

**CALIFORNIA ALTERNATIVE ENERGY AND
ADVANCED TRANSPORTATION FINANCING AUTHORITY**
Meeting Date: Tuesday, July 26, 2011

Executive Summary
Discussion and Consideration of Applications for the
*SB 71 Sales and Use Tax Exclusion Program (STE)*¹

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Summary.

Staff is recommending approval of one Project (as described in Agenda Item 4.A.1) valued at \$3,155,300 in anticipated Qualified Property purchases which is anticipated to result in approximately \$255,579 of sales and use tax exclusions over the next three years.² Attachment A provides a brief summary of this Application.

Overview of Project.

Based on the net benefits methodology embodied in the Program Regulations and on representation from this Applicant, staff estimates that approximately \$255,579 in STE will assist in creating environmental benefits valued at approximately \$40,230 and fiscal benefits valued at approximately \$271,233. This results in approximately \$311,463 in total benefits and a net benefit value of \$55,884.

This Project is anticipated to create 9 jobs (3 permanent and 6 construction) and CAEATFA staff calculates that approximately one of these jobs can be attributed to the Program, based on the estimation methodology embodied in the Regulations.³ Attachment B provides a summary of the evaluation process under the Program.

This is a biogas capture and production Project, which treats anaerobic digester gas from a wastewater reclamation facility.

Project Location.

This Project is located in Fresno County. It is expected that this Project will provide significant economic benefits to the State and local jurisdiction in the form of corporate, personal income, sales and property tax revenues; increased employment; and additional economic activity created by the manufacturing Facilities and purchases from related suppliers. It is important to note that while the location of the Facility helps to identify where much of the economic and fiscal activity will take place (e.g., new jobs created, property tax payments), it does not by itself provide CAEATFA with sufficient information to determine the fiscal impact of the Program on individual local communities. The impact on individual local communities will also depend on

¹ All capitalized terms not defined in this document are defined in the Program's Regulations.

² This is an estimated amount calculated by using the average statewide tax rate of 8.1%. This amount has been reduced from 9.1% due to the change in tax rates due to the 2011-2012 California Budget.

³ This is because the Program specifically evaluates the fiscal and environmental results that stem directly from the STE, with only the marginal additional production (and resulting fiscal and environmental benefits) associated with the STE included for purposes of evaluating Applicants. The marginal additional production associated with an Application is estimated based on the percent reduction on costs that an Applicant experiences as a result of receiving the STE.

where the Qualified Property will actually be purchased. Approved Applicants will provide that information to CAEATFA after they purchase the Qualified Property.

Summary of Applications Approved to Date.

Figure 1 summarizes some of the attributes of the Applications approved under the Program to date as well as adjusted attributes if the Board approves the Application recommended at this meeting.

Figure 1: Applications Approved Attributes		
	Approved Applications to Date	Approved Applications Including July Recommendation
Number of Projects	31 ⁴	32
Qualified Property Amount	\$977,072,743	\$980,228,043
STE Amount (Anticipated)	\$88,913,620	\$89,169,199
Estimated Environmental Benefit Value	\$54,017,963	\$54,058,193
Estimated Fiscal Benefit Value	\$94,242,492	\$94,513,725
Estimated Total Benefit	\$148,260,455	\$148,571,918
Estimated Net Benefit Value	\$59,352,837	\$59,408,721
Total Jobs	6,386	6,395
Total Jobs Due to SB 71	616	617

Recommendation. Staff recommends the Authority approve the Project as described in Agenda Item 4.A.1.

⁴ Thirty-three (33) Applications have been approved to date; however, two Applicants have since withdrawn their Applications. This data reflects the 31 Applicants approved and still moving forward under the Program at this time.

ATTACHMENT A

Agenda Item	Applicant	Location of Facility	Industry/Use of Proceeds	Qualified Property Amount	STE Amount (Anticipated) ¹	Estimated Environmental Benefit Value	Estimated Fiscal Benefit Value	Estimated Net Benefit Value	Total Jobs	Total Jobs Due To SB 71
4.A.1	SCS Energy	Fresno (Fresno County)	Biogas Capture and Production	\$3,155,300	\$255,579	\$40,230	\$271,233	\$55,884	9	1
			Total:	<u>\$3,155,300</u>	<u>\$255,579</u>	<u>\$40,230</u>	<u>\$271,233</u>	<u>\$55,884</u>	<u>9</u>	<u>1</u>

ATTACHMENT B

Application Evaluation

Application Review Process

Eligibility Criteria.

To qualify, an Applicant must show that the property to be purchased subject to the STE will be used to design, manufacture, produce or assemble an Advanced Transportation Technology or Alternative Source product, component or system *at least 75 percent of the time it is being used.*

Evaluation Criteria.

Applications were evaluated based on criteria in the Regulations. These evaluation criteria are designed to measure and quantify the fiscal and environmental benefits of the Project and to compare the result to the cost of the STE.

CAEATFA Staff evaluates the fiscal and environmental results that stem directly from the STE. Only the marginal additional production (and resulting fiscal and environmental benefits) associated with the STE are included for purposes of evaluating Applications. The marginal additional production resulting directly from the STE is determined based on an estimated increase in equipment purchases resulting from the STE. That is, because the STE in effect lowers the cost of purchasing capital equipment, Applicants are assumed to purchase more such equipment than would be the case in the absence of the STE.

The resulting increase in output associated with the additional equipment purchases is subsequently calculated, and the fiscal and environmental effects associated solely with this additional output are used for purposes of scoring the Application.

Fiscal and environmental benefits associated with the (marginal) additional production of Advanced Transportation or Alternative Source products, components, or systems are calculated according to the methodology embodied in the Regulations. The value of these benefits (in dollars) is compared to the value of the STE in order to calculate the Applicant's score.

Scoring.

Applicants receive scores in the areas of fiscal benefits and environmental benefits which translate into a numerical score. In addition, Applicants may receive up to 200 points for optional supplemental information related to the economic and environmental benefits of the Project if the Applicant provides such data. Applications that receive a total score greater than or equal to 1,000 points and a total pollution benefit score (i.e., environmental benefits) greater than or equal to 100 will be recommended to the Board for approval.

Supplemental Scoring Factors.

The Regulations allow Applicants to submit additional information which may be used for purposes of augmenting Applicant scores from the net benefits test. During this initial round of Applications, staff included only a partial range of “supplemental points” in the score—jobs,

unemployment and out of State environmental benefits—if Applicants clearly surpassed the established point threshold based on the net benefits test alone.

Legal Documents under the Program.

CAEATFA will be executing a Master Regulatory/Conveyance Agreement with each approved Applicant within 30 days of the Board's approval of an Application. The procedures and templates of legal documents were posted to the CAEATFA website and provided to Applicants on November 5, 2010.