



**CALIFORNIA
ENERGY COMMISSION**



**California Energy Commission
February 14, 2024 Business Meeting
Backup Materials for Department of the Air
Force**

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

1. Proposed Resolution
2. Contract Request Form
3. Memorandum of Understanding

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION: Department of the Air Force

RESOLVED, that the State Energy Resources Conservation and Development Commission (CEC) adopts the staff CEQA findings contained in the Contract Request Form; and

RESOLVED, that the CEC approves a Memorandum of Understanding (MOU) between CEC and the Department of the Air Force. The MOU fosters collaboration between the Participants on energy issues of mutual interest in support of each organization's respective goals in the areas of energy assurance and resilience, climate initiatives, greenhouse gas reduction, fossil fuel reduction, energy efficiency, renewable energy, and zero-emission vehicles. No funds will be committed by either the CEC or the Department of the Air Force under the MOU; and

FURTHER BE IT RESOLVED, that the Chair of the CEC 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 February 14, 2024.

AYE:
NAY:
ABSENT:
ABSTAIN:

Dated:

Kristine Banaag
Secretariat



CONTRACT REQUEST FORM (CRF)

A. New Agreement Number

IMPORTANT: New Agreement # to be completed by Contracts, Grants, and Loans Office.

New Agreement Number: MOU-23-002

B. Division Information

1. Division Name: Exec
2. Agreement Manager: Mike Gravely
3. MS-51
4. Phone Number: 916-704-4339

C. Recipient's Information

1. Contractor's Legal Name: Department of the Air Force
2. Federal ID Number: 89-9990000

D. Title of Project

Title of project: CEC-DAF Memorandum of Understanding: Joint Agency Agreement on Energy Issues

E. Term and Amount

1. Start Date: 2/14/2024
2. End Date: 2/1/2029
3. Amount: \$0.00

F. Business Meeting Information

1. Operational agreement to be approved by Executive Director? NO
2. Are the ARFVTP agreements \$75K and under delegated to Executive Director?
3. The Proposed Business Meeting Date: 2/14/24
4. Consent or Discussion? Discussion
5. Business Meeting Presenter Name: Mike Gravely
6. Time Needed for Business Meeting: 5 minutes.
7. The email subscription topic is: Research (Energy RD&D / PIER program)

Agenda Item Subject and Description:

Department of the Air Force. Proposed resolution approving a Memorandum of Understanding (MOU) (MOU-23-002) between CEC and the Department of the Air Force. The MOU fosters collaboration between the Participants on energy issues of mutual interest in support of each organization's respective goals in the areas of energy assurance and resilience, climate initiatives, greenhouse gas reduction, fossil fuel reduction, energy efficiency, renewable energy, and zero-emission vehicles. No funds will be committed by either the CEC or the Department of the Air Force under the MOU.

Contact: Mike Gravely



G. California Environmental Quality Act (CEQA) Compliance

1. Is Agreement considered a “Project” under CEQA?

No

If yes, skip to question 2.

If no, complete the following (PRC 21065 and 14 CCR 15378) and 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 the MOU involves only coordination and collaboration consisting of both virtual and in person meetings and telephone and email communications.

The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

2. If Agreement is considered a “Project” under CEQA answer the following questions.

a) Agreement **IS** exempt?

Not applicable

Statutory Exemption?

No

If yes, list PRC and/or CCR section number(s) and separate each with a comma. If no, enter “None” and go to the next question.

PRC section number: None

CCR section number: None

Categorical Exemption?

No

If yes, list CCR section number(s) and separate each with a comma. If no, enter “None” and go to the next question.

CCR section number: None

Common Sense Exemption? 14 CCR 15061 (b) (3)

No

If yes, explain reason why Agreement is exempt under the above section. If no, enter “Not applicable” and go to the next section.

Not applicable

b) Agreement **IS NOT** exempt.

IMPORTANT: consult with the legal office to determine next steps.

Not applicable



STATE OF CALIFORNIA Contract Request Form
CALIFORNIA ENERGY COMMISSION CEC-94 (Revised 01/2023)

If yes, answer yes or no to all that applies. If no, list all as “no” and “None” as “yes”.

