

AMENDED IN ASSEMBLY AUGUST 26, 2014

AMENDED IN ASSEMBLY AUGUST 22, 2014

AMENDED IN ASSEMBLY AUGUST 13, 2014

AMENDED IN ASSEMBLY AUGUST 12, 2014

SENATE BILL

No. 874

Introduced by Committee on Budget and Fiscal Review

January 9, 2014

An act to amend, repeal, and add Section 5956.10 of the Government Code, to amend Section 50661 of the Health and Safety Code, to amend Sections 25416 and 31111.5 ~~of of~~, and to add Section 5080.43 to, the Public Resources Code, to amend Section 379.6 of the Public Utilities Code, and to amend Sections 62 and 193 of Chapter 35 of the Statutes of 2014, relating to public resources, and making an appropriation therefor, to take effect immediately, bill related to the budget.

LEGISLATIVE COUNSEL'S DIGEST

SB 874, as amended, Committee on Budget and Fiscal Review. Public resources.

(1) Existing law authorizes a governmental agency to solicit proposals and enter into agreements with private entities for the design, construction, or reconstruction of, and to lease to private entities, specified types of fee-producing infrastructure projects. Existing law prohibits a state agency or specified governmental agencies from using this authorization to design, construct, finance, or operate a state project, as specified.

This bill, until December 31, 2019, would specify that a state project, for these purposes, does not include a governmental agency project

financed through the State Water Pollution Control Revolving Fund or the Safe Drinking Water State Revolving Fund.

(2) Existing law creates the Housing Rehabilitation Loan Fund and continuously appropriates moneys in the fund for, among other purposes, making specified deferred payment housing rehabilitation loans. Prior to June 20, 2014, existing law authorized, to the extent no other funding sources were available, \$10,000,000 in the fund to be used by the department for the purpose of providing housing rental-related subsidies to persons rendered homeless, or at risk of becoming homeless, due to unemployment, underemployment, or other economic hardship resulting from the state of emergency proclaimed by the Governor based on drought conditions.

This bill would, to the extent no other funding sources are available, reauthorize that \$10,000,000 in the fund to be used by the department for the above-stated purposes.

(3) *Existing law vests with the Department of Parks and Recreation control of the state park system. Existing law authorizes the department to enter into an agreement with specified nonprofit organizations for the development, improvement, restoration, care, maintenance, administration, or operation of a unit, or portion of a unit, of the state park system, subject to certain conditions.*

This bill would authorize the department to enter into a restoration agreement with the Leland Stanford Mansion Foundation, a nonprofit organization, for the purpose of restoring the front staircase at the Leland Stanford Mansion State Historical Park, as specified.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Leland Stanford Mansion State Historical Park.

(3)

(4) The Energy Conservation Assistance Act of 1979 establishes the State Energy Conservation Assistance Account, a continuously appropriated account, that is administered by the State Energy Resources Conservation and Development Commission to provide grants and loans to various public entities to maximize energy use savings in existing and planned buildings and facilities. Existing law, the Budget Act of 2014, transfers, upon order of the Director of Finance, moneys from the Greenhouse Gas Reduction Fund to the account for those purposes.

This bill would create a continuously appropriated subaccount within the State Energy Conservation Assistance Account to track the award and repayment of loans made with moneys transferred from the

Greenhouse Gas Reduction Fund, as specified. The bill would authorize moneys in the subaccount to be used for loans only for projects in buildings owned and operated by a state agency or entity, including, without limitation, the University of California and California State University.

~~(4)~~

(5) Existing law establishes the State Coastal Conservancy in the Natural Resources Agency with prescribed powers and responsibilities for implementing a program of agricultural land protection, area restoration, and resources enhancement within the coastal zone, as defined. Existing law authorizes the conservancy, for the purpose of implementing the provisions governing the conservancy, to award a grant to a for-profit entity to accomplish the removal or alteration of the San Clemente Dam under specified conditions. Existing law limits the total expenditures of state moneys for the removal or alteration of the San Clemente Dam and related activities to not more than \$25,000,000.

