

State of California

California Energy Commission Minutes of the March 13, 2024, Energy Commission Business Meeting

The meeting was called to order by Chair Hochschild. The Pledge of Allegiance was led by Chair Hochschild.

Present:

David Hochschild, Chair

Patricia Monahan, Commissioner

Vice Chair Siva Gunda, Vice Chair - *present through Item 5*

Noemí Gallardo, Commissioner

Please note that the California Energy Commission (CEC) aims to begin the business meeting promptly at the start time and the end time is an estimate based on the agenda. The meeting may end sooner or later than the time indicated depending on various factors.

Pursuant to the California Code of Regulations (CCR), title 20, section 1104(e), any person may make an oral comment on any agenda item. To ensure the orderly conduct of business, such comments will be limited to three minutes or less per person **The CEC**

THE CEC WILL CONSIDER AND MAY TAKE ACTION ON THE FOLLOWING:

1. Public Comment.

Any person wishing to comment on information items (non-voting items) shall provide comments during this period.

Public Comment:

Jamie Katz with Leadership Council for Justice and Accountability commented on Item 5.

Ben Schwartz with Clean Coalition commented on Item 5.

Joan Taylor commented on Item 5.

Shane Ysais Center for Community Action and Environmental Justice commented on Item 5.

Woody Hastings with Climate Center commented on Item 5.

Steven King with Environment California commented on Item 5.

Jessica Tovar with Local Clean Energy Alliance commented on Item 5.

Brett Garrett commented on Item 5.

Vicki Hover with BorgWarner EV Charging commented on Item 5

Rene Wise with Solar Rights Alliance Commissioners commented on Item 5.

Ana Bella commented with Fremont Energy Directors of Regulatory Affairs commented on Item 5.

Alice Sung with Green Bank Associates commented on Item 5.

Alexis Sutterman with California Environmental Justice Alliance commented on Item 5.

Susanna Port commented on Item 5.

Robert Haley commented on item 5.

2. Agency Announcements.

The Chair may announce relevant matters to the public and the CEC, including agency updates, events, and other opportunities. Discussion may follow.

3. Consent Calendar

Items will be taken up and voted on as a group. A commissioner may request that an item be moved and discussed later in the meeting.

- a. Energy Conservation Assistance Act (ECAA) Loan Program – PON-22-002. Proposed resolutions approving three ECAA loans at one percent interest and one amendment to an existing ECAA loan. (ECAA Funding) Contact: Monica Rudman
 - i. City of Indian Wells. Proposed resolution approving amendment 2 to agreement 002-22-ECI with the City of Indian Wells to add three battery storage systems to the original solar photovoltaic (PV) array project in Riverside County and adopting staff's determination that this action is exempt from CEQA. This amendment does not increase the loan amount.
 - ii. City of Arcata. Proposed resolution approving agreement 006-23-ECI with the City of Arcata for a \$576,356 loan at one percent interest and adopting staff's determination that this action is exempt from CEQA. The loan will finance LED lights and a solar PV system at the Arcata Community Center in Humboldt County. The project is estimated to generate 125,395 kWh and reduce electricity use by 54,659 kWh, saving approximately \$42,341 in utility costs per year. The simple payback period is approximately 13.6 years.
 - iii. City of San Buenaventura. Proposed resolution approving agreement 007-23-ECI with City of San Buenaventura for a \$507,896 loan at one percent interest and adopting staff's determination that this action is exempt from CEQA. The loan will finance upgrades to approximately 1,863 lighting fixtures with LEDs in 13 city buildings. The project is estimated to reduce electricity use by about 336,564 kWh, saving approximately \$43,942 in utility costs per year. The simple payback period is approximately 11.6 years.
 - iv. City of Arvin. Proposed resolution approving agreement 008-23-ECI with the City of Arvin for a \$3,000,000 ECAA loan at one percent interest and adopting staff's determination that this action is exempt from CEQA. The loan will finance the installation of a 997.2 kW ground mounted solar PV system. The project is estimated to reduce approximately 1,488,000 kWh of electricity consumption, saving approximately \$233,091 in utility costs per year. The simple payback period is approximately 12.9 years.

