

Introduced by Senator Simitian

February 21, 2007

An act relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

SB 412, as introduced, Simitian. State Energy Resources Conservation and Development Commission: liquefied natural gas terminals.

The existing Warren-Alquist State Energy Resources Conservation and Development Act establishes the State Energy Resources Conservation and Development Commission and requires the commission to prepare a biennial integrated energy policy report. The act requires the commission to certify sufficient sites and related facilities that are required to provide a supply of electricity sufficient to accommodate projected demand for power statewide.

This bill would state the intent of the Legislature to enact legislation regarding the siting and construction of liquified natural gas facilities on or off the coast of California.

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

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

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) It is the policy of the state to meet California's energy growth
- 4 by optimizing energy conservation and resource efficiency and by
- 5 reducing per capita demand to ensure a clean, safe, and reliable
- 6 supply of energy for California.

1 (b) It is the policy of the state to be sensitive to the impact of
2 the state's energy policy on global climate change and
3 environmental impacts in host countries that export natural gas.

4 (c) It is the policy of the state to accelerate the use of renewable
5 energy resources wherever feasible and to ensure a diverse and
6 affordable portfolio of fuel sources to minimize the opportunity
7 for supply interruptions.

8 (d) The state has a role in decisions regarding the siting and
9 design of new onshore and offshore infrastructure for the
10 importation of liquefied natural gas that results in impacts to public
11 health, safety, and the environment.

12 (e) Laws and regulations enacted by the state to address
13 consumer, community, public health, safety, and environmental
14 impacts of new onshore and offshore imported liquefied natural
15 gas infrastructure, where more protective, should not be preempted
16 by weaker, less protective federal laws and regulations.

17 (f) Decisions regarding the importation of liquefied natural gas
18 should be based on a comprehensive review of current and
19 projected natural gas supply and demand in California, and
20 alternative sources of supply.

21 (g) Construction and operation of liquefied natural gas onshore
22 and offshore infrastructure may commence after completion of a
23 rigorous evaluation that analyzes the need for liquefied natural gas
24 and the relative merits of pending and future proposals with respect
25 to business, consumer, community, public health, safety, and
26 environmental impacts.

27 (h) Based upon the Tenth Amendment to the United States
28 Constitution, federal law neither abrogates a state's property rights
29 within its tide and submerged lands nor provides the power of
30 eminent domain to the Federal Energy Regulatory Commission
31 with respect to the siting liquefied natural gas facilities.

32 (i) Nothing in this bill should be construed as an absolute
33 prohibition on the construction of LNG facilities on or off the
34 California coast. It is the intent of the State of California to
35 facilitate a comprehensive and efficient review of applications for
36 liquefied natural gas terminals and their related infrastructure in
37 the state.

1 SEC. 2. It is the intent of the Legislature to enact legislation
2 regarding the siting and construction of LNG facilities on or off
3 the state's coast.

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