This bill would increase the limit on the total expenditure of state moneys for the removal or alteration of the San Clemente Dam and related activities to not more than \$30,000,000.

~~(5) Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations, as defined. Existing law requires the Public Utilities Commission to require the administration, until January 1, 2021, of a self-generation incentive program for distributed generation resources. Existing law limits eligibility for incentives under the self-generation incentive program to distributed energy resources that the Public Utilities Commission, in consultation with the State Air Resources Board, determines will achieve reductions in emissions of greenhouse gases pursuant to the California Global Warming Solutions Act of 2006.~~

~~This bill would modify the eligibility requirements for incentives under the self-generation incentive program, as specified. The bill also would modify the performance measures used in Public Utilities Commission's evaluation of the overall success and impact of the self-generation incentive program, as specified.~~

(6) Existing law, the Budget Act of 2014, appropriates the unencumbered balance of specified moneys appropriated in the Budget Act of 2003 for the State Department of Public Health to the State Water Resources Control Board for encumbrance or expenditure until June 30, 2016, for the purposes of providing grants of up to \$500,000 per

project for public water systems to address drought-related drinking water emergencies or threatened emergencies.

This bill would make those moneys available for liquidation until June 30, 2018.

This bill also would make conforming changes.

(7) The California Global Warming Solutions Act of 2006 designates the State Air Resources 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 to be achieved by 2020 equivalent to the statewide greenhouse gas emissions levels in 1990. Existing law authorizes the state board to adopt a schedule of fees to be paid by the sources of greenhouse gas emissions regulated pursuant to the act and requires those fees to be deposited in the Cost of Implementation Account. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions. The act requires the scoping plan to be updated at least once every 5 years.

This bill would appropriate \$529,000 from the Cost of Implementation Account to the Secretary of the Natural Resources Agency for the purpose of implementing elements of the scoping plan adopted by the State Air Resources Board.

(8) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

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

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

- 1 SECTION 1. Section 5956.10 of the Government Code is
 2 amended to read:
 3 5956.10. (a) Notwithstanding any other provision of this
 4 chapter, neither the state or any state agency shall directly or
 5 indirectly use the authority in this chapter nor shall any
 6 governmental agency, as defined in Section 5956.3, use the
 7 authority in this chapter to design, construct, finance, or operate
 8 a state project. For purposes of this section, a state project includes
 9 any of the following:
 10 (1) Toll roads on state highways.
 11 (2) State water projects.

1 (3) State park and recreation projects.

2 (4) State financed projects.

3 (b) These limitations shall not prohibit the state, any state
4 agency, or any governmental agency, as defined in Section 5956.3,
5 from utilizing authorizations contained in other provisions of law.

6 (c) For purposes of this section, a state project does not include
7 a governmental agency project financed through the State Water
8 Pollution Control Revolving Fund, established pursuant to Section
9 13477 of the Water Code, or the Safe Drinking Water State
10 Revolving Fund, established pursuant to Section 116760.30 of the
11 Health and Safety Code.

12 (d) This section shall become inoperative on December 31,
13 2019, and, as of January 1, 2020, is repealed, unless a later enacted
14 statute, that becomes operative on or before January 1, 2020,
15 deletes or extends the dates on which it becomes inoperative and
16 is repealed.

17 SEC. 2. Section 5956.10 is added to the Government Code, to
18 read:

19 5956.10. (a) Notwithstanding any other provision of this
20 chapter, neither the state or any state agency shall directly or
21 indirectly use the authority in this chapter nor shall any
22 governmental agency, as defined in Section 5956.3, use the
23 authority in this chapter to design, construct, finance, or operate
24 a state project. For purposes of this section, a state project includes
25 any of the following:

26 (1) Toll roads on state highways.

27 (2) State water projects.

28 (3) State park and recreation projects.

29 (4) State financed projects.

30 (b) These limitations shall not prohibit the state, any state
31 agency, or any governmental agency, as defined in Section 5956.3,
32 from utilizing authorizations contained in other provisions of law.

33 (c) This section shall become operative on January 1, 2020.

