



California Energy Commission
Business Meeting Agenda

August 11, 2021
10:00 a.m.

[Remote participation instructions below, after line Items](#)

As of June 9, 2021, public comment will be accepted solely through the Zoom platform.

The California Energy Commission's (CEC) August 11, 2021 Business Meeting will be held remotely, consistent with Executive Order N-08-21 to continue to help California respond to, recover from, and mitigate the impacts of the COVID-19 pandemic. The public may participate consistent with the direction in the Executive Order.

Pursuant to California Code of Regulations Title 20 section 1104(e), any person may make 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. Any person wishing to comment on information items or reports (non-voting items) shall speak during the general public comment portion of the meeting and have three minutes or less to address all remaining comments.

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

1. 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. California Clean Energy Fund dba CalCEF Ventures. Proposed resolution approving a change of recipient for a California Sustainable Energy Entrepreneur Development (CalSEED) small grant award issued under Agreement 300-15-007 at the CEC's August 14, 2019 Business Meeting, and adopting staff's determination that this action is exempt from the California Environmental Quality Act (CEQA). The \$150,000 award for "Prefabricated Affordable Renewable Energy Housing" will be transferred from Arvind Simhadri, an individual, to MOBI Homes Inc. The goal of this project is to explore and validate the concept for prefabricated housing that includes solar, storage, and community energy management. All aspects of the project, including the project team, technology under development, scope of work, and terms and conditions will remain the same. (EPIC funding) Contact: Joshua Croft
- b. Huntington Beach Energy Project (12-AFC-02C). Possible approval of proposed order modifying Air Quality Conditions of Certification of the Huntington Beach

Energy Project to better reflect project operations by changing the definition of a non-cold start up related to the expected demand by the electrical system. Other changes include conforming air quality conditions of certification to current language in the air district permit. Staff concludes that the modifications to the Air Quality Conditions of Certification meet the requirements of section 1769.1(a), and would not result in a significant impact on the environment, nor cause the project to fail to comply with applicable laws, ordinances, regulations, and standards. Contact: Joseph Douglas

- c. California Schools Healthy Air, Plumbing, and Efficiency Program (CalSHAPE) (20-RENEW-01). Proposed resolution adopting revised guidelines for both CalSHAPE grant programs--the CalSHAPE Ventilation Program and CalSHAPE Plumbing Program--and adopting staff's determination that this action is exempt from CEQA. The guidelines provide the requirements for applicant and project eligibility and describe the application process and award distribution. The revised guidelines include an update to the definition of local educational agency (LEA). Contact: Jonathan Fong

2. Update on the Russell City Energy Center.

Staff will provide an update on the collaboration between the CEC, City of Hayward, Hayward City Fire Department, California Public Utilities Commissioner (CPUC), and the Certified Unified Program Authority (CUPA) to discuss issues related to the operating procedures of the Russell City Energy Center. Contact: Elizabeth Huber (Staff Presentation: 5 minutes)

3. Update on Short-Term Reliability Activities.

Staff will provide an overview of coordination efforts of the CEC, CPUC, and California Independent System Operator to assess and respond to short-term reliability issues in the state. Staff will also present the net short outlook for summer 2022. This outlook includes an hourly stack of available supply given projected demand for the peak day of each month, July 2022 through September 2022, under average and extreme weather conditions. Contact: Angela Tanghetti (Staff Presentation: 15 minutes)

4. Certification of Final Environmental Impact Report and Adoption of the 2022 California Energy Code.

Consideration and possible adoption of resolutions certifying the Final Environmental Impact Report (EIR) and adopting the amendments to the California Code of Regulations, Title 24, Parts 1 and 6 (2022 Energy Code). Adoption of the 2022 Energy Code is a project under CEQA; an EIR has been prepared. The 2022 Energy Code is essential to California in that it supports the state's clean energy goals, policies, and mandates. The 2022 Energy Code will increase the deployment of on-site renewable energy generation, reduce greenhouse gas (GHG) emissions from new buildings (building decarbonization), reduce growth in energy demand, increase energy demand flexibility, and ensure that California buildings are as energy efficient as technically feasible and cost effective. The CEC has exclusive authority to adopt

building energy efficiency standards for the State of California. This action will be taken in two parts. Contact: Will Vicent (Staff Presentation: 15 minutes)

