



**CALIFORNIA
ENERGY COMMISSION**



**California Energy Commission
June 12, 2024 Business Meeting
Backup Materials for Middletown Rancheria of Pomo Indians of California**

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

1. Proposed Resolution
2. Loan Request Form
3. Budget Detail/Project Cost and Savings

[PROPOSED]

RESOLUTION NO: 24-0612-07

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

RESOLUTION: Middletown Rancheria of Pomo Indians of California

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 010-23-ECI with Middletown Rancheria of Pomo Indians of California for a \$3,000,000 loan at one percent interest. The loan will finance installation of a 696 kW carport and rooftop mounted solar photovoltaic (PV) system at Middletown Rancheria of Pomo Indians of California's casino, hotel and event center. The project is estimated to reduce approximately 987,382 kWh of electricity consumption in the first year, saving approximately \$212,239 in utility costs per year; 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 June 12, 2024.

AYE:

NAY:

ABSENT:

ABSTAIN:

Dated:

Kristine Banaag
Secretariat



STATE OF CALIFORNIA

LOAN REQUEST FORM (LRF)

CEC-271 (Revised 11/2019)

CALIFORNIA ENERGY COMMISSION

A) New Agreement # 010-23-ECI (to be completed by CGL office)

B) Division	Agreement Manager:	MS-	Phone
Reliability, Renewable Energy & Decarbonization Incentives	Sean Lockwood	45	916-891-9074

C) Recipient's Legal Name	Federal ID Number
Middletown Rancheria of Pomo Indians of California	94-12407951

D) Title of Project
Carport and Rooftop Mounted Solar Photovoltaic System at Middletown Rancheria

E) Term and Amount

Start Date	End Date	Amount
6/13/2024	12/31/2025	\$3,000,000

F) Business Meeting Information

☐ ARFVTP agreements \$75K and under delegated to Executive Director

Proposed Business Meeting Date: 6/12/2024 ☐ Consent ☒ Discussion

Business Meeting Presenter: Stephen Banister

Time needed: 5 minutes

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

Agenda Item Subject and Description:

Middletown Rancheria of Pomo Indians of California. Proposed resolution conditionally approving agreement 010-23-ECI with Middletown Rancheria of Pomo Indians of California for a \$3,000,000 loan at one percent interest, and adopting staff's determination that this action is exempt from CEQA. The loan will finance a 696 kW carport and rooftop mounted solar photovoltaic system at Middletown Rancheria of Pomo Indians of California's casino, hotel and event center building. The project is estimated to reduce 987,382 kWh of electricity consumption in the first year, saving \$212,239 in utility costs per year. (ECAA funding) Contact: Stephen Banister (Staff presentation: 5 minutes)

G) 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:

☐ Categorical Exemption. List CCR section number:

☒ Common Sense Exemption. 14 CCR 15061 (b) (3)

Explain reason why Agreement is exempt under the above section:



This project is covered by the “Common Sense” Exemption under 14 CCR 15061 (b) (3) 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.

The proposed project consists of the installation of a 696 kW carport and rooftop solar photovoltaic system at one existing site on the Middletown Rancheria of Pomo Indians of California’s reservation. All construction and installation activities will take place on-reservation.

In order for the CEC to comply with CEQA, the CEC must evaluate any impacts to land within the jurisdiction of the State of California, which is therefore limited to potential off-reservation impacts of the project. This project is exempt under the “Common Sense” CEQA exemption because the proposed project will not:

- construct on or alter any off-reservation land;
- impact local air quality;
- use groundwater resources or otherwise impact any off-reservation water resources;
- build additional transportation infrastructure;
- once the project is complete, increase vehicle miles traveled;
- once the project is complete, increase ambient noise beyond the existing activities; or
- degrade the visual character or quality of off-reservation views, including those of scenic resources or objects of aesthetic significance.

The proposed project will reduce overall energy demand on the local energy provider and lower fossil fuel usage and greenhouse gas (GHG) emissions. Because the proposed project will improve air quality and reduce GHG emissions, and does not provide for any physical changes outside of the Tribe’s reservation, it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the off-reservation environment. Based on all these factors, the proposed project meets the CEQA “common sense” exemption.

The project will not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies; does not involve any cumulative impacts of successive projects of the same type in the same place that might be considered significant; does not involve unusual circumstances that might have a significant effect on the environment; will not result in damage to scenic resources within a highway officially designated as a state scenic highway; the project site is not



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included on any list compiled pursuant to Government Code section 65962.5; and the project will not cause a substantial adverse change in the significance of a historical resource. Therefore, none of the exceptions to categorical exemptions listed in CEQA Guidelines section 15300.2 apply to this project and this project will not have a significant effect on the environment.

- 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

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

Legal Company Name:	Budget
SitelogIQ	\$ 3,000,000.00
	\$ 0.00
	\$ 0.00

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

Legal Company Name:

J) Budget Information

Funding Source	Funding Year of Appropriation	Budget List Number	Amount
ECAA	2023-2024	401.007	\$3,000,000
Funding Source			\$
Funding Source			\$
Funding Source			\$
Funding Source			\$

R&D Program Area: Select Program Area

TOTAL: \$3,000,000

Explanation for "Other" selection

Reimbursement Contract #:

Federal Agreement #:

K) Recipient's Contact Information

1. Recipient's Administrator/Officer

Name: Jose (Moke) Simon III



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CALIFORNIA ENERGY COMMISSION

Address: 22223 Hwy 29 @
Rancheria Road
City, State, Zip: Middletown, CA
95461
Phone: (707) 987-3670
E-Mail:
jsimon@middletownrancheria.com

Name: Jose (Moke) Simon III
Address: 22223 Hwy 29 @
Rancheria Road
City, State, Zip: Middletown, CA
95461
Phone: (707) 987-3670
E-Mail:
jsimon@middletownrancheria.com

2. Recipient's Project Manager

L) Miscellaneous Agreement Information

- ☒ Annual Energy Savings \$212,239
☐ Number of Repay Periods Leave blank if repay is based on energy savings

M) Selection Process Used

- ☐ Competitive Solicitation Solicitation #:
☒ First Come First Served Solicitation. Solicitation#: PON-22-002

N) The following items should be attached to this LRF

- | | | |
|---|-------------------------------------|--|
| 1. Loan Application | <input checked="" type="checkbox"/> | Attached |
| 2. Budget Detail | <input checked="" type="checkbox"/> | Attached |
| 3. CEC 105, Questionnaire for Identifying Conflicts | <input checked="" type="checkbox"/> | Attached |
| 4. Recipient Resolution | <input type="checkbox"/> N/A | <input checked="" type="checkbox"/> Attached |
| 5. CEQA Documentation | <input type="checkbox"/> N/A | <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 Middletown Rancheria of Pomo Indians of California (Borrower) for an energy savings project. The project consists of the energy generation measure listed in Table 1 below to be installed at one site in Middletown, CA in Lake County.

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)
Middletown Rancheria: Install 696 kW-DC carport and rooftop mounted solar PV system	\$3,673,606	\$3,000,000	\$212,239	14.1
TOTALS:	\$3,673,606	\$3,000,000	\$212,239	14.1

*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.