- b. Institute of Gas Technology dba GTI Energy. Proposed resolution approving agreement EPC-23-018 with Institute of Gas Technology dba GTI Energy for a \$2,946,660 grant to develop energy-efficient and grid-interactive zero carbon manufactured homes, and adopting staff's determination that this action is exempt from CEQA. This agreement was previously approved with a lower grant amount, but not executed and changes were made due to a budget reallocation. These homes will meet the 2022 Title 24 Standards, far exceeding the U.S. Department of Housing and Urban Development standards and incorporate insulation and sealing technologies to create a highly efficient envelope, utilize building materials with enhanced fire resistance, and implement on-site PV generation and battery energy storage. (EPIC Funding) Contact: Jason Tancher

- c. Local Ordinances for the City of San Jose and the Town of San Anselmo. Proposed resolutions finding applications for local ordinances that exceed the statewide building energy code submitted by two local jurisdictions have met the requirements of Public Resources Code section 25402.1(h)(2) by demonstrating the local ordinance saves more energy than the statewide energy code and that the local jurisdiction has determined the local ordinance is cost-effective. Contact: Anuska Raul
 - i. City of San Jose. This ordinance contains solar readiness requirements for some hotel/motel, high-rise multifamily and nonresidential buildings beyond the statewide code and increases source energy compliance margins beyond the statewide code for nonresidential and hotel/motel occupancies and single-family residential buildings. The City of San Jose has determined the local ordinance is cost-effective.
 - ii. Town of San Anselmo. This ordinance contains requirements for additions and alterations to single-family and duplex residential buildings, where the modifications are equal to or greater than 750 square feet, that exceed the statewide code. A target score must be achieved by installing efficiency measures from a menu of selections that include lighting, water heating, air sealing, insulation, duct sealing, space conditioning, and clothes drying. The Town of San Anselmo has determined the local ordinance is cost-effective.

- ~~d. International Council on Clean Transportation Inc. Proposed resolution approving agreement 600-23-006 with International Council on Clean Transportation Inc. (ICCT) for a \$15,000 one-year membership in the International Zero-Emission Vehicle Alliance (ZEV Alliance). The ZEV Alliance was formed by national and subnational jurisdictions to accelerate adoption of zero-emission vehicles. As a member, the CEC will have the opportunity to participate in ZEV Alliance coordination meetings. (Clean Transportation Program Funding) Contact: Katherine Dillen~~

- e. Battelle Memorial Institute dba Battelle Pacific Northwest Division. Proposed resolution approving amendment 4 to agreement 600-15-014 with Battelle Memorial Institute dba Battelle Pacific Northwest Division, manager, and operator

of the U.S. Department of Energy's Pacific Northwest National Laboratory (PNNL), for a five-year no-cost time extension, minor changes to the scope of work and revision of the terms and conditions and adopting staff's determination that this action is exempt from CEQA. Under this contract, PNNL's Hydrogen Safety Panel reviews safety plans proposed as part of the CEC hydrogen refueling station awards. This amendment will extend the agreement end date to March 30, 2029, and revise the terms and conditions to align with current Department of General Services contract requirements. Approval of this amendment is contingent upon Legislative approval or non-action regarding a sole source justification letter sent on January 19, 2024. (Clean Transportation Program Funding) Contact: Sebastian Serrato