- a. Proposed Resolution Certifying the Final EIR. The CEC prepared an EIR in accordance with CEQA, including the CEQA Guidelines, to evaluate the potential environmental effects of the 2022 Energy Code. Following a 45-day comment period on the Draft EIR and publication of the Final EIR on August 4, 2021, the CEC proposes to make findings and certify that the Final EIR complies with CEQA.
- b. Proposed Resolution Adopting the 2022 Energy Code. Following 45-day and 15-day public comment periods, the CEC proposes to adopt the 2022 Energy Code with an effective date of January 1, 2023. This includes amendments to Title 24, Part 6, associated administrative regulations in Title 24, Part 1, the Alternative Calculation Methods Approval Manual, and Reference Appendices.

5. Final Staff Report: California Building Decarbonization Assessment (CEC-400-2021-006).

The “California Building Decarbonization Assessment” evaluates the potential, costs, impacts, and barriers of reducing GHG emissions in residential and commercial buildings at least 40 percent below 1990 levels by 2030, as required by Assembly Bill 3232 (Friedman, Chapter 373, Statutes of 2018). The assessment identifies seven decarbonization strategies and several conclusions for what will be needed to achieve this target. Contact: Michael Kenney and Nicholas Janusch (Staff Presentation: 15 minutes)

6. Equilon Enterprises LLC.

Proposed resolution approving Agreement ARV-21-023 with Equilon Enterprises LLC dba Shell Oil Products US for a \$4,000,000 grant to develop and demonstrate the first multi-modal hydrogen refueling station in California, and adopting staff's determination that this action is exempt from CEQA. The multi-modal hydrogen refueling station will serve hydrogen fuel cell powered on-road heavy-duty vehicles and locomotives at the Port of West Sacramento and will support the Sierra Northern Hydrogen Locomotive Project resulting from the same solicitation and previously awarded. (Clean Transportation Program funding) Contact: Madison Jarvis (Staff Presentation: 5 minutes)

7. H2B2 USA LLC.

Proposed resolution adopting CEQA Findings and approving the grant agreement for construction of H2B2 USA LLC's (H2B2) solar photovoltaic hydrogen production plant. (Clean Transportation Program funding) Contact: Hieu Nguyen (Staff Presentation: 5 minutes)

- a. CEQA Findings. Proposed resolution finding that based on the lead agency County of Fresno's Mitigated Negative Declaration, Initial Study No. 7943, Mitigated Negative Declaration (MND), Mitigation Monitoring and Reporting

Program (MMRP), and County of Fresno's Resolution No. 12883 approving and adopting the MND and MMRP, the proposed project presents no new significant or substantially more severe environmental impacts beyond those already considered and mitigated.

- b. Proposed resolution approving agreement ARV-21-029 with H2B2 for a \$3,965,000 grant to construct a renewable hydrogen production plant in Fresno County, California to produce 1,000 kg per day of hydrogen transportation fuel, using renewable electricity produced by solar energy.

8. Blueprints for Medium and Heavy-Duty Zero-Emission Vehicle Infrastructure – GFO-20-601.

This solicitation sought proposals for planning blueprints to identify actions and milestones needed for implementation of medium- and heavy-duty (MD/HD) zero emission vehicles (ZEVs) and the related electric charging or hydrogen refueling infrastructure. (Clean Transportation Program funding) Contact: Kate Reid (Staff Presentation: 10 minutes)

- a. City of Long Beach. Proposed resolution approving Agreement ARV-21-007 with the City of Long Beach for a \$200,000 grant to develop and implement a replicable strategy for accelerating the planning, adoption, and deployment of MD/HD ZEVs and charging infrastructure that directly targets municipal and private fleets, and adopting staff's determination that this action is exempt from CEQA.
- b. The Regents of the University of California, Irvine. Proposed resolution approving Agreement ARV-21-018 with The Regents of the University of California, Irvine for a \$200,000 grant to develop a comprehensive and replicable blueprint to accelerate the adoption of MD/HD ZEVs within the South Coast Air Basin, and adopting staff's determination that this action is exempt from CEQA.
- c. In-Charge Energy. Proposed resolution approving Agreement ARV-21-019 with In-Charge Energy for a \$200,000 grant to develop a planning blueprint for EV charging infrastructure to facilitate the deployment of MD/HD ZEVs and their charging infrastructure from the Inland Empire (the Riverside–San Bernardino–Ontario metropolitan area) to the Ports of San Pedro along Interstate 710, and adopting staff's determination that this action is exempt from CEQA.
- d. Santa Barbara Metropolitan Transit District. Proposed resolution approving Agreement ARV-21-020 with Santa Barbara Metropolitan Transit District for a \$200,000 grant to develop a blueprint that will enable the adoption of MD/HD EVs for transit and municipal fleets, and adopting staff's determination that this action is exempt from CEQA.
- e. Central Concrete Supply Co., Inc. Proposed resolution approving Agreement ARV-21-021 with Central Concrete Supply Co., Inc. for a \$200,000 grant to develop the blueprint for Zero Emission Concrete Logistics Project with conceptual electric charging and hydrogen fueling infrastructure designs; a comprehensive technology assessment for ZEVs and site infrastructure; detailed

energy analyses, a workforce development plan, and actionable strategies to accelerate the deployment of MD/HD ZEVs and ZEV infrastructure, and adopting staff's determination that this action is exempt from CEQA.

- f. The Regents of the University of California, Irvine. Proposed resolution approving Agreement ARV-21-022 with The Regents of the University of California, Irvine for a \$200,000 grant to develop a blueprint that will enable the adoption of MD/HD battery electric and fuel cell electric vehicles for fleets at a marine terminal, and adopting staff's determination that this action is exempt from CEQA.
- g. Oxnard Harbor District. Proposed resolution approving Agreement ARV-21-024 with the Oxnard Harbor District - The Port of Hueneme for a \$200,000 grant to develop a blueprint that will enable the adoption of MD/HD battery electric and fuel cell electric vehicles for fleets at the Port of Hueneme, and adopting staff's determination that this action is exempt from CEQA.
- h. Port of Stockton. Proposed resolution approving Agreement ARV-21-026 with the Port of Stockton for a \$200,000 grant to develop a planning blueprint document that will enhance the transition to zero emission technologies among the port's tenants, Central Valley medium and heavy-duty truck fleets, stevedoring, agriculture and maritime industries, and adopting staff's determination that this action is exempt from CEQA.
- i. The Regents of the University of California, Riverside. Proposed resolution approving Agreement ARV-21-027 with the Regents of the University of California, Riverside for a \$200,000 grant to develop a blueprint that will enable the adoption of MD/HD battery electric and fuel cell electric vehicles for fleets in the South Coast region, and adopting staff's determination that this action is exempt from CEQA.
- j. San Diego Association of Governments (SANDAG). Proposed resolution approving Agreement ARV-21-028 with SANDAG for a \$200,000 grant to develop their MD/HD ZEV blueprint to reduce barriers for to light-duty EV adoption, including a charger needs assessment online mapping tool and EV expert, and adopting staff's determination that this agreement is exempt from CEQA.
- k. San Francisco Bay Area Water Emergency Transportation Authority (WETA). Proposed resolution approving Agreement ARV-21-030 with WETA for a \$200,000 grant to develop a plan of action and milestones for implementation of zero-emission infrastructure to support transition of the WETA ferry fleet to zero-emission electric propulsion systems, and adopting staff's determination that this action is exempt from CEQA.