34 SEC. 3. Section 50661 of the Health and Safety Code is
35 amended to read:

36 50661. (a) There is hereby created in the State Treasury the
37 Housing Rehabilitation Loan Fund. All interest or other increments
38 resulting from the investment of moneys in the Housing
39 Rehabilitation Loan Fund shall be deposited in the fund,
40 notwithstanding Section 16305.7 of the Government Code.

1 Notwithstanding Section 13340 of the Government Code, all
2 money in the fund is continuously appropriated to the department
3 for the following purposes:

4 (1) For making deferred-payment rehabilitation loans for
5 financing all or a portion of the cost of rehabilitating existing
6 housing to meet rehabilitation standards as provided in this chapter.

7 (2) For making deferred payment loans as provided in Sections
8 50668.5, 50669, and 50670.

9 (3) For making deferred payment loans pursuant to Sections
10 50662.5 and 50671.

11 (4) Subject to the restrictions of Section 53131, if applicable,
12 for administrative expenses of the department made pursuant to
13 this chapter, Article 3 (commencing with Section 50693) of Chapter
14 7.5, and Chapter 10 (commencing with Section 50775).

15 (5) For related administrative costs of nonprofit corporations
16 and local public entities contracting with the department pursuant
17 to Section 50663 in an amount, if any, as determined by the
18 department, to enable the entities and corporations to implement
19 a program pursuant to this chapter. The department shall ensure
20 that not less than 20 percent of the funds loaned pursuant to this
21 chapter shall be allocated to rural areas. For purposes of this
22 chapter, “rural area” shall have the same meaning as in Section
23 50199.21.

24 (6) To the extent no other funding sources are available, ten
25 million dollars (\$10,000,000), as provided in Section 4 of Chapter
26 3 of the Statutes of 2014, may be used for the purposes of Section
27 34085.

28 (b) There shall be paid into the fund the following:

29 (1) Any moneys appropriated and made available by the
30 Legislature for purposes of the fund.

31 (2) Any moneys that the department receives in repayment of
32 loans made from the fund, including any interest thereon.

33 (3) Any other moneys that may be made available to the
34 department for the purposes of this chapter from any other source
35 or sources.

36 (4) Moneys transferred or deposited to the fund pursuant to
37 Sections 50661.5 and 50778.

38 (c) Notwithstanding any other law, any interest or other
39 increment earned by the investment or deposit of moneys
40 appropriated by subdivision (b) of Section 3 of Chapter 2 of the

1 Statutes of the 1987–88 First Extraordinary Session, or Section 7
2 of Chapter 4 of the Statutes of the 1987–88 First Extraordinary
3 Session, shall be deposited in a special account in the Housing
4 Rehabilitation Loan Fund and shall be used exclusively for
5 purposes of Sections 50662.5 and 50671.

6 (d) Notwithstanding any other law, effective with the date of
7 the act adding this subdivision, appropriations authorized by the
8 Budget Act of 1996 for support of the Department of Housing and
9 Community Development from the California Disaster Housing
10 Repair Fund and the California Homeownership Assistance Fund
11 shall instead be authorized for expenditure from the Housing
12 Rehabilitation Loan Fund.

13 (e) Effective July 1, 2014, the California Housing Trust Fund
14 in the State Treasury is abolished and any remaining balance,
15 assets, liabilities, and encumbrances shall be transferred to, and
16 become part of, the Housing Rehabilitation Loan Fund.
17 Notwithstanding Section 13340 of the Government Code, all
18 transferred amounts are continuously appropriated to the
19 department for the purpose of satisfying any liabilities and
20 encumbrances and the purposes specified in this section.