- f. EVgo Services LLC. Proposed resolution approving agreement ZVI-23-012 (GFO-223-611) with EVgo Services LLC for a \$4,348,995 grant to install sixty-six 350kW direct current fast chargers across ten locations along corridors in Southern California to support high-mileage on-demand transportation services and the general public, and adopting staff's determination that this action is exempt from CEQA. (General Fund Funding) Contact: Soham Mistry
- g. BorgWarner PDS (USA) Inc. Proposed resolution approving agreement ZVI-23-013 (GFO-22-612) with BorgWarner PDS (USA) Inc. for a \$3,000,000 grant to install 19 single port and 2 dual port bidirectional direct current fast chargers across one school district site in Ventura County and one fleet operator parking depot in Los Angeles County, and adopting staff's determination that this action is exempt from CEQA. The project will develop and deploy a turnkey vehicle-to-everything bidirectional charging solution for electric school buses to generate revenue and bill savings for school districts and school bus fleet operators, while benefiting California's grid and mitigating the impact of Public Safety Power Shutoff events and extreme weather events. (General Fund Funding) Contact: David Wensil

Public Comment:

None.

Commissioner Gallardo moved to approve Item 3a-c and e-g. Commissioner Monahan seconded. The vote was Yes (4-0) with Commissioner McAllister absent.

4. Information Item – Recent Findings on Indoor Air Emissions and Concentrations of Benzene Associated with Residential Gas Stoves.

Researchers from Stanford University will provide an overview of recent research findings from a first-of-its-kind study on indoor emissions and concentrations of benzene associated with residential gas stoves, as published in *Environmental Science & Technology* (Kashtan et al. 2023) Contacts: Rob Jackson and Yannai Kashtan (Presentation: 10 minutes)

Information item only, no vote taken.

5. Petition For Rulemaking – Non-Energy Benefits and Social Costs. (Docket Nos. 23-SB-100 and 23-OIR-01).

Consideration of and action on a petition for rulemaking under Title 20 of the California Code of Regulations, section 1221, including consideration of other possible actions. The petition was filed on February 5, 2024, by the Center for Biological Diversity, Central California Asthma Collaborative, California Environmental Justice Alliance, Asian Pacific Environmental Network, Greenlining Institute, Local Clean Energy Alliance, Sierra Club California, The Climate Center, Center on Race, Poverty and the Environment, Clean Coalition, 350 Bay Area, GRID Alternatives, The Protect Our Communities Foundation, the BEEP Coalition, the Local Government Sustainable Energy Coalition, and Environment California (Petitioners). The Executive Director certified the petition as complete on February 12, 2024. Petitioners agreed to an extension to allow the item to be heard at this regularly scheduled business meeting and requested the CEC adopt an order instituting a rulemaking proceeding to determine methodologies to integrate non-energy benefits and social costs into the resource planning and investment decision-making processes. Contact: Liz Gill (Staff Presentation: 10 minutes)

Public Comment:

Bob Cipolla with Solar Rights Alliance commented on Item 5.

Roger Lin with Center for Biological Diversity commented on Item 5.

Lorenzo Kristof commented on Item 5.

Joel Loeng commented on Item 5.

Charles Adams commented on Item 5.

Charlene Woodcox commented on Item 5.

Yvette DeCarlo commented on Item 5.

Julee Malinowski-Ball with California Biomass Energy Alliance commented on Item 5.

Clarie Broome with 350 Bay Area commented on Item 5.

Kevn Hamilton with Government Affairs for Central California Asthma Collaborative commented on Item 5.

Barbara Stebbins with Local Clean Energy Alliance commented on Item 5.

Julia Dowell with Sierra Club commented on Item 5.

Magi Amma with Climate Alliance Santa Cruz commented on Item 5.

Sahm White commented on Item 5.

Wade Stano with MCE commented on Item 5.

Marc Costa with Local Governor Energy Coalition Sustainable commented on Item 5.

Steve Campbell commented on Item 5.

Vice Chair Gunda moved to approve Item 5. Commissioner Gallardo seconded. The vote was Yes (4-0) with Commissioner McAllister absent.

6. Information Item – Lawrence Berkeley National Laboratory Presentation on Lithium Resource Study.

Staff will provide an update on CEC's efforts to support lithium recovery from geothermal brines and geothermal operations in the Salton Sea geothermal area and Lawrence Berkeley National Laboratory will present findings from the recently published US DOE report *Characterizing the Geothermal Lithium Resource in the Salton Sea Region*. Contacts: Chuck Gentry and Patrick Dobson (Presentation: 15 minutes)

Information item only, no vote taken.

