



**California Energy Commission
March 6, 2023 Business Meeting
Backup Materials for Agenda Item No 03a:ii:
Malaga County Water District**

The following backup materials for the above-referenced agenda item are available in this PDF packet as listed below:

1. Proposed Resolution (attached below).
2. Grant Request Form or Grant Amendment Request Form or Contract Request Form or Loan Request Form (applicable form attached below).
3. Scope of Work (attached below).
4. CEQA documents (if applicable, attached below).
5. Other relevant documentation or link to other documentation (if applicable, attached below).

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Malaga County Water District

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

RESOLVED, that the CEC approves Amendment 1 to Agreement 003-22-ECI with Malaga County Water District to increase the loan amount by \$311,167 and extend the end date from December 31, 2023, to June 30, 2024, because of subcontractor and material cost increases; and

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

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on March 6, 2023.

AYE:
NAY:
ABSENT:
ABSTAIN:

Dated:

Liza Lopez
Secretariat



STATE OF CALIFORNIA

LOAN AMENDMENT REQUEST FORM (LARF)

CEC-278 (Revised 12/2019)

CALIFORNIA ENERGY COMMISSION

Original Agreement # 003-22-ECI Amendment # 1

Division	Agreement Manager:	MS-	Phone
500 Renewable Energy Division	Sean Lockwood	45	916-891-9074

Recipient's Legal Name	Federal ID #
Malaga County Water District	94-156804

Revisions: (check all that apply)	Additional Requirements
<input checked="" type="checkbox"/> Term Extension New End Date: 6 / 30 / 2024	Include revised schedule and complete items A, B, C, & F below.
<input checked="" type="checkbox"/> Budget Augmentation Amendment Amount: \$311,167	Include revised budget and complete items A, B, C, D, & F below.
<input type="checkbox"/> Budget Reallocation	Include revised budget and complete items A, B, C, & F below.
<input type="checkbox"/> Scope of Work Revision	Include revised scope of work and complete items A, B, C, E, & F below.
<input type="checkbox"/> Change in Project Location or Demonstration Site	Include revised scope of work and complete items A, B, C, E, & F below.
<input type="checkbox"/> Novation/Name Change of Prime Recipient	Include novation documentation and complete items A, B, C, & F below.
<input type="checkbox"/> Terms and Conditions Modification	Include applicable exhibits with bold/underline/ strikeout and complete items A, B, C, & F below.

A) Business Meeting Information**Business Meeting approval is not required for the following types of Agreements:**☐ Minor amendments delegated to Executive Director per December 2013 ResolutionProposed Business Meeting Date 3 / 6 / 2023 ☒ Consent ☐ Discussion

Business Meeting Presenter N/A Time Needed:

Please select one list serve. Financing (Energy Efficiency Financing)

B) Agenda Item Subject and Description:

Malaga County Water District. Proposed resolution approving Amendment 1 to Agreement 003-22-ECI with Malaga County Water District to increase the loan amount by \$311,167 and extend the end date from December 31, 2023, to June 30, 2024, because of subcontractor and material cost increases, and adopting staff's determination that this action is exempt from CEQA.

List all subcontractors (major and minor) and equipment vendors: (attach additional sheets as necessary)



STATE OF CALIFORNIA

LOAN AMENDMENT REQUEST FORM (LARF)

CEC-278 (Revised 12/2019)

CALIFORNIA ENERGY COMMISSION

Legal Company Name:	Budget
SiteLogIQ	\$ 2,777,732
	\$ 0.00
	\$ 0.00

C) List all key partners: (attach additional sheets as necessary)

Legal Company Name:

D) Budget Information (only include amendment amount information)

Funding Source	Funding Year of Appropriation	Budget List Number	Amount
Funding Source	2022/2023	401.007	\$2,777,732
Funding Source			\$
Funding Source			\$
Funding Source			\$
Funding Source			\$

R&D Program Area: Select Program Area TOTAL: \$2,777,732

Explanation for "Other" selection

Reimbursement Contract #:

Federal Agreement #:

E) California Environmental Quality Act (CEQA) Compliance

1. Is Agreement considered a "Project" under CEQA?

☒ Yes (skip to question 2) ☐ No (complete the following (PRC 21065 and 14 CCR 15378)):

Explain why Agreement is not considered a "Project":

Agreement will not cause direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because .