21 *SEC. 4. Section 5080.43 is added to the Public Resources Code,*
22 *to read:*

23 *5080.43. (a) Notwithstanding any other provision of this article*
24 *or Article 3 (commencing with Section 5080.50), the department*
25 *may enter into a restoration agreement with the Leland Stanford*
26 *Mansion Foundation, a nonprofit organization, for the purpose*
27 *of restoring the front staircase at the Leland Stanford Mansion*
28 *State Historical Park. The agreement shall include, but shall not*
29 *be limited to, all of the following:*

30 *(1) A requirement that the restoration shall follow the United*
31 *States Secretary of the Interior’s Standards for the Treatment of*
32 *Historic Properties guidelines and the guidelines set forth by the*
33 *American Institute for Conservation of Historic and Artistic Works.*

34 *(2) A requirement that the restoration also shall comply with*
35 *any applicable code of ethics or guidelines for practice governing*
36 *the rehabilitation and preservation of historical sites and buildings.*
37 *All plans for the work, the work in process, and the finished work*
38 *shall be audited by the department.*

39 *(3) All costs of the restoration of the front staircase at the Leland*
40 *Stanford Mansion State Historical Park shall be incurred under*

1 *the authority of, and be the responsibility of, the Leland Stanford*
2 *Mansion Foundation.*

3 *(b) Nothing in this section shall preclude the Leland Stanford*
4 *Mansion Foundation from contracting for work performed by an*
5 *individual or entity on a paid or for-profit basis.*

6 ~~SEC. 4.~~

7 SEC. 5. Section 25416 of the Public Resources Code is
8 amended to read:

9 25416. (a) The State Energy Conservation Assistance Account
10 is hereby created in the General Fund. Notwithstanding Section
11 13340 of the Government Code, the account is continuously
12 appropriated to the commission without regard to fiscal year.

13 (b) The money in the account shall consist of all moneys
14 authorized or required to be deposited in the account by the
15 Legislature and all moneys received by the commission pursuant
16 to Sections 25414 and 25415.

17 (c) The moneys in the account shall be disbursed by the
18 Controller for the purposes of this chapter as authorized by the
19 commission.

20 (d) The commission may contract and provide grants for services
21 to be performed for eligible institutions. Services may include, but
22 are not limited to, feasibility analysis, project design, field
23 assistance, and operation and training. The amount expended for
24 those services shall not exceed 10 percent of the unencumbered
25 balance of the account as determined by the commission on July
26 1 of each year.

27 (e) The commission may make grants to eligible institutions for
28 innovative projects and programs. Except as provided in
29 subdivision (d), the amount expended for grants shall not exceed
30 5 percent of the annual unencumbered balance in the account as
31 determined by the commission on July 1 of each fiscal year.

32 (f) The commission may charge a fee for the services provided
33 under subdivision (d).

34 (g) Notwithstanding any other law, the Controller may use the
35 State Energy Conservation Assistance Account for loans to the
36 General Fund as provided in Sections 16310 and 16381 of the
37 Government Code.

38 (h) (1) A subaccount is hereby created within the State Energy
39 Conservation Assistance Account to track the award and repayment
40 of loans, including principal, interest, and interest earnings on or

1 accruing to the subaccount, made with moneys transferred to the
2 account from the Greenhouse Gas Reduction Fund, created
3 pursuant to Section 16428.8 of the Government Code.
4 Notwithstanding Section 13340 of the Government Code, the
5 subaccount is hereby continuously appropriated to the commission
6 without regard to fiscal year.

7 (2) Moneys deposited in the subaccount may be used for loans
8 only for projects in buildings owned and operated by a state agency
9 or entity, including, without limitation, the University of California
10 and California State University.

11 (3) Notwithstanding Section 39718 of the Health and Safety
12 Code, a repayment of a loan made pursuant to this chapter with
13 moneys transferred from the Greenhouse Gas Reduction Fund
14 shall be deposited in the subaccount and shall be available for a
15 loan made to an entity eligible for these moneys pursuant to this
16 subdivision.

17 ~~SEC. 5.~~

18 *SEC. 6.* Section 31111.5 of the Public Resources Code is
19 amended to read:

20 31111.5. (a) In implementing this division, the conservancy
21 may award a grant to a for-profit entity to accomplish the removal
22 or alteration of the San Clemente Dam if the conservancy finds
23 that the project is of regional or statewide significance and that a
24 grant to a public agency or nonprofit organization would not
25 achieve removal or alteration of the San Clemente Dam.

26 (b) Notwithstanding subdivision (a), total expenditures of state
27 moneys for the removal or alteration of the San Clemente Dam
28 and related activities shall not exceed thirty million dollars
29 (\$30,000,000).