~~9. Evaluation of Bi-Directional Energy Transfer and Distributed Energy Resource Integration for Medium and Heavy-Duty Fleet Electrification – GFO-20-304.~~

~~The purpose of this solicitation is to fund technology demonstration research projects that evaluate resilience, renewable integration, and cost management use~~

~~cases for bi-directional charging technologies and integrated distributed energy resources with MD/HD EV deployments. (EPIC funding) Contact: Ben Wender (Staff Presentation: 5 minutes)~~

- ~~a. eIQ Mobility, Inc. Proposed resolution approving Agreement EPC-21-007 with eIQ Mobility, Inc. for a \$2,192,175 grant to fund demonstration and deployment of bi-directional charging technologies for electric school buses to minimize charging costs and provide backup power to a bus depot serving the Riverside Unified School District, and adopting staff's determination that this action is exempt from CEQA.~~

10. Research and Development of High-Value Recycling Pathways for Lithium-Ion Batteries – GFO-20-308.

The purpose of this solicitation is to fund applied research and development projects that improve and scale high-value recycling processes for lithium-ion batteries, evaluate the performance of recovered materials compared to mined materials, and conduct environmental and economic analyses of battery recycling processes. (EPIC funding) Contact: Ben Wender (Staff Presentation: 5 minutes)

- a. The Regents of the University of California, San Diego. Proposed resolution approving Agreement EPC-21-008 with The Regents of the University of California, San Diego for a \$1,684,308 grant to improve the technology readiness, commercial scale-up pathways, and environmental benefits of high-value, direct recycling processes for lithium-ion batteries, and adopting staff's determination that this action is exempt from CEQA.
- b. OnTo Technology LLC. Proposed resolution approving Agreement EPC-21-009 with OnTo Technology LLC for a \$1,001,807 grant for research and development of lithium-ion battery recycling processes and manufacturing new batteries made with one hundred percent recycled electrodes, and adopting staff's determination that this action is exempt from CEQA.

11. Local Building Energy Efficiency Standards Application (19-BSTD-06).

Consideration and possible adoption of a resolution regarding an application submitted by a local jurisdiction for an ordinance that contains building energy efficiency standards exceeding the energy efficiency requirements of the 2019 Building Energy Efficiency Standards (Title 24, Part 6).

- a. City of Alameda. New ordinance that requires solar photovoltaic systems on all new high-rise residential and nonresidential buildings, covering the entire solar zone, with exceptions allowed for shading, overgeneration, or vegetative roofs; and that requires all new construction be all-electric, with some exceptions allowed. Pre-wiring for electric appliances is required where gas appliances are installed. Contact: Danuta Drozdowicz (Staff Presentation: 5 minutes)

12. Minutes.

Possible approval of the July 15, 2021 business meeting minutes.

13. 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.

14. Executive Director's Report.

15. Public Advisor's Report.

16. Public Comment.

Pursuant to California Code of Regulations Title 20 section 1104(e), any person may make oral comment on any agenda item. To ensure the orderly conduct of business, comments will be limited to three minutes or less per person and one representative per organization. The CEC notes that any person wishing to comment on non-voting items such as information items or reports shall provide comments during this period.

