



**CALIFORNIA  
ENERGY COMMISSION**



**California Energy Commission  
September 11, 2024 Business Meeting  
Backup Materials for Tule River Indian Tribe of the Tule River Reservation,  
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. Scope of Work

**[PROPOSED]**

**RESOLUTION NO: 24-0911-09**

**STATE OF CALIFORNIA  
STATE ENERGY RESOURCES  
CONSERVATION AND DEVELOPMENT COMMISSION**

**RESOLUTION: Tule River Indian Tribe of the Tule River Reservation, 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 001-24-ECT with the Tule River Indian Tribe of the Tule River Reservation, California for a \$2,220,909 loan at one percent interest. The loan will finance two rooftop and two ground mounted solar PV systems each paired with battery energy storage in Tulare County. The project is estimated to reduce grid electricity use by 873,741 kWh saving approximately \$153,092 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 September 11, 2024.

AYE:

NAY:

ABSENT:

ABSTAIN:

Dated:

\_\_\_\_\_  
Kristine Banaag  
Secretariat



## LOAN REQUEST FORM (LRF)

### A. New Agreement Number

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

**New Agreement Number:** 001-24-ECT

### B. Division Information

1. Division Name: Reliability, Renewable Energy and Decarbonization Incentives
2. Agreement Manager: Sean Lockwood
3. MS-:45
4. Phone Number: 916-891-9074

### C. Recipient's Information

1. Recipient's Legal Name: Tule River Indian Tribe of the Tule River Reservation, California
2. Federal ID Number: 94-6000304

### D. Title of Project

Title of Project: Tule River Indian Tribe of the Tule River Reservation, California ECAA Loan

### E. Term and Amount

1. Start Date: 09/12/2024
2. End Date: 03/31/2026
3. Amount: \$2,220,909

### F. Business Meeting Information

1. Are the ARFVTP agreements \$75K and under delegated to Executive Director? No
2. The Proposed Business Meeting Date: 9/11/2024
3. Consent or Discussion? Discussion
4. Business Meeting Presenter Name: Sean Lockwood
5. Time Needed for Business Meeting: 5 min
6. The email subscription topic is: Energy Efficiency Financing, Efficiency Topics, Decarbonization Topics

### G. Agenda Item Subject and Description:

**Tule River Indian Tribe of the Tule River Reservation, California.** Proposed resolution approving agreement 001-24-ECT with the Tule River Indian Tribe of the Tule River Reservation, California for a \$2,220,909 loan at one percent interest, and adopting staff's recommendation that this action is exempt from CEQA. The loan will finance two rooftop and two ground mounted solar photovoltaic systems each paired with battery energy storage in Tulare County. The project is estimated to reduce grid electricity use by 873,741 kWh saving approximately \$153,092 in utility costs per year. (ECAA funding) Contact: Sean Lockwood (Staff Presentation: 5 minutes)

### H. California Environmental Quality Act (CEQA) Compliance

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

Yes

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: If Agreement is considered a "Project" under CEQA skip to question 2. Otherwise, provide explanation.

**2. If Agreement is considered a "Project" under CEQA answer the following questions.**

a) Agreement **IS** exempt? Yes

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:

CCR section number:

Categorical Exemption? Yes

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: Cal. Code Regs., tit. 14, §§ 15301, 15303, 15304, 15311

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

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

This project is exempt from CEQA under 14 CCR 15061 (b) (3), the common sense exemption, which states 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 project is also categorically exempt pursuant to CEQA Guidelines section 15301 as minor alterations to an existing facility that involves no expansion of an existing or former use at the site, categorically exempt pursuant to CEQA Guidelines section 15303 as the installation of small new equipment, categorically exempt pursuant to CEQA Guidelines section 15304 as minor alterations to land, and categorically exempt pursuant to CEQA Guidelines section 15311 as construction of minor structures accessory to an existing commercial facility.

The proposed project consists of activities at three sites:

- Site 1: the installation of a 34.8 kW rooftop solar photovoltaic (PV) system and 185 kW battery energy storage system at the Tule River Indian Tribe of the Tule River Reservation's (Tribe) existing administration building,
- Site 2: the installation of a 220.7 kW ground-mount solar PV system and 372 kW battery energy storage system at an existing convenience store owned by the Tribe, and
- Site 3: the installation of a 176.4 kW ground-mount solar PV system, a 60 kW rooftop solar PV system, a 372 kW battery energy storage system, and a 180 kW battery energy storage system at another existing convenience store owned by the Tribe.

Sites 1 and 2 are land held in trust by the federal government for the benefit of the Tribe. All construction and installation activities for these two sites will take place on-site. Site 3 is on land subject to the jurisdiction of the State of California.



In order for the CEC to comply with CEQA, the CEC must evaluate any potential environmental impacts to land within the jurisdiction of the State of California, which is therefore limited to the project's potential impacts off of trust land for sites 1 and 2 and the project's potential impacts at site 3.

