

CCA Workforce and Environmental Justice for Clean Energy Project Selection Criteria

UPDATE: January 22, 2024

PROPOSED RESOLUTION

Community Choice Aggregator (CCA) evaluates proposed Energy Offtake Agreements by conducting thorough analysis of economic value, viability of projects to meet their stated online dates, project fit into CCA's Integrated Resource Plan and role of the project in supporting CCA's clean energy goals. CCA is committed to enhancing its workforce and economic priorities by incorporating this Workforce and Environmental Justice for Clean Energy Project Selection Criteria into the overall evaluation of Energy Offtake Agreements and CCA-owned generation and storage projects.

I. DEFINITIONS

1. **Energy Offtake Agreement:** Power purchase agreements, energy storage agreements, resource adequacy only agreements, or other energy product agreements for new build in front of the meter electricity generation or storage resources where CCA does not own, develop, or construct the generation or storage facility. Instead, CCA's participation in the project is limited to receiving energy and any applicable attributes at a set price and term.
2. **Journey person:** Is a worker who either:
 - a. Graduated from a California state-approved apprenticeship program for the applicable occupation or, when located outside California, approved for federal purposes pursuant to apprenticeship regulations adopted by the Secretary of Labor, or
 - b. Has at least as many hours of on-the-job experience in an applicable occupation as would be required to graduate from an apprenticeship program for the applicable occupation that is approved by the California Division of Apprenticeship Standards.
3. **Local Hire:** A stated preference for project employment opportunities for qualified workers in descending priority:

- a. A resident within the nearest communities in proximity to the project, by radius as reasonably determined on a project-by-project basis. Such radius will target a distance that is within reasonable daily commuting distance;
 - i. Additional preference shall be given, where the radius includes a city, town, or census-designated location within CCA's service territory, to the workers within those portions of the service territory.
 - b. A resident within the county where the project is being constructed;
 - c. A resident within CCA's service territory.
- 4. **Targeted Hire Program:** A pipeline program which:
 - a. Partners with a Multi-Craft Core Curriculum (MC3) pre-apprenticeship program or programs, or equivalent industry and state-recognized certificated career training and placement program that recruits, supports, and places Equity Priority Workers in skilled construction trades; and
 - b. Creates opportunities for an Equity Priority Worker to enter Registered Apprenticeship Programs and/or obtain work hours needed to successfully complete their apprenticeship; or
 - c. Recruits and places income-qualified Journeypersons.
- 5. **Equity Priority Worker:** A jobseeker who, at the time of hiring or within the last twelve months, satisfies at least one of the following categories:
 - a. Currently unhoused or at risk of homelessness
 - b. Being a custodial single parent
 - c. Currently receiving public assistance
 - d. Lacking a GED or high school diploma
 - e. Having been continuously unemployed or underemployed for the past 6 months
 - f. Having been emancipated from the foster care system
 - g. Being a veteran of the United States Military
 - h. Being a member of a tribal community associated with indigenous people
 - i. Having a previous incarcerated or justice involvement history
 - j. At-Risk Youth: a person 18-24 years old who is disconnected from school and/or work
 - k. Low income (household income is below the current HUD threshold for Low Income Households in their county of residence)
- 6. **Local, Small and Emerging Business**
 A local business that is certified small or emerging under the following requirements:

- a. Local Business - A business having a fixed office with a street address in CCA's service territory, and having a valid business license issued by a jurisdiction within CCA's service territory for at least 6 months.
- b. Small Business - A business which has been certified to meet the U.S. Small Business Administration (SBA) size standards for its classification.
- c. Emerging Business - A business which has been certified to meet less than one half the U.S. SBA size standards for its classification and has been in business less than 5 years.

II. Workforce and Environmental Justice and Project Selection Criteria

CCA is committed to enhancing workforce and environmental justice priorities by formalizing the incorporation of this Project Selection Criteria into its evaluation of Energy Offtake Agreements and CCA-owned energy generation and storage.

