposal diversion.

Verification: The project owner or its contractor will prepare and submit the Construction Waste Management Plan to the CPM prior to commencing demolition. Subsequent updates or modifications to the Construction Waste Management Plan will be maintained onsite. Following completion of demolition, records and documentation of the types, quantities, and disposition of nonhazardous demolition wastes diverted will be submitted to the CPM.

- D-WM-3** The project owner shall direct and require all hazardous waste transporters removing hazardous waste from the Project Site to use only the reverse of the route previously approved by the CPM as a Condition of Certification HAZ-10 (Project Site to Antelope Road, to Ethanac Road, to I-215). The project owner shall obtain approval of the CPM if an alternate route is desired.

Verification: Not required, as this is an extension of an existing condition of certification.

- D-WM-4** If potentially contaminated soil is discovered during excavation, as evidenced by discoloration, odor, detection by handheld instruments, or other signs, a Registered Professional Engineer or Geologist shall inspect the site, determine the need for sampling to confirm the nature and extent of contamination, and submit a written report to the project owner and CPM stating the recommended course of action. Depending on the nature and extent of contamination, the Registered

Professional Engineer or Geologist shall have the authority to temporarily suspect demolition activity at that location for the protection of workers or the public. If, in the opinion of the Registered Professional Engineer or Geologist, significant remediation may be required, the project owner shall contact representatives of the Santa Ana Regional Water Quality Control Board, the Riverside County Department of Environmental Health, and/or the Cypress Regional Office of the California Department of Toxic Substances Control for guidance and possible oversight.

Verification: The project owner or its contractor shall submit any reports filed by the Registered Professional Engineer or Geologist to the CPM with 5 days of their receipt. The project owner or its contractor shall notify the CPM within 24 hours of any orders issued to halt demolition.

Worker Safety and Fire Protection

D-WS-1 The project owner shall require its demolition contractor to prepare necessary Health and Safety Plans (IIPP, PPE, EMP, HSPP, EAP) to reflect the activities expected during decommissioning and demolition.

Verification: The project owner or its contractor shall maintain the decommissioning Health and Safety Plans on-site and furnish to the CPM upon request.

D-WS-2 The project owner shall require its demolition contractor to prepare a decommissioning Fire Protection and Prevention Program (FPPP) to reflect the activities expected during decommissioning and demolition.

Verification: The project owner or its contractor shall maintain on-site the decommissioning Fire Protection and Prevention Program, and furnish it to the CPM upon request.

D-WS-3 The project owner shall ensure that all IEEC employees, contractor workers, and visitors that will be on-site during decommissioning and demolition receive safety training specific to the decommissioning and demolition activities.

Verification: The project owner or its demolition contractor shall maintain on-site records showing that all on-site employees, workers and visitors present during decommissioning and demolition activities have received and understand the Safety Training Program. The project owner or its contractor shall furnish the records to the CPM upon request.

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

IN THE MATTER OF:

**MODIFICATION OF REGULATIONS
GOVERNING THE POWER SOURCE
DISCLOSURE PROGRAM**

Docket No. 16-OIR-05

**RESOLUTION ADOPTING
REGULATIONS**

WHEREAS, on September 6, 2019, the State Energy Resources Conservation and Development Commission ("California Energy Commission" or CEC) mailed and posted on the CEC's website a Notice of Proposed Action (NOPA) formally notifying the public of the CEC's intent to adopt proposed regulations for the Power Source Disclosure program, the Express Terms of the proposed regulations, an Initial Statement of Reasons (ISOR) describing the rationale for the proposal, and the fiscal and economic impact analysis; and

WHEREAS, on September 6, 2019, the NOPA was published in the California Regulatory Notice Register; and

WHEREAS, on October 4, 2019 the CEC published an Initial Study and Proposed Negative Declaration for the proposed regulations and published and submitted to the State Clearinghouse a Notice of Intent to Adopt a Negative Declaration, concluding that the proposed regulations would not result in any significant adverse impacts to the environment; and

WHEREAS, on October 7, 2019, the CEC held a Lead Commissioner Workshop on the regulations; and

WHEREAS, on October 11, 2019, the CEC published a Notice of Extension of Comment Period; and

WHEREAS, on October 28, 2019, the initial written comment period closed; and

WHEREAS, on November 8, 2019, the CEC postponed the Public Hearing noticed in the NOPA;

WHEREAS, on November 25, 2019, the CEC issued a Notice of Availability of 15-Day Language and Notice of New Public Hearing Date, rescheduling the Public

Hearing to December 11, 2019 and establishing a written public comment period for the revised language ending on December 10, 2019; and

WHEREAS, on December 11, 2019, the CEC held a public hearing to receive comments on the proposed regulations and to consider its adoption and did so adopt the regulations.