Additional Documents	Applies
Initial Study	No
Negative Declaration	No
Mitigated Negative Declaration	No
Environmental Impact Report	No
Statement of Overriding Considerations	No
None	Yes

H. Subcontractors

List all Subcontractors listed in the Budget (s). Insert additional rows if needed. If no subcontractors to report, enter “No subcontractors to report” and “0” to funds. **Delete** any unused rows from the table

Subcontractor Legal Company Name	Budget
No subcontractors to report	\$

I. Key Partners

List all key partner(s). Insert additional rows if needed. If no key partners to report, enter “No key partners to report.” **Delete** any unused rows from the table.

Key Partner Legal Company Name
No key partners to report

J. Budget Information

Include all budget information. Insert additional rows if needed. If no budget information to report, enter “N/A” for “Not Applicable” and “0” to Amount. **Delete** any unused rows from the table.

Funding Source	Funding Year of Appropriation	Budget List Number	Amount

TOTAL Amount: \$0

R&D Program Area: Admin: General
Explanation for “Other” selection Not applicable
Reimbursement Contract #: Not applicable
Federal Agreement #: Not applicable



K. Contractor's Contact Information

1. Contractor's Administrator/Officer

Name: Ashley Haugo
Address: 1665 Air Force Pentagon
City, State, Zip: Washington, DC 20330-1665
Phone: 703-310-5630
E-Mail: ashley.haugo.ctr@us.af.mil

3. Contractor's Project Manager

Name: Douglas K. Tucker
Address: 1665 Air Force Pentagon
City, State, Zip: Washington, DC 20330-1665
Phone: 703-693-9544
E-Mail: douglas.tucker.4@us.af.mil

L. Selection Process Used

There are three types of selection process. List the one used for this CRF.

Selection Process	Additional Information
Competitive Solicitation #	Not applicable
Non Competitive Bid (<i>Attach DGS-GSPD-09-007</i> https://www.dgs.ca.gov/PD/Forms)	Not Applicable.
Exempt	Not applicable

M. Contractor Entity Type

Contractor Entity Type	Yes or No?
Private Company (<i>including non-profits</i>)	No
CA State Agency (<i>including UC and CSU</i>)	No
Government Entity (<i>i.e. city, county, federal government, air/water/school district, joint power authorities, university from another state</i>)	Yes

N. Is Contractor a certified Small Business (SB), Micro Business (MB) or Disabled Veterans Business Enterprise (DVBE)?

The contractor is a certified: Not applicable..



O. Civil Service Considerations

- a. Not Applicable (Agreement is with a CA State Entity or a membership/co-sponsorship)? N/A
- b. Public Resources Code 25620, et seq., authorizes the Commission to contract for the subject work. (PIER) No
- c. The Services Contracted: No.

If no, go to the next question. If yes, which of the following applies to the contract? More than one can apply, list each answer choice, and separate them with a comma:

- are not available within civil service
- cannot be performed satisfactorily by civil service employee
- are of such a highly specialized or technical nature that the expert knowledge, expertise, and ability are not available through the civil service system

The following applies to the contract: Not applicable.

- d. The Services are of such an urgent, temporary, or occasional nature that the delay to implement under civil service would frustrate their very purpose?

Not applicable.

Justification:

Not applicable.

P. Payment Method

1. Is the payment method Reimbursement, Advanced Payment, or Other?
Enter payment method. Example: Reimbursement.
If Other, explain: Not applicable.
2. If Reimbursement, is it in arrears based on Itemized Monthly, Itemized Quarterly, Flat Rate, or One-time?

Q. Retention

Is Agreement subject to retention? No.

If Yes, Will retention be released prior to Agreement termination? .

R. Justification of Rates

N/A

S. Disabled Veteran Business Enterprise Program (DVBE)

Provide requested additional information.