7. Information Item – 2023 Final Staff Report on Senate Bill 643.

Staff presentation on the *2023 Final Staff Report on Senate Bill 643: Clean Hydrogen Fuel Production and Refueling Infrastructure to Support Medium- and Heavy-Duty Fuel Cell Electric Vehicles and Off-Road Applications*. Under SB 643 (Archuleta, Chapter 646, Statutes of 2021), CEC staff has prepared the first of three statewide assessments of the medium- and heavy-duty (MDHD) hydrogen fuel cell electric vehicle (FCEV) refueling infrastructure and clean hydrogen fuel production necessary to meet statewide goals and requirements relating to vehicular air pollution. This initial assessment provides an overview of operating and planned MDHD FCEV refueling stations and early scenarios of infrastructure needs. Contact: Kristi Villareal (Staff Presentation: 10 minutes)

Information item only, no vote taken.

8. Order Instituting Rulemaking on AB 1373 POU Capacity Payment Implementation (Docket No. 24-OIR-01).

Proposed Order Instituting Rulemaking to implement Assembly Bill (AB) 1373 (Garcia, Chapter 367, Statutes of 2023), which authorized the CEC to adopt regulations establishing a new fee structure for specific local publicly owned electric utilities (POUs) that fail to meet their planning reserve margins during a month where Electricity Supply Strategic Reliability Reserve Program (ESSRRP) resources are dispatched to meet an identified reliability need, creating an appropriation of funds. AB 1373 requires the Department of Water Resources to determine whether or not resources have been procured through the ESSRRP and if those resources are being used in a given month to meet an identified reliability need. Each POU that fails to meet its planning reserve margin for a given month under such conditions will be subject to a capacity payment. The CEC must assess capacity payments to each POU annually and deposit those payments into the Department of Water Resources ESSRRP fund. Contact: Liz Gill (Staff Presentation: 10 minutes)

Public Comment:

Tony Braum commented on Item 8.

Commissioner Monahan moved to approve Item 8. Commissioner Gallardo seconded. The vote was Yes (3-0) with Vice Chair Gunda and Commissioner McAllister absent.

9. County of Los Angeles.

Proposed resolution approving agreement ARV-23-006 with the County of Los Angeles for a \$6,000,000 grant to install at least 300 Level 2 charging ports at shovel-ready sites serving underserved communities in the County of Los Angeles, and adopting staff's determination that this action is exempt from CEQA. Centered near the Ramona Gardens Housing Development and encompassing a 1.5-mile radius within East Los Angeles, these chargers will result in a high-density and high-volume deployment that will be publicly accessible to all light-duty electric vehicle drivers. (Clean Transportation Program Funding) Contact: Elizabeth Maya Muthirenty Varkey (Staff Presentation: 5 minutes)

Public Comment:

None.

Commissioner Monahan moved to approve Item 9. Commissioner Gallardo seconded. The vote was Yes (3-0) with Vice Chair Gunda and Commissioner McAllister absent.

10. Responsive, Easy Charging Products with Dynamic Signals (REDWDS) - GFO-22-609.

This solicitation sought to fund projects that develop and deploy charging products that help customers manage electric vehicle charging in response to grid signals and save money on charging costs. This item includes two projects totaling up to \$35,206,352. (General Fund and Clean Transportation Program Funding) Contact: Jeffrey Lu (Staff Presentation: 10 minutes)