THEREFORE, THE CALIFORNIA ENERGY COMMISSION FINDS:

With regard to the California Environmental Quality Act:

- The CEC has considered the application of the California Environmental Quality Act (CEQA) to the proposed regulations and concluded that the proposed regulations will not have any direct, indirect, or cumulatively considerable significant adverse effect on the environment; and

With regard to the Administrative Procedure Act:

- The proposed regulations will not result in the creation of new businesses or elimination of existing businesses, will not result in the expansion of businesses currently doing business in California, 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; and
- The proposed regulations would impose a mandate on local agencies that are electric service providers in terms of what they must report and how they may report it, but the mandate would not directly result in increased costs, and any costs incurred indirectly would not be required to be reimbursed because local agencies have the authority to levy service charges, fees, or assessments sufficient to pay for the mandated program or increased level of service; and
- The proposed regulations will impose no direct costs, or direct or indirect requirements or mandates, on state agencies, local agencies, or school districts, other than the mandate discussed above; and
- The proposed regulations are will not result in the creation or elimination of jobs within California; and
- The proposed regulations will result in no costs or savings in federal funding to the State of California; and
- The proposed regulations will result in marginal costs to the CEC for implementation, but no costs or savings to any other state agency; and
- The proposed regulations will result in no nondiscretionary costs or savings to local agencies or school districts; and
- The proposed regulations will have no impact on housing costs; and
- The proposed regulations will have no significant, statewide adverse economic impact on businesses in general or small businesses in particular; and
- The proposed regulations will result in no cost impacts to representative private persons or businesses in reasonable compliance with the regulations; and

- The proposed regulations will not adversely impact the health and welfare of California residents, worker safety, or the state's environment; and
- The proposed regulations have no alternatives that would be more effective in carrying out the purposes of the statutes for which it is 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; and
- The proposed regulations will not have a significant adverse economic impact on small business and no alternatives were proposed that would lessen any adverse economic impact on small business; and
- The proposed regulations will not require completion of any new report, but minimal additional information will be required. It is necessary for the health, safety, and welfare of the people of the state that these regulations apply to business; and
- None of the comments received during the comment period or at the public adoption hearing, and nothing else in the record, justified any changes to the proposed regulations as published on November 25, 2019.

THEREFORE BE IT RESOLVED, after considering the Initial Study, and all related materials in the record, the CEC finds that (1) there is no substantial evidence that the adoption of the proposed amendments to the Power Source Disclosure Program regulations will have a significant effect on the environment, and (2) the Negative Declaration reflects the CEC's independent judgment and analysis. The CEC hereby adopts the Negative Declaration and Initial Study published on October 4, 2019. Documents and other materials that constitute the record of proceedings upon which the decision to adopt the negative declaration is based can be found at the Warren-Alquist State Energy Building, 1516 9th Street, Sacramento, California, 95814 in the custody of the Docket Unit.

FURTHER BE IT RESOLVED, additionally, after considering all comments received and the staff's responses, and based on the entire record of this proceeding, the CEC hereby adopts the amendments to its Power Source Disclosure Program regulations, as set forth in the express terms that were published on November 25, 2019 (Cal. Code of Regs., tit. 20, §§ 1390-1394.2).

The CEC takes this action under the authority of sections 25213 and 25218(e) of the Public Resources Code, which authorize the CEC to adopt rules or regulations, as reasonable and necessary, to implement, inter alia, Public Utilities Code section 398.1 et seq; and

FURTHER BE IT RESOLVED, that documents and other materials that constitute the rulemaking record can be found at the Warren-Alquist State Energy Building, 1516 9th Street, Sacramento, California, 95814 in the custody of the Docket Unit; and

FURTHER BE IT RESOLVED, the CEC delegates the authority and directs CEC staff to take, on behalf of the CEC, all actions reasonably necessary to have the proposed regulations 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 Office of Administrative Law (OAL); making any changes to the rulemaking file required by OAL; and preparing and filing the Notice of Determination with the State Clearinghouse.

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION – RE ADOPTION OF THE 2019 CALIFORNIA ENERGY
EFFICIENCY ACTION PLAN

WHEREAS, the State Energy Resources Conservation and Development Commission (Energy Commission) has been directed to develop a comprehensive program to achieve greater energy savings in California’s existing buildings, in collaboration with the California Public Utilities Commission and stakeholders, under Assembly Bill No. 758 (Skinner, Statutes of 2009, Chapter 470) (“AB 758”); and

WHEREAS, AB 758, as codified in Public Resources Code sections 25943(a) and 25943(b), directs the program developed by the Energy Commission to “comprise a complementary portfolio of techniques, applications, and practices that will achieve greater energy efficiency in existing [buildings] that fall significantly below the [Commission’s] current [building] standards,” and “may include . . . a broad range of energy assessments, building benchmarking, energy rating, cost-effective energy efficiency improvements, public and private sector energy efficiency financing options, public outreach and education efforts, and green workforce training;” and

WHEREAS, the Energy Commission has been directed in Public Resources Code 25310(c) to further its efforts to scale energy efficiency by setting statewide energy savings targets to achieve a doubling of current energy efficiency efforts by 2030 in Senate Bill No. 350 (De León, Chapter 547, Statutes of 2015) (“SB 350”), and update them every two years thereafter; and

WHEREAS, SB 350, as codified in Public Resources Code, section 25943(f)(2), directs the Energy Commission to update the *Existing Buildings Energy Efficiency Action Plan* by January 1, 2017, and at least once every three years thereafter; and

WHEREAS, Energy Commission staff has developed the *2019 California Energy Efficiency Action Plan* to serve as the new *Existing Buildings Energy Efficiency Action Plan* and SB 350 energy efficiency savings targets tracking document; and