1. Exempt (Interagency/Other Government Entity) Yes.
2. Meets DVBE Requirements DVBE.
Amount: \$ DVBE %:
3. Is the Contractor Certified DVBE or Subcontracting with a DVBE? If subcontracting with a DVBE, provide the name of the DVBE company. If none applies, enter "Not Applicable".
Not Applicable
4. Contractor selected through CMAS or MSA with no DVBE participation No.
5. Requesting DVBE Exemption (attach CEC 95) No.



T. Miscellaneous Agreement Information

- 1. Will there be Work Authorizations? No.
- 2. Is the contractor providing confidential information? No.
- 3. Is the contractor going to purchase equipment? No.
- 4. What is the check frequency of the progress reports? Monthly, Quarterly, or Other? If Other, please provide explanation.
Quarterly.
- 5. Will a final report be required? No.
- 6. Is the Agreement, with amendments, longer than three years? If yes, why? Yes.

The MOU is planned for multiple years to formalize and foster collaboration between the CEC and the Department of the Air Force on energy issues in support of each organization's respective goals in the areas of energy assurance and resilience, climate initiatives, greenhouse gas reduction, fossil fuel reduction, energy efficiency, renewable energy, and zero-emission vehicles (including electric vehicles and charging infrastructure). These topics require ongoing work that spans years to achieve long-term solutions; many involving new technologies, policies and implementation strategies.

U. The following items should be attached to this CRF (as applicable)

List all items that should be attached to this CRF by entering “Yes” or “No”.

Item Number	Item Name	Attached
1	Exhibit A, Scope of Work/Schedule	No
2	Exhibit B, Budget Detail	No
3	DGS-GSPD-09-007, NCB Request	No
4	CEC 95, DVBE Exemption Request	No
5	Awardee CEQA Documentation	No
6	Resumes	No
7	CEC 105, Questionnaire for Identifying Conflicts	Yes

Approved By

Individuals who approve this form must enter their full name and approval date in the MS Word version.

Agreement Manager: Mike Gravely

Approval Date: October 2, 2023

Branch Manager: Reynaldo Gonzalez

Approval Date: October 2, 2023

Director: Delegated to Branch Manager

Approval Date: n/a



**MEMORANDUM OF UNDERSTANDING BETWEEN
THE DEPARTMENT OF THE AIR FORCE,
OFFICE OF THE DEPUTY ASSISTANT
SECRETARY OF THE AIR FORCE (ENVIRONMENT,
SAFETY, AND INFRASTRUCTURE)
AND THE CALIFORNIA ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**



This is a Memorandum of Understanding (MOU) between the Department of the Air Force (DAF), Office of the Deputy Assistant Secretary of the Air Force (Environment, Safety, and Infrastructure) (SAF/IEE), and the California Energy Resources Conservation and Development Commission (California Energy Commission or CEC). When referred to collectively, SAF/IEE and the CEC are referred to as "Participants."

1. PURPOSE:

The purpose of this MOU is to foster collaboration between the Participants on energy issues of mutual interest in support of each organization's respective goals in the areas of energy assurance and resilience, climate initiatives, greenhouse gas reduction, fossil fuel reduction, energy efficiency, renewable energy, and zero-emission vehicles (including electric vehicles and charging infrastructure). This MOU is not intended to include mission compatibility issues, such as the oversight provided by the Department of Defense Military Aviation and Installation Assurance Siting Clearinghouse.

2. UNDERSTANDING OF THE PARTICIPANTS:

The Participants shall:

- 2.1.** Conduct monthly conference calls to discuss the status of partnership initiatives and opportunity identification.
- 2.2.** Conduct semi-annual in-person meetings to discuss energy issues impacting both organizations, exchange technical ideas, review the status of ongoing projects, and identify new areas for collaboration.
- 2.3.** Establish one or more working groups to review open issues, develop action plans to address these issues, and report on the status of activities during monthly calls and semi-annual in-person meetings. Working groups will address topics of mutual interest, such as:
 - Energy Assurance and Resilience
 - Climate Initiatives
 - Greenhouse Gas and Fossil Fuel Reductions
 - Energy Consumption
 - Zero Emissions Vehicles and Associated Support Infrastructure
 - Unique Funding Opportunities to Support California DAF and Air National Guard Assets
 - High Technology Readiness Level (TRL) Systems for Energy Generation and Conservation
 - Advanced, Scalable Energy Technologies

MOU: Joint Agency Agreement on Energy Issues
February 2024

As new issue areas and opportunities for collaboration emerge, additional working group focal areas may be established with the consent of both Participants.

