

Introduced by Senator DoddDecember 28, 2020

An act to add Division 16.7 (commencing with Section 26450) to the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

SB 99, as introduced, Dodd. Community Energy Resilience Act of 2021.

Existing law establishes within the Natural Resources Agency the State Energy Resources Conservation and Development Commission. Existing law assigns the commission various duties, including applying for and accepting grants, contributions, and appropriations, and awarding grants consistent with the goals and objectives of a program or activity the commission is authorized to implement or administer.

This bill, the Community Energy Resilience Act of 2021, would require the commission to develop and implement a grant program for local governments to develop community energy resilience plans. The bill would set forth guiding principles for plan development, including equitable access to reliable energy, as provided, and integration with other existing local planning documents. The bill would require a plan to, among other things, ensure that a reliable electricity supply is maintained at critical facilities and identify areas most likely to experience a loss of electrical service.

The bill would require the commission to maintain a publicly available and searchable database of all local governments receiving grant funding pursuant to the program, including information on specific plan projects. The bill would require a local government, as a condition of receiving grant funding, to submit its plan and a report of project expenditures to the commission within 6 months of completing the plan. The bill would

require the commission to annually report specified information about the grant program to the Legislature and post the report on its internet website.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) This act shall be known, and may be cited,
- 2 as the Community Energy Resilience Act of 2021.
- 3 (b) The Legislature finds and declares all of the following:
- 4 (1) California local governments need to develop and implement
- 5 community energy resilience plans to ensure continuous electricity
- 6 service during outages, including unplanned outages and intentional
- 7 deenergizations of the electrical grid, which in recent years have
- 8 imposed enormous costs on California communities.
- 9 (2) Developing reliable electrical systems for critical facilities
- 10 is a paramount public safety priority to protect the health and
- 11 well-being of California residents and businesses.
- 12 (3) Local governments and community-based organizations
- 13 typically lack the financial resources or expertise needed for
- 14 community energy resilience planning based on distributed clean
- 15 energy resources.
- 16 (4) In the absence of community energy resilience plans, local
- 17 governments, investor-owned utilities, businesses, and the public
- 18 are spending enormous sums purchasing fossil fuel-powered
- 19 backup generation, expenditures that run counter to California’s
- 20 environmental goals.
- 21 (5) Local governments have the greatest degree of local political
- 22 accountability and the ability to identify, working in collaboration
- 23 with community-based organizations, which facilities are most
- 24 important to local residents, and to plan for distributed energy
- 25 resources capable of providing electricity during outages.
- 26 (c) It is the intent of the Legislature to do all of the following:
- 27 (1) Increase employment in California through deployment of
- 28 community energy resilience improvements based on clean energy.
- 29 (2) Prioritize development of clean energy resilience in lower
- 30 income communities that suffer the most from air pollution and
- 31 power outages.

1 (3) Direct the State Energy Resources Conservation and
2 Development Commission to develop necessary guidelines and
3 procedures for implementation of a new program to provide
4 technical guidance and financial assistance for local governments
5 to develop community energy resilience plans, upon receiving an
6 appropriation from the Legislature to fund this program.

7 SEC. 2. Division 16.7 (commencing with Section 26450) is
8 added to the Public Resources Code, to read:

9
10 DIVISION 16.7. COMMUNITY ENERGY RESILIENCE
11 PLANNING
12

13 26450. For the purposes of this division, the following terms
14 have the following meanings:

15 (a) “Commission” means the State Energy Resources
16 Conservation and Development Commission, commonly known
17 as the California Energy Commission.

18 (b) “Community choice aggregator” has the same meaning as
19 defined in Section 331.1 of the Public Utilities Code.

20 (c) “Community energy resilience plan” means a planning
21 document prepared by a local government or community choice
22 aggregator pursuant to this division that sets forth a strategy for
23 maintaining a reliable supply of electricity during both scheduled
24 and unintended outages. Unless the context requires otherwise,
25 “plan” means a community energy resilience plan.

26 (d) “Local government” means a city, county, city and county,
27 or community choice aggregator.