WHEREAS, the Energy Commission held 5 public workshops to develop the *2019 California Energy Efficiency Action Plan Staff Draft*, which took place on April 9, 2019; April 15, 2019; April 25, 2019; April 30, 2019; and May 1, 2019; and

WHEREAS, on August 20, 2019, the Energy Commission publicly noticed the *2019 California Energy Efficiency Action Plan Staff Draft* and provided the CPUC, local

publicly owned electric utilities, other stakeholders, and interested members of the public an opportunity to comment on the report; and

WHEREAS, on November 27, 2019, the Energy Commission publicly noticed the *2019 California Energy Efficiency Action Plan*, which fulfills the mandates in Public Resources Code Sections 25310(c) and 25943(f); and

WHEREAS, the Energy Commission has considered the application of the California Environmental Quality Act (CEQA) to the *2019 California Energy Efficiency Action Plan* and finds that this report is not subject to CEQA under CEQA Guidelines, Sections 15061, 15308, and 15378. The report is not a “project” subject to CEQA pursuant to CEQA Guidelines, Section 15378 (b)(2) and (5), in that it deals with general policy and procedural activities or organizational and administrative activities and does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment. The report also falls within the so-called “common sense” exemption pursuant to CEQA Guidelines, Section 15061(b)(3), which indicates that CEQA only applies to projects that have a “significant effect on the environment” as defined in Public Resources Code section 21068 and in CEQA Guidelines, Section 15382, as being a substantial, or potentially substantial, adverse change in the environment. Furthermore, the report is categorically exempt from CEQA as an action taken to protect the environment pursuant to CEQA Guidelines, Section 15308; and

WHEREAS, the Energy Commission has considered the *2019 California Energy Efficiency Action Plan*, all written comments submitted in this proceeding, and all oral comments made at the business meeting and the public workshops in this proceeding; and

THEREFORE BE IT RESOLVED, the Energy Commission hereby adopts the *2019 California Energy Efficiency Action Plan*.

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None


Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION FINDING LOS ANGELES DEPARTMENT OF WATER AND POWER'S
INTEGRATED RESOURCE PLAN CONSISTENT WITH PUBLIC UTILITIES CODE
SECTION 9621**

WHEREAS, Public Utilities Code Sections 9621 and 9622 require specified local publicly owned electric utilities to adopt Integrated Resource Plans at least once every five years and submit them to the California Energy Commission; and

WHEREAS, Public Utilities Code Section 9622 requires that the California Energy Commission review the local publicly owned electric utilities' Integrated Resource Plans for consistency with the requirements of Section 9621, and to provide recommendations to correct deficiencies; and

WHEREAS, on April 30, 2019, the Los Angeles Department of Water and Power (LADWP) submitted an Integrated Resource Plan and supporting documentation (the IRP Filing); and

WHEREAS, on May 20, 2019, the Energy Commission notified LADWP that the IRP Filing was complete, as described in the Publicly Owned Utilities' Integrated Resource Plan Guidelines adopted by the Energy Commission; and

WHEREAS, the Energy Commission posted the IRP Filing on its website for public comment and accepted comments for at least 30 days and did not receive any public comment; and

WHEREAS, on August 28, 2019, the Energy Commission Executive Director signed a letter informing LADWP that he had determined the IRP Filing is consistent with the requirements of Public Utilities Code Section 9621, which was posted on the Energy Commission website along with a supporting staff paper on August 28, 2019 for a 45 day comment period; and

WHEREAS, the Energy Commission did not receive any comments on the staff paper; and

THEREFORE BE IT RESOLVED, that the Energy Commission adopts the determination of the Executive Director, that the IRP Filing is consistent with the requirements of Public Utilities Code Section 9621.

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None


Cody Goldthrite
Secretariat

RESOLUTION NO: 19-1211-7b

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION FINDING CITY OF PALO ALTO'S INTEGRATED RESOURCE PLAN
CONSISTENT WITH PUBLIC UTILITIES CODE SECTION 9621**

WHEREAS, Public Utilities Code Sections 9621 and 9622 require specified local publicly owned electric utilities to adopt Integrated Resource Plans at least once every five years and submit them to the California Energy Commission; and

WHEREAS, Public Utilities Code Section 9622 requires that the California Energy Commission review the local publicly owned electric utilities' Integrated Resource Plans for consistency with the requirements of Section 9621, and to provide recommendations to correct deficiencies; and

WHEREAS, on April 30, 2019, the City of Palo Alto (Palo Alto) submitted an Integrated Resource Plan and supporting documentation (the IRP Filing); and

WHEREAS, on May 30, 2019, the Energy Commission notified Palo Alto that the IRP Filing was complete, as described in the Publicly Owned Utilities' Integrated Resource Plan Guidelines adopted by the Energy Commission; and

WHEREAS, the Energy Commission posted the IRP Filing on its website for public comment and accepted comments for at least 30 days and did not receive any public comment; and

WHEREAS, on August 29, 2019, the Energy Commission Executive Director signed a letter informing Palo Alto that he had determined the IRP Filing is consistent with the requirements of Public Utilities Code Section 9621, which was posted on the Energy Commission website along with a supporting staff paper on September 16, 2019 for a 45 day comment period; and

WHEREAS, the Energy Commission did not receive any comments on the staff paper; and

THEREFORE BE IT RESOLVED, that the Energy Commission adopts the determination of the Executive Director, that the IRP Filing is consistent with the requirements of Public Utilities Code Section 9621.