- 2.4.** The Participants recognize these commitments are goals, and at times, either participant may need to postpone these calls/meetings based on balancing priorities.

3. NO LEGAL OBLIGATIONS, RIGHTS, OR REMEDIES:

This MOU is a voluntary initiative. It does not create any legally binding rights, obligations, or legally cognizable or enforceable rights or remedies, legal or equitable, in any forum. The pledges in this MOU are not conditioned upon reciprocal actions by other Participants; each Participant retains full discretion over the implementation of its pledges considering the Participant's individual circumstances, laws, and policies; and each Participant is free to withdraw from the MOU.

4. AVAILABILITY OF PERSONNEL AND RESOURCES:

This MOU does not involve the exchange of funds, nor does it represent any obligation of funds by either Participant. All costs that may arise from activities covered by, mentioned in, or pursuant to this MOU will be assumed by the Participant that incurs them, unless otherwise expressly agreed in a future written arrangement in accordance with applicable laws. All activities undertaken pursuant to this Memorandum of Understanding are subject to the availability of funds, personnel, and other resources of each Participant.

The personnel designated by a Participant for the execution of this MOU will work under the orders and responsibility of that Participant and any other organization or institution to which the personnel already belong, always maintaining any preexisting employment relationship only with that Participant and organization or institution, and not with any other Participant.

5. COMPLIANCE WITH APPLICABLE LAWS:

This MOU shall be construed consistent with all applicable laws, and activities undertaken in connection with this MOU shall be subject to, and shall be undertaken in a manner consistent with, all otherwise-applicable laws.

6. GENERAL PROVISIONS:

- 6.1. POINTS OF CONTACT:** The following points of contact will be used by the Participants for communication and correspondence in the implementation of this MOU. Each party may change its point of contact upon reasonable notice to the other party.

MOU: Joint Agency Agreement on Energy Issues
February 2024

Douglas K. Tucker, GS-15
Director, Installation Energy Policy and
Programs
Office of the Deputy Assistant Secretary of the
Air Force (Environment, Safety, and
Infrastructure)

douglas.tucker.4@us.af.mil

Michael Gravely
Military Advisor to Chair Hochschild
California Energy Commission
(916) 704-4339

Mike.Gravely@energy.ca.gov

6.2. PARTICIPANTS MODIFICATION OF MOU: This MOU may only be modified by the written agreement of the Participants, duly signed by their authorized representatives. This MOU will be reviewed annually on or around the anniversary of its effective date.

6.3. INTERPRETATION AND APPLICATION: Any difference that may arise in relation to the interpretation or application of this MOU will be resolved through consultations between the Participants, which will endeavor in good faith to resolve such differences.

6.4. TERMINATION OF UNDERSTANDING: This MOU may be terminated in writing at will by either Party.

6.5. TRANSFERABILITY: This MOU is not transferable except with the written consent of the Participants.

6.6. ENTIRE UNDERSTANDING: It is expressly understood and agreed that this MOU embodies the entire understanding between the Participants regarding the subject matter.

6.7. EFFECTIVE DATE: This MOU takes effect the day after the last Party signs.

7. EXPIRATION DATE:

This MOU expires February 1, 2029.

MOU: Joint Agency Agreement on Energy Issues
February 2024

APPROVED:

FOR THE DEPARTMENT OF THE AIR
FORCE, OFFICE OF THE DEPUTY
ASSISTANT SECRETARY OF THE AIR
FORCE (ENVIRONMENT, SAFETY, AND
INFRASTRUCTURE)

FOR THE CALIFORNIA ENERGY
COMMISSION

NANCY BALKUS, P.E.

DATE:

DAVID HOCHSCHILD

DATE: