

AMENDED IN ASSEMBLY APRIL 4, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 278

Introduced by Assembly Member Gatto

February 11, 2013

An act to add Section 38566 to the Health and Safety Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 278, as amended, Gatto. California Global Warming Solutions Act of 2006: Low Carbon Fuel Standard.

The California Global Warming Solutions Act of 2006 ~~(the act)~~, establishes the State Air Resources Board ~~(state board)~~ as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit, as defined, to be achieved by 2020, equivalent to the statewide greenhouse gas emissions levels in 1990. The state board is additionally required to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. Pursuant to the act, the state board has adopted the Low Carbon Fuel Standard regulations.

This bill would require the state board, in determining the carbon intensity of fuels under the Low Carbon Fuel Standard regulations or another scoring system, to consider specified matters. *The bill would require the state board to identify, to the extent feasible, environmental laws and practices of the jurisdiction from which the fuel originates that may affect greenhouse gas emissions from the production and transportation of fuel. The bill would require the state board to solicit*

comments and consider and respond to evidence regarding specified significant effects caused by the Low Carbon Fuel Standard regulations.

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. Section 38566 is added to the Health and Safety
 2 Code, to read:

3 38566. (a) For purposes of this section, “Low Carbon Fuel
 4 Standard regulations” means those regulations adopted by the state
 5 board in Subarticle 7 (commencing with Section 95480) of Article
 6 4 of Subchapter 10 of Chapter 1 of Division 3 of Title 17 of the
 7 California Code of Regulations.

8 (b) In determining the carbon intensity of fuels under the Low
 9 Carbon Fuel Standard regulations or another scoring system, the
 10 state board shall consider ~~all of the following:~~ *greenhouse gas*
 11 *emissions associated with land use or other significant indirect*
 12 *effects identified by the state board, including, but not limited to,*
 13 *the impacts of potential or actual deforestation and the impacts*
 14 *of increased food shipping caused by food crop displacement.*

15 ~~(1) The life-cycle carbon intensity impacts of potential or actual~~
 16 ~~deforestation.~~

17 ~~(2)~~

18 (c) *The state board shall identify, to the extent feasible,*
 19 *environmental laws and practices of the jurisdiction from which*
 20 *the fuel originates that may affect greenhouse gas emissions from*
 21 *the production and transportation of fuel.*

22 (d) *The state board shall solicit comments and consider and*
 23 *respond to evidence regarding both of the following:*

24 ~~(3) Any disruptions or other~~

25 (1) *Significant effects upon food supply, food costs, and food*
 26 *shipping that could occur as a result of California policy caused*
 27 *by the Low Carbon Fuel Standard regulations.*

28 ~~(4) Changes to~~

29 (2) *Significant effects upon the local economy, including job*
 30 *loss or worker displacement, resulting from changes in the*

- 1 ~~production of a fuel~~ *caused by the Low Carbon Fuel Standard*
- 2 *regulations.*

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