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None


Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION FINDING SACRAMENTO MUNICIPAL UTILITY DISTRICT'S
INTEGRATED RESOURCE PLAN CONSISTENT WITH PUBLIC UTILITIES CODE
SECTION 9621**

WHEREAS, Public Utilities Code Sections 9621 and 9622 require specified local publicly owned electric utilities to adopt Integrated Resource Plans at least once every five years and submit them to the California Energy Commission; and

WHEREAS, Public Utilities Code Section 9622 requires that the California Energy Commission review the local publicly owned electric utilities' Integrated Resource Plans for consistency with the requirements of Section 9621, and to provide recommendations to correct deficiencies; and

WHEREAS, on April 29, 2019, the Sacramento Municipal Utility District (SMUD) submitted an Integrated Resource Plan and supporting documentation (the IRP Filing); and

WHEREAS, on May 30, 2019, the Energy Commission notified SMUD that the IRP Filing was complete, as described in the Publicly Owned Utilities' Integrated Resource Plan Guidelines adopted by the Energy Commission; and

WHEREAS, the Energy Commission posted the IRP Filing on its website for public comment and accepted comments for at least 30 days and did not receive any public comment; and

WHEREAS, on August 29, 2019, the Energy Commission Executive Director signed a letter informing SMUD that he had determined the IRP Filing is consistent with the requirements of Public Utilities Code Section 9621, which was posted on the Energy Commission website along with a supporting staff paper on August 29, 2019 for a 45 day comment period; and

WHEREAS, the Energy Commission did not receive any comments on the staff paper; and

THEREFORE BE IT RESOLVED, that the Energy Commission adopts the determination of the Executive Director, that the IRP Filing is consistent with the requirements of Public Utilities Code Section 9621.

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION FINDING SILICON VALLEY POWER'S INTEGRATED RESOURCE
PLAN CONSISTENT WITH PUBLIC UTILITIES CODE SECTION 9621**

WHEREAS, Public Utilities Code Sections 9621 and 9622 require specified local publicly owned electric utilities to adopt Integrated Resource Plans at least once every five years and submit them to the California Energy Commission; and

WHEREAS, Public Utilities Code Section 9622 requires that the California Energy Commission review the local publicly owned electric utilities' Integrated Resource Plans for consistency with the requirements of Section 9621, and to provide recommendations to correct deficiencies; and

WHEREAS, on April 26, 2019, the Silicon Valley Power (SVP) submitted an Integrated Resource Plan and supporting documentation (the IRP Filing); and

WHEREAS, on May 10, 2019, the Energy Commission notified SVP that the IRP Filing was complete, as described in the Publicly Owned Utilities' Integrated Resource Plan Guidelines adopted by the Energy Commission; and

WHEREAS, the Energy Commission posted the IRP Filing on its website for public comment and accepted comments for at least 30 days and did not receive any public comment; and

WHEREAS, on September 23, 2019, the Energy Commission Executive Director signed a letter informing SVP that he had determined the IRP Filing is consistent with the requirements of Public Utilities Code Section 9621, which was posted on the Energy Commission website along with a supporting staff paper on October 1, 2019 for a 45 day comment period; and

WHEREAS, the Energy Commission did not receive any comments on the staff paper; and

THEREFORE BE IT RESOLVED, that the Energy Commission adopts the determination of the Executive Director, that the IRP Filing is consistent with the requirements of Public Utilities Code Section 9621.

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION FINDING TURLOCK IRRIGATION DISTRICT'S INTEGRATED
RESOURCE PLAN CONSISTENT WITH PUBLIC UTILITIES CODE SECTION 9621**

WHEREAS, Public Utilities Code Sections 9621 and 9622 require specified local publicly owned electric utilities to adopt Integrated Resource Plans at least once every five years and submit them to the California Energy Commission; and

WHEREAS, Public Utilities Code Section 9622 requires that the California Energy Commission review the local publicly owned electric utilities' Integrated Resource Plans for consistency with the requirements of Section 9621, and to provide recommendations to correct deficiencies; and

WHEREAS, on April 25, 2019, the Turlock Irrigation District (Turlock) submitted an Integrated Resource Plan and supporting documentation (the IRP Filing); and

WHEREAS, on August 21, 2019, the Energy Commission notified Turlock that the IRP Filing was complete, as described in the Publicly Owned Utilities' Integrated Resource Plan Guidelines adopted by the Energy Commission; and

WHEREAS, the Energy Commission posted the IRP Filing on its website for public comment and accepted comments for at least 30 days and did not receive any public comment; and

WHEREAS, on August 23, 2019, the Energy Commission Executive Director signed a letter informing Turlock that he had determined the IRP Filing is consistent with the requirements of Public Utilities Code Section 9621, which was posted on the Energy Commission website along with a supporting staff paper on August 23, 2019 for a 45 day comment period; and

WHEREAS, the Energy Commission did not receive any comments on the staff paper; and

THEREFORE BE IT RESOLVED, that the Energy Commission adopts the determination of the Executive Director, that the IRP Filing is consistent with the requirements of Public Utilities Code Section 9621.