30 ~~SEC. 6.~~ Section 379.6 of the Public Utilities Code is amended
31 to read:

32 ~~379.6. (a) (1) It is the intent of the Legislature that the~~
33 ~~self-generation incentive program increase deployment of~~
34 ~~distributed generation and energy storage systems to facilitate the~~
35 ~~integration of those resources into the electrical grid, improve~~
36 ~~efficiency and reliability of the distribution and transmission~~
37 ~~system, and reduce emissions of greenhouse gases, peak demand,~~
38 ~~and ratepayer costs. It is the further intent of the Legislature that~~
39 ~~the commission, in future proceedings, provide for an equitable~~
40 ~~distribution of the costs and benefits of the program.~~

1 ~~(2) The commission, in consultation with the Energy~~
2 ~~Commission, may authorize the annual collection of not more than~~
3 ~~the amount authorized for the self-generation incentive program~~
4 ~~in the 2008 calendar year, through December 31, 2019. The~~
5 ~~commission shall require the administration of the program for~~
6 ~~distributed energy resources originally established pursuant to~~
7 ~~Chapter 329 of the Statutes of 2000 until January 1, 2021. On~~
8 ~~January 1, 2021, the commission shall provide repayment of all~~
9 ~~unallocated funds collected pursuant to this section to reduce~~
10 ~~ratepayer costs.~~

11 ~~(3) The commission shall administer solar technologies~~
12 ~~separately, pursuant to the California Solar Initiative adopted by~~
13 ~~the commission in Decisions 05-12-044 and 06-01-024, as modified~~
14 ~~by Article 1 (commencing with Section 2851) of Chapter 9 of Part~~
15 ~~2 of Division 1 of this code and Chapter 8.8 (commencing with~~
16 ~~Section 25780) of Division 15 of the Public Resources Code.~~

17 ~~(b) (1) Eligibility for incentives under the self-generation~~
18 ~~incentive program shall be limited to distributed energy resources~~
19 ~~that the commission, in consultation with the State Air Resources~~
20 ~~Board, determines will achieve reductions in emissions of~~
21 ~~greenhouse gases pursuant to the California Global Warming~~
22 ~~Solutions Act of 2006 (Division 25.5 (commencing with Section~~
23 ~~38500) of the Health and Safety Code).~~

24 ~~(2) On or before July 1, 2015, the commission shall update the~~
25 ~~factor for avoided greenhouse gas emissions based on the most~~
26 ~~recent data available to the State Air Resources Board for~~
27 ~~greenhouse gas emissions from electricity sales in the~~
28 ~~self-generation incentive program administrators' service areas as~~
29 ~~well as current estimates of greenhouse gas emissions over the~~
30 ~~useful life of the distributed energy resource, including~~
31 ~~consideration of the effects of the California Renewables Portfolio~~
32 ~~Standard.~~

33 ~~(c) Eligibility for the funding of any combustion-operated~~
34 ~~distributed generation projects using fossil fuel is subject to all of~~
35 ~~the following conditions:~~

36 ~~(1) An oxides of nitrogen (NO_x) emissions rate standard of 0.07~~
37 ~~pounds per megawatt-hour and a minimum efficiency of 60 percent,~~
38 ~~or any other NO_x emissions rate and minimum efficiency standard~~
39 ~~adopted by the State Air Resources Board. A minimum efficiency~~
40 ~~of 60 percent shall be measured as useful energy output divided~~

1 by fuel input. The efficiency determination shall be based on 100
2 percent load.