17. Chief Counsel's Report.

- a. Pursuant to Government Code section 11126(e), the CEC may adjourn to closed session with its legal counsel to discuss any of the following matters to which the CEC is a party:
 - i. *In the Matter of U.S. Department of Energy (High Level Waste Repository), (Atomic Safety Licensing Board, CAB-04, 63-001-HLW); State of California v. United States Department of Energy (9th Cir. Docket, Case No. 09-71014).*
 - ii. *State Energy Resources Conservation and Development Commission v. HyGen Industries, Inc (Sacramento County Superior Court, Case No. 34-2019-00252543-CU-BC-GDS).*
 - iii. *Interlink Products International, Inc. v. Xavier Becerra, Drew Bohan, Melissa Rae King (United States District Court for the Eastern District of California, Case No. 2:20-cv-02283).*
 - iv. *Southern California Gas Company v. California State Energy Resources Conservation and Development Commission (Sacramento County Superior Court, Case No. 34-2021-80003576-CU-WM-GDS).*
 - v. *Certification of Final Environmental Impact Report and Adoption of the 2022 California Energy Code (Docket # 21-BSTD-02 and Docket # 21-BSTD-01).*
- b. Pursuant to Government Code sections 11126 (a) and (e), the CEC may also discuss any judicial or administrative proceeding that was formally initiated after this agenda was published; or determine whether facts and circumstances exist that warrant the initiation of litigation, or that constitute a significant exposure to litigation against the CEC, which might include personnel matters.

Remote Attendance Instructions.

Remote access is available by either internet or call-in options.

Zoom: Click the address below to participate and provide public comment via Zoom. <https://energy.zoom.us/j/93869230237?pwd=Zm96c09ULzdXTjd4eldtUXdnUGErDz09>. Zoom may also be accessed at <https://zoom.us/join>. To join, enter the **meeting ID 938-6923-0237** and the **password mtg@10am**. To participate by phone, dial (669) 900-6833 or toll free at (888) 475-4499 and enter meeting ID **938-6923-0237**. For Zoom technical support dial (888) 799-9666 ext. 2, or contact the CEC's Public Advisor's Office for help at publicadvisor@energy.ca.gov, (916) 654-4489 or (800) 822-6228.

Public comment periods will be available throughout the business meeting and is expected to be three minutes or less per speaker and one person per organization. Depending on the number of members of the public seeking to make a comment, the Chair may adjust the total time allotted for public comment and the time allotted for each comment.

If participating via Zoom's online platform, use the "raise hand" feature to indicate you would like to make a comment. The Public Advisor will open your line to speak. Please restate and spell your name for the record; indicate if you have an affiliation; and begin your comments.

If participating by telephone, press *9 to "raise your hand" and *6 to mute/unmute. The Public Advisor will announce the last three digits of the phone number listed and open your line. Make sure to unmute your phone before speaking then restate and spell your name for the record, indicate if you have an affiliation; and begin your comments.

Verizon: The CEC's Verizon phone line will solely be available if the Zoom service disconnects and shuts down. If that situation arises, the CEC Verizon line will be available for the public to listen and make public comment. Call the CEC's Verizon line at (888) 823-5065 and enter the passcode: business meeting. To make public comment about a specific item, please provide your name, affiliation if any, and the item number to the operator. Once connected, press *0 for help or to speak with the operator. The operator will open your line when it is your turn to speak. Restate and spell your name for the record. The operator will mute your line when you are finished commenting.

Public Advisor Assistance. Direct questions about how to participate in the business meeting or to request interpreting services or other reasonable accommodations to the Public Advisor's Office at publicadvisor@energy.ca.gov, by phone at (916) 654-4489 or toll free at (800) 822-6228. Requests for interpreting services and reasonable accommodations should be made at least five days in advance. The Public Advisor may upon the request of public participants who may be absent from the CEC's place of business or during the business meeting when a matter of interest to them is being considered, neutrally and publicly relate those participants' points to the CEC on behalf of members of the public. If you are interested in this service, please email concise comments, specifying your main points, before the start of the business meeting to the Public Advisor's Office. Comments submitted after the business meeting starts will be filed in the business meeting docket. The CEC will work diligently to accommodate all requests.

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Adjournment. Depending on time and the orderly management of proceedings, the CEC may adjourn, recess, or postpone any noticed hearing or meeting to be continued the next day, another specific date or time, or the next business meeting. Any such adjournment will be noticed at the time the order of adjournment is made. (Government Code sections 11128.5, 11129)