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION APPROVING THE CITY OF MENLO PARK'S LOCALLY ADOPTED
BUILDING ENERGY EFFICIENCY STANDARDS, ORDINANCE NO. 1057**

RESOLUTION: California Energy Commission (CEC) approval of the City of Menlo Park's locally adopted building energy efficiency standards, Ordinance No. 1057, to require greater energy efficiency than the 2019 Building Energy Efficiency Standards (Energy Code), provided in California Code of Regulations, Title 24, Part 6, and associated administrative regulations in Part 1, Chapter 10.

WHEREAS, the City of Menlo Park adopted Ordinance No. 1057 to establish locally adopted building energy efficiency standards; and

WHEREAS, California Code of Regulations, Title 24, Part 1, Sections 10-106 and 10-110, establish a process for local governments to apply to the CEC for a determination that a locally adopted building energy efficiency standard meets the requirements of Public Resources Code Section 25402.1(h)(2); and

WHEREAS, the City of Menlo Park submitted an application to the CEC for Ordinance No. 1057 that met all of the documentation requirements pursuant to Public Resources Code Section 25402.1(h)(2), and California Code of Regulations, Title 24, Section 10-106(b), on September 30, 2019; and

WHEREAS, the City of Menlo Park, in its application to the CEC, indicated that it complied with the California Environmental Quality Act (CEQA), codified in California Public Resources Code Section 21000 et seq.; and

WHEREAS, CEC staff has analyzed whether the ordinance will require the diminution of energy consumption levels permitted by the 2019 Energy Code, as required by Public Resources Code Section 25402.1(h)(2), and determined that it will do so; and

WHEREAS, the CEC has considered the City of Menlo Park's application, the Executive Director's recommendation, and all comments submitted on the application.

THEREFORE BE IT RESOLVED, the CEC finds that the City of Menlo Park's ordinance will require the diminution of energy consumption levels permitted by the 2019 Energy Code; and

THEREFORE BE IT FURTHER RESOLVED, the CEC applauds the City of Menlo Park for seeking to achieve additional energy demand reductions, energy savings, and other benefits exceeding those of the 2019 Energy Code; and

THEREFORE BE IT FURTHER RESOLVED, that on December 11, 2019, the CEC approves the City of Menlo Park's application to enforce its locally adopted energy standards; and

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

CERTIFICATION

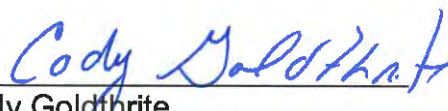
The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION APPROVING THE CITY OF SAN JOSÉ'S LOCALLY ADOPTED
BUILDING ENERGY EFFICIENCY STANDARDS, ORDINANCE NO. 30311**

RESOLUTION: California Energy Commission (CEC) approval of the City of San José's locally adopted building energy efficiency standards, Ordinance No. 30311, to require greater energy efficiency than the 2019 Building Energy Efficiency Standards (Energy Code), provided in California Code of Regulations, Title 24, Part 6, and associated administrative regulations in Part 1, Chapter 10.

WHEREAS, the City of San José adopted Ordinance No. 30311 to establish locally adopted building energy efficiency standards; and

WHEREAS, California Code of Regulations, Title 24, Part 1, Sections 10-106 and 10-110, establish a process for local governments to apply to the CEC for a determination that a locally adopted building energy efficiency standard meets the requirements of Public Resources Code Section 25402.1(h)(2); and

WHEREAS, the City of San José submitted an application to the CEC for Ordinance No. 30311 that met all of the documentation requirements pursuant to Public Resources Code Section 25402.1(h)(2), and California Code of Regulations, Title 24, Section 10-106(b), on October 4, 2019; and

WHEREAS, the City of San José, in its application to the CEC, indicated that it complied with the California Environmental Quality Act (CEQA), codified in California Public Resources Code Section 21000 et seq.; and

WHEREAS, CEC staff has analyzed whether the ordinance will require the diminution of energy consumption levels permitted by the 2019 Energy Code, as required by Public Resources Code Section 25402.1(h)(2), and determined that it will do so; and

WHEREAS, the CEC has considered the City of San José's application, the Executive Director's recommendation, and all comments submitted on the application.

THEREFORE BE IT RESOLVED, the CEC finds that the City of San José's ordinance will require the diminution of energy consumption levels permitted by the 2019 Energy Code; and

THEREFORE BE IT FURTHER RESOLVED, the CEC applauds the City of San José for seeking to achieve additional energy demand reductions, energy savings, and other benefits exceeding those of the 2019 Energy Code; and

THEREFORE BE IT FURTHER RESOLVED, that on December 11, 2019, the CEC approves the City of San José's application to enforce its locally adopted energy 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 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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None


Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION APPROVING THE CITY OF SAN MATEO'S LOCALLY ADOPTED
BUILDING ENERGY EFFICIENCY STANDARDS, ORDINANCE NO. 2019-9**

RESOLUTION: California Energy Commission (CEC) approval of the City of San Mateo's locally adopted building energy efficiency standards, Ordinance No. 2019-9, to require greater energy efficiency than the 2019 Building Energy Efficiency Standards (Energy Code), provided in California Code of Regulations, Title 24, Part 6, and associated administrative regulations in Part 1, Chapter 10.

