

AMENDED IN SENATE MAY 10, 2016
AMENDED IN SENATE APRIL 25, 2016
AMENDED IN SENATE MARCH 28, 2016

SENATE BILL

No. 970

Introduced by Senator Leyva

February 8, 2016

An act to amend Section 42999 of the Public Resources Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

SB 970, as amended, Leyva. Greenhouse Gas Reduction Fund: grant program: recyclable materials.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature.

Existing law requires certain moneys appropriated by the Legislature from the Greenhouse Gas Reduction Fund to be used by the Department of Resources Recycling and Recovery for a grant program to provide financial assistance to reduce greenhouse gas emissions by promoting in-state development of infrastructure to process organic and other recyclable materials into new, value-added products.

This bill would require the department, in awarding a grant *for organics composting or anaerobic digestion* under the program, to consider, among other things, the amount of greenhouse gas emissions reductions that may result from the project and the amount of organic material that may be diverted from landfills as a result of the project.

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 42999 of the Public Resources Code is
2 amended to read:

3 42999. (a) Any additional funds appropriated by the
4 Legislature from the Greenhouse Gas Reduction Fund, established
5 pursuant to Section 16428.8 of the Government Code, to the
6 department shall be used to administer a grant program to provide
7 financial assistance to reduce greenhouse gas emissions by
8 promoting in-state development of infrastructure to process
9 organics and other recyclable materials into new value-added
10 products. The moneys shall be expended consistent with the
11 requirements of Article 9.7 (commencing with Section 16428.8)
12 of Chapter 2 of Part 2 of Division 4 of Title 2 of the Government
13 Code and Chapter 4.1 (commencing with Section 39710) of Part
14 2 of Division 26 of the Health and Safety Code.

15 (b) From moneys appropriated for purposes of this section, the
16 department shall provide grants, incentive payments, contracts, or
17 other funding mechanisms to public and private entities located
18 in the state for any of the following:

- 19 (1) Organics composting.
- 20 (2) Anaerobic digestion.
- 21 (3) Recyclable material manufacturing infrastructure projects
22 or other related activities that reduce greenhouse gas emissions.

23 (c) For purposes of this section, eligible infrastructure projects
24 that reduce greenhouse gas emissions include, but are not limited
25 to, any of the following:

- 26 (1) Capital investments in new facilities and increased
27 throughput at existing facilities for activities, such as converting
28 windrow composting to aerated-static-pile composting to use food
29 waste as feedstock.

1 (2) Designing and constructing anaerobic digestion facilities to
2 produce biofuels and bioenergy.

3 (3) Designing and constructing facilities for processing
4 recyclable materials.

5 (d) In awarding a grant *for organics composting or anaerobic*
6 *digestion* pursuant to this section, the department shall consider
7 all of the following:

8 (1) The amount of greenhouse gas emissions reductions that
9 may result from the project.

10 (2) The amount of organic material that may be diverted from
11 landfills as a result of the project.

12 (3) If, and how, the project may benefit disadvantaged
13 communities.

14 (4) Project readiness and permitting that the project may require.

15 (5) Air and water quality benefits that the project may provide.

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