28 (e) “Public utility” means an electrical corporation, as defined
29 in Section 218 of the Public Utilities Code, or a local publicly
30 owned electric utility, as defined in Section 224.3 of the Public
31 Utilities Code.

32 26451. (a) The commission shall develop and implement a
33 grant program pursuant to this division for local governments to
34 develop community energy resilience plans.

35 (b) Before dispersing grant funds pursuant to this division, the
36 commission shall do both of the following:

37 (1) Develop and adopt project solicitation and evaluation
38 guidelines for applicants to submit a funding proposal to develop
39 a community energy resilience plan and for overall plan structure
40 and content, including development of a formula for prioritizing

1 funds for critical facilities in low-income or disadvantaged
2 communities that are most likely to experience future electrical
3 grid deenergization events, followed in priority by other critical
4 facilities statewide.

5 (2) Conduct two public meetings to consider public comment.

6 (c) The project solicitation and evaluation guidelines shall
7 prioritize proposals for funding that would support all of the
8 following:

9 (1) Equitable collaboration between public utilities, local
10 governments, community-based organizations, and state agencies
11 to yield plans that not only help achieve local energy resilience
12 objectives, but also state renewable energy goals.

13 (2) Integration of available mobile storage resources that may
14 become available through transportation electrification.

15 (3) Integration of community energy resilience plans with other
16 existing local government planning documents, including general
17 plans and climate action plans, with an assumption that, upon
18 completion, a community energy resilience plan would be
19 incorporated by the local government into the existing general
20 plan.

21 (d) The commission shall fund technical assistance providers
22 to assist in plan development, including all of the following:

23 (1) Identifying and coordinating with appropriate local
24 government staff and outside consultants capable of drafting the
25 plan. A local government may hire a resilience manager to manage
26 the plan development process and the implementation of any
27 specific projects identified in the plan.

28 (2) Convening one or more community workshops enlisting
29 local stakeholders, including, but not limited to, labor
30 representatives, representatives from community-based
31 organizations, community members, local government staff in
32 departments relating to emergency services, planning, and public
33 works, disability rights advocates, and representatives from special
34 districts, load-serving entities, school districts, environmental
35 justice communities, communities of color, and other marginalized
36 groups, to ensure that a diversity of perspectives and input is
37 incorporated into the plan.

38 (3) Soliciting input from public utility operational and technical
39 subject matter experts, including relevant data to enable local

1 governments to design their plans to make efficient use of existing
2 distribution infrastructure and support grid operation.

3 (4) Providing guidance and support to each local government
4 receiving plan funds for the local government to designate a diverse
5 plan steering committee to ensure robust and meaningful public
6 participation.

7 (e) A plan for which a local government receives grant funding
8 shall do all of the following:

9 (1) Identify critical facilities, including facilities that can serve
10 as community resilience hubs.

11 (2) Identify areas most likely to experience a loss of electrical
12 service based on public utility determinations of remote or
13 hazardous areas likely to be subject to a planned deenergization
14 of the electrical grid.

15 (3) Include a preliminary feasibility analysis of expected costs
16 and benefits for anticipated projects within the local jurisdiction.
17 A proposed plan shall also include an analysis of multiple project
18 options for each location, including distribution segmentation and
19 microgrids.

20 (f) Grant funding awarded to a local government pursuant to
21 this division does not affect the entity's eligibility to receive other
22 incentives available from federal, state, or other local governments,
23 public utilities, or any other source, or to leverage the grant funding
24 awarded pursuant to this division with any other incentive.

25 26452. (a) The commission shall maintain a publicly available
26 and searchable database of all local governments receiving grant
27 funding pursuant to this division, including information on specific
28 plan projects. The database shall include relevant metrics to be
29 determined by the commission.

30 (b) As a condition of receiving grant funding, within six months
31 of completing its plan, a local government shall submit the plan
32 and a report of project expenditures to the commission.

33 (c) (1) The commission shall prepare an annual summary of
34 statewide program expenditures and hire an independent,
35 third-party evaluator to quantify and evaluate the effects of the
36 grant program.

- 1 (2) Pursuant to Section 9795 of the Government Code, the
- 2 commission shall annually report the information it receives to the
- 3 Legislature and post the report on its internet website.

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