WHEREAS, the City of San Mateo adopted Ordinance No. 2019-9 to establish locally adopted building energy efficiency standards; and

WHEREAS, California Code of Regulations, Title 24, Part 1, Sections 10-106 and 10-110, establish a process for local governments to apply to the CEC for a determination that a locally adopted building energy efficiency standard meets the requirements of Public Resources Code Section 25402.1(h)(2); and

WHEREAS, the City of San Mateo submitted an application to the CEC for Ordinance No. 2019-9 that met all of the documentation requirements pursuant to Public Resources Code Section 25402.1(h)(2), and California Code of Regulations, Title 24, Section 10-106(b), on September 23, 2019; and

WHEREAS, the City of San Mateo, in its application to the CEC, indicated that it complied with the California Environmental Quality Act (CEQA), codified in California Public Resources Code Section 21000 et seq.; and

WHEREAS, CEC staff has analyzed whether the ordinance will require the diminution of energy consumption levels permitted by the 2019 Energy Code, as required by Public Resources Code Section 25402.1(h)(2), and determined that it will do so; and

WHEREAS, the CEC has considered the City of San Mateo's application, the Executive Director's recommendation, and all comments submitted on the application.

THEREFORE BE IT RESOLVED, the CEC finds that the City of San Mateo's ordinance will require the diminution of energy consumption levels permitted by the 2019 Energy Code; and

THEREFORE BE IT FURTHER RESOLVED, the CEC applauds the City of San Mateo for seeking to achieve additional energy demand reductions, energy savings, and other benefits exceeding those of the 2019 Energy Code; and

THEREFORE BE IT FURTHER RESOLVED, that on December 11, 2019, the CEC approves the City of San Mateo's application to enforce its locally adopted energy 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 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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None


Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION APPROVING THE CITY OF SANTA MONICA'S LOCALLY ADOPTED
BUILDING ENERGY EFFICIENCY STANDARDS, ORDINANCE NO. 2617**

RESOLUTION: California Energy Commission (CEC) approval of the City of Santa Monica's locally adopted building energy efficiency standards, Ordinance No. 2617, to require greater energy efficiency than the 2019 Building Energy Efficiency Standards (Energy Code), provided in California Code of Regulations, Title 24, Part 6, and associated administrative regulations in Part 1, Chapter 10.

WHEREAS, the City of Santa Monica adopted Ordinance No. 2617 to establish locally adopted building energy efficiency standards; and

WHEREAS, California Code of Regulations, Title 24, Part 1, Sections 10-106 and 10-110, establish a process for local governments to apply to the CEC for a determination that a locally adopted building energy efficiency standard meets the requirements of Public Resources Code Section 25402.1(h)(2); and

WHEREAS, the City of Santa Monica submitted an application to the CEC for Ordinance No. 2617 that met all of the documentation requirements pursuant to Public Resources Code Section 25402.1(h)(2), and California Code of Regulations, Title 24, Section 10-106(b), on September 30, 2019; and

WHEREAS, the City of Santa Monica, in its application to the CEC, indicated that it complied with the California Environmental Quality Act (CEQA), codified in California Public Resources Code Section 21000 et seq.; and

WHEREAS, CEC staff has analyzed whether the ordinance will require the diminution of energy consumption levels permitted by the 2019 Energy Code, as required by Public Resources Code Section 25402.1(h)(2), and determined that it will do so; and

WHEREAS, the CEC has considered the City of Santa Monica's application, the Executive Director's recommendation, and all comments submitted on the application.

THEREFORE BE IT RESOLVED, the CEC finds that the City of Santa Monica's ordinance will require the diminution of energy consumption levels permitted by the 2019 Energy Code; and

THEREFORE BE IT FURTHER RESOLVED, the CEC applauds the City of Santa Monica for seeking to achieve additional energy demand reductions, energy savings, and other benefits exceeding those of the 2019 Energy Code; and

THEREFORE BE IT FURTHER RESOLVED, that on December 11, 2019, the CEC approves the City of Santa Monica's application to enforce its locally adopted energy 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 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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None


Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION APPROVING THE CITY OF WEST HOLLYWOOD'S LOCALLY
ADOPTED BUILDING ENERGY EFFICIENCY STANDARDS, ORDINANCE 19-1072**

RESOLUTION: California Energy Commission (CEC) approval of the City of West Hollywood's locally adopted building energy efficiency standards, Ordinance No. 19-1072, to require greater energy efficiency than the 2019 Building Energy Efficiency Standards (Energy Code), provided in California Code of Regulations, Title 24, Part 6, and associated administrative regulations in Part 1, Chapter 10.

WHEREAS, the City of West Hollywood adopted Ordinance No. 19-1072 to establish locally adopted building energy efficiency standards; and

WHEREAS, California Code of Regulations, Title 24, Part 1, Sections 10-106 and 10-110, establish a process for local governments to apply to the CEC for a determination that a locally adopted building energy efficiency standard meets the requirements of Public Resources Code Section 25402.1(h)(2); and

WHEREAS, the City of West Hollywood submitted an application to the CEC for Ordinance No. 19-1072 that met all of the documentation requirements pursuant to Public Resources Code Section 25402.1(h)(2), and California Code of Regulations, Title 24, Section 10-106(b), on September 27, 2019; and

WHEREAS, the City of West Hollywood, in its application to the CEC, indicated that it complied with the California Environmental Quality Act (CEQA), codified in California Public Resources Code Section 21000 et seq.; and

WHEREAS, CEC staff has analyzed whether the ordinance will require the diminution of energy consumption levels permitted by the 2019 Energy Code, as required by Public Resources Code Section 25402.1(h)(2), and determined that it will do so; and

WHEREAS, the CEC has considered the City of West Hollywood's application, the Executive Director's recommendation, and all comments submitted on the application.