2. If Agreement is considered a "Project" under CEQA:

a) ☒ Agreement **IS** exempt.

☒ Statutory Exemption. List PRC and/or CCR section number: Pub. Resources Code section 21080.35

☒ Categorical Exemption. List CCR section number: Cal. Code Regs., tit. 14 §§ 15301, 15304

☐ Common Sense Exemption. 14 CCR 15061 (b) (3) Explain reason why Agreement is exempt under the above section:

The Energy Commission made CEQA findings pertaining to this project, including finding that the project is statutorily exempt under Pub. Resources Code § 21080.35 and categorically exempt under Cal. Code Regs., tit. 14, §§ 15301 and 15304 when the project was approved at its July 13, 2022 business meeting. The proposed changes through this amendment are a time extension and a budget augmentation for increased costs. The changes will not result in any impacts to



STATE OF CALIFORNIA

LOAN AMENDMENT REQUEST FORM (LARF)

CEC-278 (Revised 12/2019)

CALIFORNIA ENERGY COMMISSION

the environment that were not already considered at the July 2022 business meeting and do not change the applicability of the statutory and categorical exemptions.

- b) ☐ Agreement **IS NOT** exempt. (consult with the legal office to determine next steps)

Check all that apply

- ☐ Initial Study
☐ Negative Declaration
☐ Mitigated Negative Declaration
☐ Environmental Impact Report
☐ Statement of Overriding Considerations

F) The following items should be attached to this LARF (as applicable)

- | | | |
|---|---|--|
| 1. Exhibit A, Scope of Work | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Attached |
| 2. Exhibit B, Budget Detail | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Attached |
| 3. CEQA Documentation | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Attached |
| 4. Novation Documentation | <input checked="" type="checkbox"/> N/A | <input type="checkbox"/> Attached |
| 5. CEC 105, Questionnaire for Identifying Conflicts | | <input checked="" type="checkbox"/> Attached |

Agreement Manager

Date

Office Manager

Date

Deputy Director

Date

**EXHIBIT A
ATTACHMENT 1
BUDGET DETAIL/PROJECT COST AND SAVINGS**

This loan is made to the Malaga County Water District (Borrower) for an energy savings project. The project consists of the energy generation measures listed in Table 1 below to be installed at two sites at the Malaga County Water District.

The table below summarizes the estimated project cost(s), saving(s), and simple payback(s) for the project.

TABLE 1: Summary of Project Cost and Savings:

Energy Efficiency Measures	Estimated Total Project Cost	Energy Commission Loan	Estimated Annual Energy Cost Savings	Simple Payback* (Years)
Wastewater Treatment Plant: Install 304-kW solar PV array on carport	\$1,858,774 \$2,026,230	\$1,858,774 \$2,026,230	\$119,190	45.6 17.0
Community Center: Install 84.9- kW solar PV array on carport	\$607,791 \$751,502	\$607,791 \$751,502	\$44,206	43.7 17.0
TOTALS:	\$2,466,565 \$2,777,732	\$2,466,565 \$2,777,732	\$163,396	45.1 17.0

*The simple payback is based on the loan amount.

The Borrower shall implement each measure listed in Table 1.

If the Borrower does not complete one or more of the measures or deviates from the quantities and specifications listed in Table 1, the California Energy Commission (CEC) project manager will calculate the maximum loan amount supported by the project. The loan amount will be determined by the lesser of: 1) multiplying the annual energy cost savings by 17; 2) total project costs; or 3) approved loan amount.

The Borrower shall notify the CEC project manager in writing if the Borrower expects any information in Table 1 to change. CEC staff will advise the Borrower of the procedure to approve any changes. Written documentation is required for any changes to the information included in this attachment.

If the Borrower has received disbursements exceeding the maximum loan amount supported by the project, the Borrower shall refund the difference to the CEC within 30 days of notification.