3 ~~(2) Combined heat and power units that meet the 60-percent~~
4 ~~efficiency standard may take a credit to meet the applicable NO_x~~
5 ~~emissions standard of 0.07 pounds per megawatthour. Credit shall~~
6 ~~be at the rate of one megawatthour for each 3,400,000 British~~
7 ~~thermal units (Btus) of heat recovered.~~

8 ~~(3) The customer receiving incentives shall adequately maintain~~
9 ~~and service the combined heat and power units so that during~~
10 ~~operation the system continues to meet or exceed the efficiency~~
11 ~~and emissions standards established pursuant to paragraphs (1)~~
12 ~~and (2).~~

13 ~~(4) Notwithstanding paragraph (1), a project that does not meet~~
14 ~~the applicable NO_x emissions standard is eligible if it meets both~~
15 ~~of the following requirements:~~

16 ~~(A) The project operates solely on waste gas. The commission~~
17 ~~shall require a customer that applies for an incentive pursuant to~~
18 ~~this paragraph to provide an affidavit or other form of proof that~~
19 ~~specifies that the project shall be operated solely on waste gas.~~
20 ~~Incentives awarded pursuant to this paragraph shall be subject to~~
21 ~~refund and shall be refunded by the recipient to the extent the~~
22 ~~project does not operate on waste gas. As used in this paragraph,~~
23 ~~“waste gas” means natural gas that is generated as a byproduct of~~
24 ~~petroleum production operations and is not eligible for delivery~~
25 ~~to the utility pipeline system.~~

26 ~~(B) The air quality management district or air pollution control~~
27 ~~district, in issuing a permit to operate the project, determines that~~
28 ~~operation of the project will produce an onsite net air emissions~~
29 ~~benefit compared to permitted onsite emissions if the project does~~
30 ~~not operate. The commission shall require the customer to secure~~
31 ~~the permit prior to receiving incentives.~~

32 ~~(d) In determining the eligibility for the self-generation incentive~~
33 ~~program, minimum system efficiency shall be determined either~~
34 ~~by calculating electrical and process heat efficiency as set forth in~~
35 ~~Section 216.6, or by calculating overall electrical efficiency.~~

36 ~~(e) Eligibility for incentives under the program shall be limited~~
37 ~~to distributed energy resource technologies that the commission~~
38 ~~determines meet all of the following requirements:~~

- 1 ~~(1) The distributed energy resource technology is capable of~~
2 ~~reducing demand from the grid by offsetting or shifting some or~~
3 ~~all of the customer's onsite energy load.~~
- 4 ~~(2) The distributed energy resource technology is commercially~~
5 ~~available.~~
- 6 ~~(3) The distributed energy resource technology safely utilizes~~
7 ~~the existing transmission and distribution system.~~
- 8 ~~(4) The distributed energy resource technology improves air~~
9 ~~quality by reducing criteria air pollutants.~~
- 10 ~~(f) Recipients of the self-generation incentive program funds~~
11 ~~shall provide relevant data to the commission and the State Air~~
12 ~~Resources Board, upon request, and shall be subject to onsite~~
13 ~~inspection to verify equipment operation and performance,~~
14 ~~including capacity, thermal output, and usage to verify criteria air~~
15 ~~pollutant and greenhouse gas emissions performance.~~
- 16 ~~(g) In administering the self-generation incentive program, the~~
17 ~~commission shall determine a capacity factor for each distributed~~
18 ~~generation system energy resource technology in the program.~~
- 19 ~~(h) (1) In administering the self-generation incentive program,~~
20 ~~the commission may adjust the amount of rebates and evaluate~~
21 ~~other public policy interests, including, but not limited to,~~
22 ~~ratepayers, energy efficiency, peak load reduction, load~~
23 ~~management, and environmental interests.~~
- 24 ~~(2) The commission shall consider the relative amount and the~~
25 ~~cost of greenhouse gas emissions reductions, peak demand~~
26 ~~reductions, system reliability benefits, and other measurable factors~~
27 ~~when allocating program funds between eligible technologies.~~
- 28 ~~(i) The commission shall ensure that distributed generation~~
29 ~~resources are made available in the program for all ratepayers.~~
- 30 ~~(j) In administering the self-generation incentive program, the~~
31 ~~commission shall provide an additional incentive of 20 percent~~
32 ~~from existing program funds for the installation of eligible~~
33 ~~distributed generation resources manufactured in California.~~
- 34 ~~(k) The costs of the program adopted and implemented pursuant~~
35 ~~to this section shall not be recovered from customers participating~~
36 ~~in the California Alternate Rates for Energy (CARE) program.~~
- 37 ~~(l) The commission shall evaluate the overall success and impact~~
38 ~~of the self-generation incentive program based on the following~~
39 ~~performance measures:~~
- 40 ~~(1) The amount of reductions of emissions of greenhouse gases.~~