THEREFORE BE IT RESOLVED, the CEC finds that the City of West Hollywood's ordinance will require the diminution of energy consumption levels permitted by the 2019 Energy Code; and

THEREFORE BE IT FURTHER RESOLVED, the CEC applauds the City of West Hollywood for seeking to achieve additional energy demand reductions, energy savings, and other benefits exceeding those of the 2019 Energy Code; and

THEREFORE BE IT FURTHER RESOLVED, that on December 11, 2019, the CEC approves the City of West Hollywood's application to enforce its locally adopted energy 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 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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None


Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION APPROVING THE COUNTY OF MARIN'S LOCALLY ADOPTED
BUILDING ENERGY EFFICIENCY STANDARDS, ORDINANCE NO. 3712

RESOLUTION: California Energy Commission (CEC) approval of the County of Marin's locally adopted building energy efficiency standards, Ordinance No. 3712, to require greater energy efficiency than the 2019 Building Energy Efficiency Standards (Energy Code), provided in California Code of Regulations, Title 24, Part 6, and associated administrative regulations in Part 1, Chapter 10.

WHEREAS, the County of Marin adopted Ordinance No. 3712 to establish locally adopted building energy efficiency standards; and

WHEREAS, California Code of Regulations, Title 24, Part 1, Sections 10-106 and 10-110, establish a process for local governments to apply to the CEC for a determination that a locally adopted building energy efficiency standard meets the requirements of Public Resources Code Section 25402.1(h)(2); and

WHEREAS, the County of Marin submitted an application to the CEC for Ordinance No. 3712 that met all of the documentation requirements pursuant to Public Resources Code Section 25402.1(h)(2), and California Code of Regulations, Title 24, Section 10-106(b), on October 9, 2019; and

WHEREAS, the County of Marin, in its application to the CEC, indicated that it complied with the California Environmental Quality Act (CEQA), codified in California Public Resources Code Section 21000 et seq.; and

WHEREAS, CEC staff has analyzed whether the ordinance will require the diminution of energy consumption levels permitted by the 2019 Energy Code, as required by Public Resources Code Section 25402.1(h)(2), and determined that it will do so; and

WHEREAS, the CEC has considered the County of Marin's application, the Executive Director's recommendation, and all comments submitted on the application.

THEREFORE BE IT RESOLVED, the CEC finds that the County of Marin's ordinance will require the diminution of energy consumption levels permitted by the 2019 Energy Code; and

THEREFORE BE IT FURTHER RESOLVED, the CEC applauds the County of Marin for seeking to achieve additional energy demand reductions, energy savings, and other benefits exceeding those of the 2019 Energy Code; and

THEREFORE BE IT FURTHER RESOLVED, that on December 11, 2019, the CEC approves the County of Marin's application to enforce its locally adopted energy 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 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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**2019 BUILDING ENERGY EFFICIENCY
STANDARDS, CALIFORNIA CODE OF
REGULATIONS, TITLE 24, PARTS
1 AND 6**

Docket No. 13-ATTCP-01

**RESOLUTION OF THE CALIFORNIA ENERGY COMMISSION
APPROVING THE REFRIGERATION SERVICE ENGINEERS SOCIETY'S
PROPOSED MECHANICAL ACCEPTANCE TEST TECHNICIAN CERTIFICATION
PROVIDER UPDATES FOR THE *2019 BUILDING
ENERGY EFFICIENCY STANDARDS***

WHEREAS, Section 10-103.2(d) of the *2019 Building Energy Efficiency Standards* (Energy Code) requires mechanical acceptance test technician certification providers (ATTCPs) to report to the California Energy Commission (CEC) what adjustments have been made to the training curricula to address changes reflective of the variety of mechanical systems that are currently encountered in the field, changes to mechanical acceptance testing requirements, or adopted updates to the Energy Code; and

WHEREAS, the 2019 Energy Code, California Code of Regulations, Title 24, Part 6, and associated administrative regulations in Part 1, Chapter 10, will go into effect on January 1, 2020; and

WHEREAS, the Refrigeration Service Engineers Society (RSES) submitted the update report required by Section 10-103.2(d) of the 2019 Energy Code to the CEC; and

WHEREAS, CEC staff reviewed the RSES 2019 update report and determined that the proposed training curricula adjustments meet the requirements in Section 10-103.2(c) of the 2019 Energy Code; and

WHEREAS, the executive director of the CEC provided a written recommendation, attached hereto as "Exhibit A," describing the review and validation of the RSES 2019 update report by CEC staff and recommending approval of the proposed training curricula adjustments and application amendments; and

WHEREAS, the CEC has considered the executive director's recommendation, all written comments submitted, oral comments made at today's business meeting, and CEC staff's responses to all comments on this matter.

