

AMENDED IN SENATE MAY 1, 2012
AMENDED IN SENATE APRIL 9, 2012

SENATE BILL

No. 1409

**Introduced by Senator Pavley
(Principal coauthors: Senators Correa and Lieu)**

February 24, 2012

~~An act to add Section 25010 to the Public Resources Code, relating to energy.~~ *An act to add Section 65040.7 to the Government Code, relating to statewide planning.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1409, as amended, Pavley. ~~Energy.~~ *Office of Planning and Research: clean energy technologies and projects.*

Existing law establishes the Office of Planning and Research (OPR) in state government in the Governor's office and requires OPR to, among other things, coordinate the development of policies and criteria to ensure the federal grants-in-aid administered or directly expended by state government advance statewide environmental goals and objectives and to coordinate research activities of state government directed to the growth and development of the state and the preservation of environmental quality, and render advice to the Governor, his or her cabinet, to the Legislature, and any agency or department of state government, and provide information to, and cooperate with, the Legislature or any of its committees.

Existing law declares the state policy to promote all feasible means of energy and water conservation and all feasible use of alternative energy and water supply sources. Existing law establishes various programs to provide to specified entities financial assistance for the

installation of energy efficiency measures and renewable energy resources.

~~This bill would require the Director of Planning and Research, in consultation with the State Energy Resources Conservation and Development Commission and other appropriate public agencies, OPR to, among other things, coordinate with the United States Armed Forces, where appropriate and feasible, and to the extent permitted or required by federal law, on the implementation of complementary energy, environmental, and procurement policies, including laws to promote promoting the commercialization of clean energy technologies and the deployment of clean energy projects in California. The bill would require the director, to the extent permitted by federal law, OPR to provide assistance in resolving conflicts associated with research, development, and deployment of clean energy in California by the United States Armed Forces.~~

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. This measure shall be known and may be cited
- 2 as the Security Coordination Act of ~~2012~~ 2013.
- 3 SEC. 2. The Legislature finds and declares all of the following:
- 4 (a) Climate change and oil dependence pose a threat to the
- 5 health, safety, and stability of the State of California and to the
- 6 national security of the United States.
- 7 (b) About 80 percent of military convoys carry fuel. According
- 8 to the United States Secretary of *the* Navy, for every 50 fuel
- 9 convoys, one marine is killed or wounded. Approximately 3,000
- 10 United States troops and civilian contractors have been killed or
- 11 wounded protecting convoys.
- 12 (c) The State of California and the United States Department
- 13 of Defense constitute two of the largest energy users in the world,
- 14 with a combined annual energy expenditure of over one hundred
- 15 billion dollars (\$100,000,000,000). As such, the pursuit of
- 16 complementary commitments to clean energy can accelerate the
- 17 growth of the American clean energy economy, stimulate job
- 18 creation, and mitigate the threats of climate change and oil
- 19 dependence.

1 (d) The United States Department of Defense is one of the
2 largest economic drivers in the State of California, with 30 major
3 military installations, a budget of more than fifty-six billion dollars
4 (\$56,000,000,000) and more than 236,000 uniformed and civilian
5 personnel.

6 (e) California has the largest clean energy economy in the nation,
7 employing over 318,000 workers throughout the state in a wide
8 variety of industries, which have substantial existing capacity, and
9 significant unmet potential to provide products and services to
10 meet the State of ~~California~~ *California's* and the United States
11 Department of Defense's clean energy priorities.

12 (f) The United States Department of Defense, in cooperation
13 with the United States Armed Forces, has targeted energy
14 efficiency, the reduction of water and petroleum consumption, and
15 the development and deployment of alternative fuels, advanced
16 transportation technology and related infrastructure, and distributed
17 generation and recharging technologies as top operational and
18 strategic imperatives.

19 (g) To promote a cooperative and collaborative relationship
20 between the State of California and the United States Department
21 of Defense in advancing clean energy, it is necessary for the Office
22 of Planning and Research to have specific responsibility in this
23 area.

