

**ASSEMBLY BILL**

**No. 644**

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**Introduced by Assembly Member Blumenfield**

February 16, 2011

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An act to add Chapter 6.2 (commencing with Section 25550) to Division 15 of the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 644, as introduced, Blumenfield. Energy: renewable energy facility: siting.

(1) Existing law vests the State Energy Resources Conservation and Development Commission with the exclusive jurisdiction to certify the siting of a thermal powerplant with a generation capacity of 50 megawatts or more. Under existing law, a powerplant not under the jurisdiction of the commission is regulated by local jurisdictions through their land use authority.

This bill would require the commission, in consultation with the Department of Resources Recycling and Recovery, the Department of Toxic Substances Control, and the Department of Conservation, to establish criteria for identifying land with a high potential for use as a site of a renewable energy generation facility with a generation capacity of less than 50 megawatts in 3 specific types of parcels and to prepare a list identifying lands meeting the criteria.

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. The Legislature finds and declares all of the  
2 following:

3 (a) Renewable energy promotes economic development and  
4 provides opportunities to stimulate the creation of jobs for  
5 Californians.

6 (b) California is seeking to increase renewable power generation  
7 to help achieve the state’s climate change goals required by the  
8 California Global Warming Solutions Act of 2006 (Division 25.5  
9 (commencing with Section 38500) of the Health and Safety Code).

10 (c) The state has been seeking to revitalize and recycle  
11 brownfields and provide for beneficial uses for closed landfills  
12 and unproductive farmland that does not have access to water.

13 (d) Closed landfills and brownfields present a unique opportunity  
14 for siting solar energy on land that has few reuses and is often  
15 located close to roads and transmission lines.

16 (e) By identifying brownfields, closed landfills, and  
17 unproductive farmland that does not have access to water and  
18 creating incentives to use the land for renewable energy generation,  
19 the state could put the land with limited reuses to beneficial use  
20 while preserving undisturbed lands and advancing renewable  
21 energy generation goals.

22 SEC. 2. Chapter 6.2 (commencing with Section 25550) is added  
23 to Division 15 of the Public Resources Code, to read:

24  
25 CHAPTER 6.2. RENEWABLE ENERGY SITING

26  
27 25550. The commission, in consultation with the Department  
28 of Resources Recycling and Recovery, the Department of Toxic  
29 Substances Control, and the Department of Conservation, shall do  
30 both of the following:

31 (a) Establish criteria for identifying land with a high potential  
32 for use as a site for a renewable generation facility with a  
33 generation capacity of less than 50 megawatts of electricity in the  
34 following types of parcels:

- 35 (1) Closed landfill.
- 36 (2) Brownfield.
- 37 (3) Degraded agricultural land with no access to water.

- 1 (b) Prepare a list that identifies lands that meet the criteria
- 2 developed pursuant to subdivision (a).

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