1 ~~(2) The amount of reductions of emissions of criteria air~~
2 ~~pollutants measured in terms of avoided emissions and reductions~~
3 ~~of criteria air pollutants represented by emissions credits secured~~
4 ~~for project approval.~~

5 ~~(3) The amount of energy reductions measured in energy value.~~

6 ~~(4) The amount of reductions of customer peak demand.~~

7 ~~(5) The ratio of the electricity generated by distributed energy~~
8 ~~resource generation projects receiving incentives from the program~~
9 ~~to the electricity capable of being produced by those distributed~~
10 ~~energy resource projects, commonly known as a capacity factor.~~

11 ~~(6) The value to the electrical transmission and distribution~~
12 ~~system measured in avoided costs of transmission and distribution~~
13 ~~upgrades and replacement.~~

14 ~~(7) The ability to improve onsite electricity reliability as~~
15 ~~compared to onsite electricity reliability before the self-generation~~
16 ~~incentive program technology was placed in service.~~

17 SEC. 7. Section 62 of Chapter 35 of the Statutes of 2014 is
18 amended to read:

19 Sec. 62. It is the intent of the Legislature that the reorganization
20 and transfer made by Sections 63 to 127, inclusive, Section 181,
21 Section 182, Sections 187 to 191, inclusive, and Section 193 of
22 this act be carried out in a manner to preserve state primacy under
23 the federal Safe Drinking Water Act and that the terms of this act
24 shall be liberally construed to achieve this purpose.

25 SEC. 8. Section 193 of Chapter 35 of the Statutes of 2014 is
26 amended to read:

27 Sec. 193. Notwithstanding any other law, the balance of the
28 appropriation provided for in Item 4265-111-0001 of Chapter 2
29 of the Statutes of 2014, for the purposes specified in Provision 3
30 of that item, is hereby appropriated to the State Water Resources
31 Control Board, as of June 30, 2014. These funds shall be available
32 for encumbrance or expenditure until June 30, 2016, and available
33 for liquidation until June 30, 2018, for purposes consistent with
34 subdivisions (a) and (c) of Section 75021 of the Public Resources
35 Code for grants pursuant to the Public Water System Drought
36 Emergency Funding Guidelines adopted by the State Department
37 of Public Health on March 28, 2014, for public water systems to
38 address drought-related drinking water emergencies. The State
39 Water Resources Control Board shall make every effort to use
40 other funds available to address drinking water emergencies,

1 including federal funds made available for the drought, prior to
2 using the funds specified in this section.

3 SEC. 9. The sum of five hundred twenty-nine thousand dollars
4 (\$529,000) is hereby appropriated from the Cost of Implementation
5 Account, established pursuant to Section 16428.95 of the
6 Government Code, to the Secretary of the Natural Resources
7 Agency for the purpose of implementing elements of the scoping
8 plan adopted by the State Air Resources Board pursuant to Section
9 38561 of the Health and Safety Code.

10 SEC. 10. For purposes of Section 4 of this act, the Legislature
11 finds and declares both of the following:

12 (a) A special law is necessary and a general law cannot be made
13 applicable within the meaning of Section 16 of Article IV of the
14 California Constitution because of the unique circumstances
15 involving the Leland Stanford Mansion State Historical Park.

16 (b) The Leland Stanford Mansion Foundation is a nonprofit
17 organization that has raised nearly half the moneys for the
18 restoration of the mansion now operated as the Leland Stanford
19 Mansion State Historical Park. The Leland Stanford Mansion
20 Foundation now desires to retain a contractor and pay for the
21 restoration of the historic front staircase, which is in a severe state
22 of disrepair and needs work to commence as soon as possible.

23 ~~SEC. 10.~~

24 SEC. 11. This act is a bill providing for appropriations related
25 to the Budget Bill within the meaning of subdivision (e) of Section
26 12 of Article IV of the California Constitution, has been identified
27 as related to the budget in the Budget Bill, and shall take effect
28 immediately.