A. Workforce and Local Workforce Development

CCA is committed to stimulating our local economy through, among other measures, supporting projects committed to applying prevailing wage rates, supporting participants and/or graduates of apprenticeship and pre-apprenticeship programs, supporting a local skilled workforce, and to achieve CCA's local and targeted hiring objectives for construction, operations, and maintenance.

- I. CCA will prioritize Energy Offtake Agreements where the developer is committed to:
 - a. Highest priority projects will commit to:
 - i. A multi-trade project labor agreement that incorporates CCA's Local and Targeted Hire objectives as follows:
 - 1. A goal of 30% of all project labor hours performed by Local Hires, and;
 - 2. Participation in a Targeted Hire Program with a goal of 10% of all project hours performed by Equity Priority Workers.
 - 3. Demonstrated commitment to subcontracting with Local, Small and Emerging Businesses.
 - b. Medium-priority projects will commit to:
 - i. Utilization of prevailing hourly wage and benefit rates as determined by the California Department of Industrial Relations.

- ii. Utilization of apprentices at the same ratio of apprentice hours to journeyperson hours as required for public works projects. Generally this is one apprentice hour per every 5 hours of journeywork per craft.
 - iii. Demonstrated commitment to Local and Targeted Hire, including utilization of a multi-craft core curriculum (MC3) pre-apprenticeship program, or equivalent industry and state-recognized pre-apprenticeship certification, for outreach, preparation, support and referral of Targeted Hires.
 - iv. Demonstrated commitment to subcontracting with Local, Small and Emerging Businesses.
- c. Low-priority projects would fail to meet II.B. I.a or II.B. I.b above but may demonstrate other commitments to local workforce development.
- 2. When considering contractors or developers for CCA-owned energy generation or storage projects requiring a Large Generator Interconnection Agreement from the California Independent System Operator (currently 20MW and above, but subject to change from time to time), CCA shall commit to:
 - a. Negotiate a multi-trade project labor agreement that will incorporate CCA's local and targeted hire objectives as follows:
 - i. A goal of 30% of all project labor hours performed by Local Hires, and;
 - ii. Participation in a Targeted Hire Program with a goal of 10% of all project hours performed by Equity Priority Workers.
 - iii. Demonstrated effort to subcontract with Small, Local, and Emerging Businesses.
- 3. When considering contractors or developers for CCA-owned energy generation or storage projects requiring a Small Generator Interconnection Agreement from the California Independent System Operator (currently applies to projects under 20MW, but subject to change from time to time), CCA will commit to:
 - a. Utilization of prevailing hourly wage and benefit rates as determined by the California Department of Industrial Relations.
 - b. Utilization of apprentices at the same ratio of apprentice hours to journeyperson hours as required for public works projects. Generally this is one apprentice hour per every 5 hours of journeywork per craft.
 - c. Demonstrated commitment to Local and Targeted Hires.
 - i. A goal of 30% of all project labor hours performed by Local Hires while incenting, through a negotiated contract structure, the contractor or developer to achieve a minimum of 60% of all project labor hours performed by Local Hires, and;

- ii. Participation in a Targeted Hire Program with a goal of 10% of all labor hours performed by Equity Priority Worker, while incenting, through a negotiated contract structure, the contractor or developer to achieve the 10% goal.
- d. Demonstrated effort to subcontract with Local, Small and Emerging Businesses.

B. Innovation

CCA recognizes that reaching its clean energy goals will require significant improvements and innovation in battery technologies, renewable baseload, dispatchable renewable resources, and renewable generation technologies, among other opportunities.

- I. CCA will prioritize projects that accelerate decarbonization, provide local resiliency, provide CCA a competitive advantage, and/or reduce costs for CCA customers while remaining cost competitive with established market alternatives. Innovation will be recognized among projects that:
 - a. Include new or improved technologies or methodologies with a demonstrated potential feasibility;
 - b. Achieve scale for existing technologies to benefit CCA customers; or
 - c. Reduce or eliminate barriers to adoption of local, distributed, and scaled technologies.