As to sites 1 and 2 the proposed project will not:

- construct on or alter any non-trust land;
- impact local air quality;
- use groundwater resources or otherwise impact any 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.

As to site 3, the ground-mounter solar arrays will be installed on land that contains the leach fields for the convenience store's septic system. The installation will not disrupt or alter the existing wastewater treatment at the site. Some trenching will be needed to run conduit to connect the ground-mount and rooftop arrays to the main utility meter. The project will not expand an existing or former use of the site.

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 to land within the jurisdiction of the State of California, it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment. Based on all these factors, the proposed project is exempt from CEQA under 14 CCR 15061 (b)(3), the "common sense" exemption, and categorically exempt under 14 CCR 15301, 15303, 15304 and 15311.

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 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.

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

No



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      |
| Notice of Exemption                    | No      |

**I. Subcontractors**

List all Subcontractors listed in the Budget (s) (major and minor). 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       |
|----------------------------------|--------------|
| Xnergy                           | \$ 2,220,909 |

**J. 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 Partner Legal Company to report |

**K. 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      |
|----------------|-------------------------------|--------------------|-------------|
| ECAA           | 2024-2025                     | 401.007            | \$2,220,909 |

ECAA Program Area: ECAA tribal

**L. Recipient’s Contact Information**

**1. Recipient’s Administrator/Officer**

Name: Patricia Garcia

Address: 31071 Highway 190

City, State, Zip: Porterville, CA 93257



STATE OF CALIFORNIA  
CALIFORNIA ENERGY COMMISSION

Loan Request Form  
CEC-271 (Revised 6/2024)

Phone: (559) 202-0403

E-Mail: patricia@tuleriver.com

**2. Recipient's Project Manager**

Name: Dennis Ickes

Address: 31071 Highway 190

City, State, Zip: Porterville, CA 93257

Phone: (559) 202-0401

E-Mail: dennis@tuleriver.com

**M. Miscellaneous Agreement Information**

Annual Energy Bill Dollar Savings: \$153,092

Number of Repay Periods: Leave Blank if Repay is Based on Energy Savings:

**N. Selection Process Used**

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

| Selection Process                      | Additional Information |
|--|------------------------|
| Competitive Solicitation #             | N/A                    |
| First Come First Served Solicitation # | PON-22-002             |
| Other                                  | N/A                    |

**O. Attached Items**

1. List all items that should be attached to this LRF by entering "Yes" or "No".

| Item Number | Item Name  | Attached |
|-------------|--|----------|
| 1           | Loan Application                                 | Yes      |
| 2           | Budget Detail                                    | Yes      |
| 3           | CEC 105, Questionnaire for Identifying Conflicts | Yes      |
| 4           | Recipient Resolution                             | Yes      |
| 5           | CEQA Documentation                               | Yes      |

**Agreement Manager:** Sean Lockwood

**Approval Date:** 8/6/2024

**Office Manager:** Jonathan Fong



STATE OF CALIFORNIA  
CALIFORNIA ENERGY COMMISSION

Loan Request Form  
CEC-271 (Revised 6/2024)

**Approval Date:** 8/8/2024

**Deputy Director:** Jennifer Nelson

**Approval Date:** 8/8/2024

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

This loan is made to the Tule River Indian Tribe of the Tule River Reservation, California (Borrower) for an energy savings project. The project consists of the energy generation and battery storage measures listed in Table 1 below to be installed at three sites in Porterville, CA in Tulare 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:**

| <b>Energy Efficiency Measures</b>  | <b>Estimated Total Project Cost</b> | <b>Energy Commission Loan</b> | <b>Estimated Annual Energy Cost Savings</b> | <b>Simple Payback* (Years)</b> | <b>GHG Emissions Reduction (Metric Tons of CO2)</b> |
|--|-------------------------------------|-------------------------------|---|--------------------------------|---|
| Eagle Feather Trading Post #1: Install 220.7 kW Ground Mounted Solar PV System & 372 kWh Battery Energy Storage System               | \$678,688                           | \$678,688                     | \$57,723                                    | 11.8                           | 92.4  |
| Tule River Economic Development Corp Admin Building: Install 34.8 kW Rooftop Solar PV System & 185 kWh Battery Energy Storage System | \$356,233                           | \$356,233                     | \$14,870                                    | 24.0                           | 13.9  |
| Eagle Feather Trading Post #2: Install 176.4 kW Ground Mounted Solar PV System & 372 kWh Battery Energy Storage System               | \$678,688                           | \$678,688                     | \$63,865                                    | 10.6                           | 69.9  |
| Eagle Feather Trading Post #2 EV Charging Station: Install 60 kW Rooftop Solar PV System & 180 kWh Battery Energy Storage System     | \$507,299                           | \$507,299                     | \$16,634                                    | 30.5                           | 21.7  |
| <b>TOTALS:</b>   | <b>\$2,220,909</b>                  | <b>\$2,220,909</b>            | <b>\$153,092</b>                            | <b>14.5</b>                    | <b>197.8</b>  |

\*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.