THEREFORE BE IT RESOLVED, that the CEC finds that the training curricula adjustments and application amendments proposed by RSES meet the requirements in Section 10-103.2(c) of the 2019 Energy Code; and

BE IT FURTHER RESOLVED, that the CEC confirms the executive director's findings, adopts his recommendation, and approves RSES's proposed training curricula adjustments and application amendments as described in RSES's update report.

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None


Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION**

IN THE MATTER OF:

**2019 BUILDING ENERGY EFFICIENCY
STANDARDS, CALIFORNIA CODE OF
REGULATIONS, TITLE 24, PARTS
1 AND 6**

Docket No. 13-ATTCP-01

**RESOLUTION OF THE CALIFORNIA ENERGY COMMISSION APPROVING THE
NATIONAL LIGHTING CONTRACTORS ASSOCIATION OF AMERICA'S PROPOSED
2019 UPDATE REPORT APPLICATION AMENDMENTS**

WHEREAS, Section 10-103.1(d)2 of the Building Energy Efficiency Standards (Energy Code) requires lighting controls acceptance test technician certification providers (ATTCPs) to report to the California Energy Commission (CEC) what training curricula adjustments have been made to address changes to lighting controls acceptance testing requirements or adopted updates to the Energy Code; and

WHEREAS, the 2019 Energy Code, California Code of Regulations, Title 24, Part 6, and associated administrative regulations in Part 1, Chapter 10, will go into effect on January 1, 2020; and

WHEREAS, the National Lighting Contractors Association of America (NLCAA) submitted the report required by Section 10-103.1(d)2 of the Energy Code in preparation for the 2019 Energy Code ("2019 update report") to the CEC; and

WHEREAS, CEC staff evaluated NLCAA's 2019 update report and found that NLCAA's training curricula adjustments and other application amendments proposed in the 2019 update report met the requirements in Section 10-103.1(c) of the 2019 Energy Code; and

WHEREAS, the executive director of the CEC provided a written recommendation describing the review and validation of NLCAA's update report by CEC staff and recommending approval of NLCAA's training curricula adjustments and other application amendments proposed in its 2019 update report; and

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

THEREFORE BE IT RESOLVED, that the CEC finds that NLCAA's training curricula adjustments and other application amendments proposed in its 2019 update report meet the requirements in Section 10-103.1(c) of the 2019 Energy Code; and

BE IT FURTHER RESOLVED, that the CEC confirms the Executive Director's findings, adopts his recommendation, and approves NLCAA's proposed training curricula adjustments and other application amendments as described in NLCAA's 2019 update report.

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

RESOLUTION - RE: EUREKA CITY SCHOOLS

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 001-19-ECG with Eureka City Schools for a \$463,733 loan at zero percent interest to install a 132 kWdc roof-mounted solar PV system, and adopting staff's determination that this project is exempt from CEQA. The project is estimated to save 173,969 kWh of electricity annually, resulting in annual energy cost savings of \$38,702; and

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

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None



Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: SOUTHERN HUMBOLDT UNIFIED 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 002-19-ECG with Southern Humboldt Unified School District for a \$1,048,320 loan at zero percent interest to install five roof-mounted solar PV systems totaling 279 kWdc on five buildings at South Fork High School, and adopting staff's determination that this action is exempt from CEQA. The project is estimated to save 395,449 kWh of electricity annually, resulting in annual energy cost savings of \$89,123; and

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

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None


Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

RESOLUTION - RE: CUTTEN ELEMENTARY 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 003-19-ECG with Cutten Elementary School District for a \$182,560 loan at zero percent interest to install a 52 kWdc roof-mounted solar PV system at Ridgewood Elementary School, and adopting staff's determination that this action is exempt from CEQA. The project is estimated to save 67,064 kWh of electricity annually, resulting in annual energy cost savings of \$13,983; and

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

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None


Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION - RE: CLASSICAL ACADEMY HIGH SCHOOL

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 004-19-ECG with Classical Academy High School for a \$585,565 loan at zero percent interest to install one roof-mounted and one shade structure-mounted solar PV system totaling 170 kWdc and adopting staff's determination that this project is exempt from CEQA. The project is estimated to save 280,777 kWh of electricity annually, resulting in annual energy cost savings of \$75,902; and

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

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None


Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

RESOLUTION - RE: MATTOLE UNIFIED 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 005-19-ECG with Mattole Unified School District for a \$44,800 loan at zero percent interest to install two roof-mounted solar PV systems totaling 12.8 kWdc on two buildings, and adopting staff's determination that this action is exempt from CEQA. The project is estimated to save 17,599 kWh of electricity annually, resulting in annual energy cost savings of \$4,060; and

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

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None


Cody Goldthrite
Secretariat

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

RESOLUTION - RE: PARLIER UNIFIED 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 007-19-ECG with Parlier Unified School District for a \$2,750,331 loan at zero percent interest and adopting staff's determination that this project is exempt from CEQA. The project includes a comprehensive interior and exterior retrofit to LED lighting, replacing 26 inefficient wall-mounted heat pumps units with high-efficiency systems and installing an 898.5 kWdc ground-mounted solar PV system at two co-located schools. The project is estimated to save 1,721,452 kWh of electricity annually, resulting in annual energy cost savings of \$270,925; and

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

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 CEC held on December 11, 2019.

AYE: Hochschild, Scott, Douglas, Monahan

NAY: None

ABSENT: McAllister

ABSTAIN: None


Cody Goldthrite
Secretariat