

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 416

Introduced by Assembly Member Gordon

February 15, 2013

An act to add Chapter 3.6 (commencing with Section 39680) to Part 2 of Division 26 of the Health and Safety Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 416, as amended, Gordon. ~~California~~ *State* Air Resources Board: Local Emission Reduction Program.

Existing law designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution; and air pollution control districts and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources.

This bill would create the Local Emission Reduction Program and would require money to be available from the ~~general fund~~ *General Fund*, upon appropriation by the Legislature, for purposes of providing grants *and other financial assistance* to develop and implement greenhouse gas ~~emission~~ *emissions* reduction projects in the state. The bill would require the state board, *in coordination with the Strategic Growth Council*, to ~~award moneys under the program to eligible recipients, as specified, and would permit the state board to give consideration to the ability of a project to, among other things, create local job training and job creation benefits and provide opportunities to achieve greenhouse gas emission reduction in ways that increase localized energy resources~~ *administer the program, as specified.*

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) The reduction of greenhouse gas emissions is critical to
4 public health, safety, the economy, and the natural environment
5 that ~~California~~ residents rely on.

6 (b) State investments in local and regional greenhouse gas
7 emission reduction projects in this state help local communities
8 thrive, support the state’s emission-reduction and clean-energy
9 targets, lower the statewide unemployment rate, and spur new job
10 growth.

11 (c) ~~Incentivizing~~ *Providing incentives* to local governments to
12 plan and implement their own greenhouse gas emission reduction
13 efforts will assist the state to reach its emission-reduction targets
14 faster and more efficiently.

15 (d) Local greenhouse gas emission reduction initiatives best
16 recognize the particular reduction opportunities at the local level
17 and provide an opportunity to enhance the environment and
18 economy of local and regional places through multibenefit projects.

19 (e) Local governments are ~~well-suited~~ *well suited* to coordinate
20 and aggregate micro-, small-, community-, and regional-scale
21 projects that will help the state reach its environmental targets
22 while ~~incentivizing~~ *providing incentives* to investments and job
23 growth at the local level.

24 (f) It is the intent of the Legislature to promote investments in
25 local and regional greenhouse gas emission reduction projects.

26 SEC. 2. Chapter 3.6 (commencing with Section 39680) is added
27 to Part 2 of Division 26 of the Health and Safety Code, to read:
28

29 CHAPTER 3.6. LOCAL EMISSION REDUCTION PROGRAM
30

31 39680. (a) The Local Emission Reduction Program is hereby
32 created.

33 (b) Moneys shall be available from the ~~general fund~~ *General*
34 *Fund*, upon appropriation by the Legislature, for purposes of
35 carrying out this chapter.

1 (c) (1) The state board, in coordination with other state entities,
2 as appropriate, shall establish the Local Emission Reduction
3 Program to provide local assistance grants *and other financial*
4 *assistance* to eligible recipients for the purposes of developing and
5 implementing greenhouse gas ~~emission~~ *emissions* reduction
6 projects in this state.

7 (2) The state board, *in coordination with the Strategic Growth*
8 *Council*, shall administer the Local Emission Reduction Program.

9 (d) For purposes of this ~~chapter~~ *chapter*, “eligible recipient”
10 means a city, county, city and county, charter city, *charter county*,
11 metropolitan planning organization, regional climate authority,
12 special district, joint powers authority, air pollution control ~~and~~
13 *or* air quality management district, regional collaborative, or
14 nonprofit organization working in coordination with a local
15 government.

16 (e) The state board shall ~~award local assistance grants on a~~
17 ~~competitive basis based on the potential for greenhouse gas~~
18 ~~emission reductions, including sequestration, projects that~~
19 ~~demonstrate innovation and that result in replicable models with~~
20 ~~consideration of geographic and socioeconomic context.~~
21 ~~Consideration may also be given to the ability of a project or~~
22 ~~projects to do any develop standards and guidelines for the~~
23 ~~distribution of funds to reduce greenhouse gas emissions and to~~
24 ~~maximize the ability to achieve one or more of the following:~~

- 25 ~~(1) Create local job training and job creation benefits.~~
- 26 ~~(2)~~
- 27 (1) Decrease air or water pollution.
- 28 ~~(3)~~
- 29 (2) Reduce the consumption of natural resources or energy.
- 30 ~~(4)~~
- 31 (3) Provide opportunities to achieve greenhouse gas ~~emission~~
32 *emissions* reductions in ways that increase localized energy
33 resources.
- 34 (4) *Promote public-private partnerships to implement energy*
35 *efficiency and clean energy projects with financing incentives for*
36 *residential and commercial facilities.*
- 37 (5) Increase the reliability of local water supplies.
- 38 (6) Increase solid waste diversion from landfills.
- 39 (7) *Increase electric vehicle infrastructure.*
- 40 ~~(7)~~

1 (8) Achieve greenhouse gas ~~emission~~ *emissions* reductions in
2 ways that reduce vehicle miles traveled.

3 ~~(8)~~

4 (9) Prevent ~~conservation~~ *conversion* of agricultural, forest, and
5 open space lands to uses that result in higher greenhouse gas
6 emissions.

7 (f) *In evaluating potential projects to be funded pursuant to this*
8 *chapter, the state board and the Strategic Growth Council shall*
9 *give priority to projects that demonstrate one or more of the*
10 *following characteristics:*

- 11 (1) *Regional implementation.*
- 12 (2) *The ability to leverage additional public and private funding.*
- 13 (3) *The potential for cobenefits or multibenefit attributes.*
- 14 (4) *The potential for the project or program to be replicated.*
- 15 (5) *Consideration of geographic and socioeconomic issues.*

16 ~~(f)~~

17 (g) The state board shall ensure that the Local Emission
18 Reduction Program provides opportunities for both small and large
19 population participants.

20 (h) *The state board, in coordination with the Strategic Growth*
21 *Council, shall ensure funding is available pursuant to this chapter*
22 *for both of the following:*

- 23 (1) *The development and implementation of innovative projects*
24 *that create new systems or technologies.*
- 25 (2) (A) *The implementation of existing, proven greenhouse gas*
26 *emissions reducing or sequestering projects, including, but not*
27 *limited to, those projects and programs already adopted by local*
28 *agencies.*
- 29 (B) *Projects receiving funding pursuant to subparagraph (A)*
30 *shall receive funding on a competitive basis.*

31 39681. The state board, in ~~coordination with other state~~
32 ~~agencies, as appropriate~~ *implementing a grant program pursuant*
33 *Section 39680, shall develop standards and guidelines to ensure*
34 *projects funded pursuant to this chapter maximize funds*
35 *appropriated, provide environmental and economic benefits, and*
36 *do not conflict with other areas of law.*