C. Location

CCA recognizes that there are potential economic, environmental, and workforce benefits from projects located in CCA's service territory or in the state of California. CCA must also balance other factors such as grid-reliability, resource diversification, project economics, and risk mitigation when selecting projects. Projects addressing these considerations are prioritized based on the following geographic order:

- 1. Projects located within CCA's service territory
- 2. In-state projects
- 3. Out-of-state projects

D. Environmental Stewardship

CCA is committed to leading by providing customers with energy that delivers benefits for air, water, and the natural environment while avoiding impacts to important lands, species, and waters. Without diminishing or interfering with permitting, planning land use, or development requirements of any authority having jurisdiction, including local, state, and federal governmental agencies, CCA prioritizes projects:

1. That are proposed on urban or previously disturbed sites.
2. In which the developer and local land use authority have established a development agreement which, in part, sets forth measures and commitments to mitigate impacts to sensitive habitat or environmentally sensitive areas and comply with applicable habitat conservation plans. For projects that are in earlier stages of the entitlement process, prioritization will be put on projects that have adequately assessed likely impacts and addressed potential mitigants to sensitive habitat or environmentally sensitive areas, as for instance by committing to compliance with applicable habitat conservation plans.
3. In which the developer commits to measurable offset efforts within the vicinity of the proposed project.

E. Benefits Accruing to Equity Priority Communities

CCA seeks to deliver economic, environmental, and social benefits to the communities that it serves by providing cleaner electricity at competitive rates, developing local resources that drive new investments, and creating increased demand for high-paying jobs. CCA is committed to helping low-income and environmental justice communities overcome barriers to their access to public investments, resources, education, and information about energy service and policy.

CCA will prioritize projects that:

1. Invest in low-income and environmental justice communities, with additional preference for communities within the CCA service territory.
2. Demonstrate contact and collaboration with the local community organizations and stakeholder groups representing a broad diversity of demographics and interests, particularly low income and environmental justice communities, to identify and address benefits and impacts of projects and ensure project benefits are communicated and accessible to the local community.
3. Commit to meaningful engagement with local communities throughout the entitlement and construction processes to identify and address benefits and impacts of projects and ensure project benefits are communicated and accessible to the local community.

CCA understands the importance of meaningful community engagement and recommends this to be done in a manner that is most relevant and appropriate for the community or communities impacted by the individual project(s). One example of effective community engagement is captured by the framework presented in “Building a Just Energy Future – A Framework for Community Choice Aggregators to Power Equity and Democracy in California” a report published in 2020 by the California Environmental Justice Alliance (CEJA). The Framework specifically makes 5 recommendations related to:

- 1) Coordination with Local Community-Based Organizations
- 2) Accessible Information and Outreach
- 3) Community-Driven Local Program Design
- 4) Transparent Decision-Making
- 5) Local and State Accountability

III. EVALUATION, SELECTION AND REPORTING

CCA will assess and select project proposals in accordance with this Energy Workforce and Environmental Justice Project Selection Criteria. While quantifiable metrics cannot be provided at the time of board approval, the known details of project commitments and targets will be provided at the time of board approval. CCA will compile and report data and metrics regarding Workforce and Environmental Justice Project Selection Criteria upon completion of project construction or at a time consistent with the annual GO 156 Supplier Diversity reporting deadline. Reporting will include quantifiable metrics on Small, Local, and Emerging Businesses for the purpose of providing benchmark information.

IV. RESERVATION OF AUTHORITY TO WAIVE PROJECT SELECTION METHODOLOGY

- I. CCA's Board of Directors may, by majority vote, waive this Project Selection Criteria, or any portion thereof, to:
 - a. Address an emergency situation that jeopardizes the safety or feasibility of a project, or;
 - b. Comply with a California State or Federal executive or regulatory order.

V. CA COMMUNITY POWER

CCA's representative to the CA Community Power Board shall advocate for project selection criteria consistent with the terms CCA's own procurement policies.