- a. Everergi LLC. Proposed resolution approving agreement ZVI-23-011 with Everergi LLC for up to \$27,535,935 and adopting staff's recommendation that this action is exempt from CEQA. This agreement initially provides \$1,774,483 to develop vehicle-grid integration products for electric vehicle fleets. Deploying products like a managing platform will enable charging and fleet planning to respond to energy market signals, which will support advanced energy markets by providing resiliency and energy savings as a service. Additional funding, up to \$27,535,935 total, may, with approval of the CEC's Executive Director through an amendment, be added to deploy vehicle-grid integration products to an array of fleet types, including logistics, transit, school bus and municipal, across a number of disadvantaged communities.
- b. Bidirectional Energy, Inc. Proposed resolution approving agreement ARV-23-004 with Bidirectional Energy, Inc., for up to \$7,670,417 and adopting staff's determination that this action is exempt from CEQA. This agreement initially provides \$2,206,317 to develop and install with residential customers bidirectional charging products capable of scheduling charging and discharging in response to grid signals such as electricity prices. Additional funding, up to the \$7,670,417 total, may, with approval of the CEC's Executive Director through an amendment, be added to install bidirectional charging products with additional customers.

Public Comment:

James Frey with 2050 Partners commented on Item 10.

Stephen Rosenblum with Climate Natural California commented on Item 10.

Franes Bell with Bidirectional Energy commented on Item 10.

Commissioner Monahan moved to approve Item 10. Commissioner Gallardo seconded. The vote was Yes (3-0) with Vice Chair Gunda and Commissioner McAllister absent.

11. California Employment Training Panel.

Proposed resolution approving Agreement 600-23-007 for a \$3,000,000 contract to provide training and certification of electricians as part of the Electric Vehicle Infrastructure Training Program (EVITP) and adopting staff's determination that this action is exempt from CEQA. The purpose of the agreement is to increase the number of EVITP certified electricians available to meet the growing demand for electric vehicle charging infrastructure. (Clean Transportation Program Funding) Contact: Jana McKinny (Staff Presentation: 5 minutes)

Presenter: Robert Miner with Clean Transportation Program Funding commented on Item 11.

Public Comment:

Kathleen Barber with International Electrical Workers commented on Item 11.

Commissioner Monahan moved to approve Item 11. Commissioner Gallardo seconded. The vote was Yes (3-0) with Vice Chair Gunda and Commissioner McAllister absent.

12. The Regents of The University of California, on behalf of the San Diego Campus.

Proposed resolution approving agreement EPC-23-023 (GFO-21-901) with The Regents of the University of California, on behalf of the San Diego Campus, for a \$1,200,000 grant to develop a highly efficient, scalable and high-value direct recycling pathway for lithium-ion batteries with a diverse range of cell chemistries at a facility in San Diego, and adopting staff's determination that this action is exempt from CEQA. This is a federal cost share grant leveraging \$10 million of Bipartisan Infrastructure Law funding from the United States Department of Energy (US DOE). (EPIC Funding) Contact: Elyse Kedzie (Staff Presentation: 5 minutes)

Public Comment:

None.

Commissioner Gallardo moved to approve Item 12. Commissioner Monahan seconded. The vote was Yes (3-0) with Vice Chair Gunda and Commissioner McAllister absent.

13. Eagle Rock Analytics, Inc.

Proposed resolution approving agreement EPC-23-024 (GFO-19-311) with Eagle Rock Analytics, Inc. for a \$3,500,000 grant to build on prior Electric Program Investment Charge (EPIC) achievements to cost-effectively advance the co-production of new analytical features, user capacity, and guidance of the Cal-Adapt: Analytics Engine, and adopting staff's determination that this action is exempt from

CEQA. The goal of this project is to overcome inter-disciplinary knowledge and capacity gaps between climate science, information technology, and electricity sector practitioners. This will allow for Investor-Owned Utilities (IOUs), electricity sector stakeholders, government decision makers, and researchers to utilize actionable, curated climate data tailored for resilience planning. (EPIC Funding)
Contact: Susan Wilhelm (Staff Presentation: 5 minutes)

Public Comment:

None.

Commissioner Gallardo moved to approve Item 13. Commissioner Monahan seconded. The vote was Yes (3-0) with Vice Chair Gunda and Commissioner McAllister absent.

