

AMENDED IN ASSEMBLY MAY 14, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 69

Introduced by Assembly Member Wright

December 13, 2000

An act to amend Section 12078 of the Government Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 69, as amended, Wright. Environmental quality.

Existing law establishes the Governor's Clean Energy GREEN TEAM, which provides assistance to persons proposing to construct powerplants.

This bill would require the GREEN TEAM to make the repowering of existing powerplants a top priority, and would require it to ensure that any expedited repowering is subject to conditions that ensure a reduction in the environmental impacts of the facility. The bill would also require the GREEN TEAM to encourage regulatory agencies to promote and accelerate the repowering of existing powerplants within their existing authority.

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. (a) The Legislature hereby finds and declares
- 2 all of the following:

1 (1) The state has an abundance of aging fossil-fuel
2 powerplants.

3 (2) New technologies exist that are more efficient and that
4 provide superior protection to the environment.

5 (3) These new technologies can substantially reduce air
6 emissions and other pollutants emitted by aging powerplants.

7 (4) Repowering aging powerplants helps minimize the
8 environmental damage caused by those powerplants, and
9 conserves land by utilizing existing powerplants rather than
10 constructing new plants.

11 (5) Repowering aging powerplants could save residents of the
12 state as much as \$1.5 billion per year by reducing wholesale
13 electric costs.

14 (b) It is, therefore, the intent of the Legislature to encourage the
15 repowering of existing powerplants in a manner that accomplishes
16 all of the following:

17 (1) Subjects the repowering to conditions that would ensure
18 reductions in the air emissions and water discharge impacts of
19 those powerplants.

20 (2) Increases the power production of those powerplants,
21 without compromising existing environmental protections.

22 (3) Yields a net improvement in environmental quality.

23 SEC. 2. Section 12078 of the Government Code is amended
24 to read:

25 12078. (a) There is hereby established the Governor's Clean
26 Energy GREEN TEAM, which shall consist of a chairperson and
27 not more than 15 members as follows:

28 (1) The Chair of the Electricity Oversight Board.

29 (2) The President of the California Public Utilities
30 Commission.

31 (3) The Chair of the Energy Resources Conservation and
32 Development Commission.

33 (4) The Secretary for Environmental Protection.

34 (5) The Secretary of the Resources Agency.

35 (6) The Secretary of the Trade and Commerce Agency.

36 (7) The Director of the Governor's Office of Planning and
37 Research.

38 (8) Representatives from the United States Environmental
39 Protection Agency, the United States Fish and Wildlife Service,
40 and other affected federal agencies appointed by the Governor.

(9) Representatives of local and regional agencies, including, but not limited to, air pollution control districts and air quality management districts appointed by the Governor.

(b) Prior to ~~December 6, 2000~~ *January 1, 2002*, the GREEN TEAM shall do all of the following:

(1) Compile and, upon request, make available to persons proposing to construct powerplants, all available guidance documents and other information on the environmental effects associated with powerplants proposed to be certified pursuant to Division 15 (commencing with Section 25000) of the Public Resources Code, and including state-of-the-art and best available control technologies and air emissions offsets that could be used to mitigate those environmental effects.

(2) Upon request, provide assistance to persons proposing to construct powerplants in obtaining essential inputs, including, but not limited to, natural gas supply, emission offsets, and necessary water supply.

(3) Upon request, provide assistance to persons proposing to construct powerplants pursuant to Chapter 6 (commencing with Section 25500) of Division 15 of the Public Resources Code in identifying the environmental effects of ~~such~~ *those* powerplants and any actions the person may take to mitigate those effects.

(4) Upon request, provide assistance to persons proposing to construct powerplants in working with local governments in ensuring that local permits, land use authorizations, and other approvals made at the local level are undertaken in the most expeditious manner feasible without compromising public participation or environmental protection.

(5) Develop recommendations for low- or zero-interest financing programs for renewable energy, including distributed renewable energy for state and nonprofit corporations.

(c) The GREEN TEAM shall do all of the following:

(1) Make the expedited repowering of existing powerplants in the state a top priority consistent with ensuring that those plants operate in a manner that lessens their impact on the environment.

(2) Encourage all regulatory agencies in the state with jurisdiction over those powerplants to take all actions within their respective authority to promote and accelerate the repowering of existing powerplants and to do so in a manner that lessens their impact on the environment.

- 1 (d) This section shall remain in effect only until January 1,
- 2 2004, and as of that date is repealed, unless a later enacted statute,
- 3 that is enacted before January 1, 2004, deletes or extends that date.