24 *SEC. 3. Section 65040.7 is added to the Government Code, to*
25 *read:*

26 *65040.7. (a) In addition to its duties and responsibilities*
27 *pursuant to Section 65040, the Office of Planning and Research*
28 *shall do all of the following:*

29 *(1) Coordinate with the United States Armed Forces, where*
30 *appropriate and feasible, and to the extent permitted or required*
31 *by federal law, on the implementation of complementary state and*
32 *federal energy, environmental, and procurement policies, to*
33 *promote the commercialization of clean energy technologies and*
34 *the deployment of clean energy projects in California, including,*
35 *but not limited to, local clean energy generation and storage,*
36 *energy efficiency and demand response, alternative and renewable*
37 *fuels, advanced vehicles, and related infrastructures.*

38 *(2) Provide assistance to public or private entities that receive,*
39 *or have a reasonable opportunity to qualify for, federal grants,*
40 *loans, or other assistance for clean energy research, development,*

1 demonstration, deployment, or procurement of clean energy
2 products or services in California. The funding shall do all of the
3 following:

4 (A) Advance complementary national security or military goals
5 and objectives through clean energy-related measures, including
6 energy efficiency, the reduction of water and petroleum
7 consumption, the development and deployment of alternative and
8 renewable fuels, advanced transportation technology and related
9 infrastructure, distribution generation, energy storage, or mobile
10 recharging technology.

11 (B) Advance state sustainability, renewable energy,
12 conservation, energy storage, or greenhouse gas reduction goals.

13 (C) Ensure, for projects involving transportation fuels, on a full
14 life-cycle assessment basis, that the project does not adversely
15 impact air quality, water quality or the sustainability of natural
16 resources, especially state and federal lands.

17 (3) Provide assistance in resolving conflicts associated with the
18 research, development, and deployment of clean energy in
19 California by the United States Armed Forces or a branch of the
20 armed services, including facilities owned or operated by private
21 entities under contract with the United States Armed Forces or a
22 branch of the United States Armed Forces. For conflicts that
23 involve a clean energy-related permit or development project, the
24 office may, to the extent permitted by federal law, resolve conflicts
25 in accordance with processes developed by the Governor pursuant
26 to Section 65404 of the Government Code.

27 (b) Nothing in this section is intended to interfere with, expand,
28 or prevent the existing authority of an agency or department to
29 carry out its programs, projects, or responsibilities, and nothing
30 in this section shall be considered as a limitation on compliance
31 with requirements under any other provision of law.

32 ~~SEC. 3.— Section 25010 is added to the Public Resources Code,~~
33 ~~to read:~~

34 ~~25010. The Director of Planning and Research, in consultation~~
35 ~~with the commission and other appropriate public agencies, shall~~
36 ~~do both of the following:~~

37 ~~(a) Coordinate with the United States Armed Forces, where~~
38 ~~appropriate and feasible, and to the extent permitted by federal~~
39 ~~law, the implementation of complementary energy, environmental,~~
40 ~~and procurement policies, to promote the commercialization of~~

1 ~~clean energy technologies in California and the deployment of~~
2 ~~clean energy projects in California, including, local clean energy~~
3 ~~generation and storage, energy efficiency and demand response,~~
4 ~~alternative fuels, advanced vehicles, and related infrastructures.~~

5 (b) ~~Provide assistance in resolving conflicts associated with the~~
6 ~~research, development, and deployment of clean energy in~~
7 ~~California by the United States Armed Forces or a branch of the~~
8 ~~armed forces, including facilities owned or operated by private~~
9 ~~entities under contract with a branch of the United States Armed~~
10 ~~Forces. The conflict may be resolved in accordance with, or based~~
11 ~~upon, processes already developed by the Governor pursuant to~~
12 ~~Section 65404 of the Government Code.~~