14. The Next Epic Challenge: Reimagining Affordable Mixed-Use Development in A Carbon-Constrained Future - GFO-20-305.

This solicitation sought to fund a competition that challenged multi-disciplinary project teams to design and build a mixed-use development using cutting-edge energy technologies, tools, and construction practices that are affordable, equitable, emissions-free, and resilient to climate change impacts and extreme weather events. This item includes two projects totaling \$17,000,000. (EPIC Funding) Contact: Jemar Roble Tan (Staff Presentation: 10 minutes)

- a. Mutual Housing California. Proposed resolution approving agreement EPC-23-025 with Mutual Housing California for a \$9,000,000 grant to build a four-story, all-electric in-fill mixed-use development, and adopting staff's determination that this action is exempt from CEQA. The development will feature affordable housing for seniors with office space on the ground floor for local nonprofit organization, STAND, to conduct community outreach and provide social services. Resiliency features will be incorporated to help protect tenants against natural disasters and power shut-offs. It will also serve as a community shelter and cooling center in a historically underserved neighborhood in South Stockton.
- b. Electric Power Research Institute, Inc. Proposed resolution approving agreement EPC-23-026 with Electric Power Research Institute, Inc. for a \$8,000,000 grant to build an all-electric, transit integrated affordable multifamily community, and adopting staff's determination that this project is exempt from CEQA. The community intends to have up to 131 affordable housing units alongside mixed use commercial usage and is designed to address the current challenges of lengthy interconnection timelines by not exporting power back to the grid, but also leveraging the grid at times where distributed generation cannot support the community's energy needs.

Public Comment:

Danny Kolosta with Mutual Housing California commented on Item 14.

Stephen Rosenblum commented on Item 14.

Commissioner Monahan moved to approve Item 14. Commissioner Gallardo seconded. The vote was Yes (3-0) with Vice Chair Gunda and Commissioner McAllister absent.

15. Information Item – Updated battery price forecasts to improve economic benefits of heavy-duty vehicle electrification.

Researchers from Energy Innovation will present findings from a recent analysis on lithium-ion battery price forecasts through 2040 and their impact on the economic savings of heavy-duty electric trucks relative to conventional diesel alternatives. With more rapid declines in battery prices, results show that heavy-duty electric trucks cost less than diesel for all truck classes except long-haul tractors in 2030 and for all classes in 2040. Contact: Ben Wender and Chris Busch (Staff Presentation: 10 minutes)

Public Comment:

Information item only, no vote taken.

16. Minutes.

Possible approval of the February 14, 2024 Business Meeting minutes.

Public Comment:

None.

Commissioner Monahan moved to approve Item 16. Commissioner seconded. The vote was Yes (3-0) with Vice Chair Gunda and Commissioner McAllister absent.

17. Lead Commissioner or Presiding Member Reports.

A lead commissioner on a policy matter and a presiding member on a delegated committee may report to the CEC on relevant matters and discussion may follow.

18. Executive Director's Report.

The Executive Director had nothing to report.

19. Public Advisor's Report.

The Executive Director had nothing to report.

20. Chief Counsel's Report.

a. Pursuant to Government Code section 11126(a)(1), the CEC may adjourn to closed session with its legal counsel to consider the appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.

b. Pursuant to Government Code section 11126(e)(1), the CEC may adjourn to closed session with its legal counsel to discuss the following pending litigation:

i. Shasta County and Pit River Tribe, et al. vs. California Energy Commission (Shasta County Superior Court, Case No. 23CV-0203737).

ii. State of California Department of Industrial Relations Division of Labor Standards Enforcement Legal Section: In the Matter of the Request for Appeal from Citation Issued Against: California Energy Commission; Anheuser-Busch, LLC, Respondents, State Case Number: 48-76293.

The Chief Counsel provided a report.

There being no further business the meeting was adjourned.

Respectfully submitted,

Signed By:

BLANCA CAMBEROS
Secretariat