

Introduced by Senator Ashburn

February 14, 2007

An act to amend Section 38561 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 247, as introduced, Ashburn. Greenhouse gases.

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 that cause global warming in order to reduce emissions of greenhouse gases. Under the act, the state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels in 1990 to be achieved by 2020, and requires the state board to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions.

This bill would make a technical, nonsubstantive change to these provisions of law.

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

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

- 1 SECTION 1. Section 38561 of the Health and Safety Code is
- 2 amended to read:
- 3 38561. (a) On or before January 1, 2009, the state board shall
- 4 prepare and approve a scoping plan, as that term is understood by
- 5 the state board, for achieving the maximum technologically feasible

1 and cost-effective reductions in greenhouse gas emissions from
2 sources or categories of sources of greenhouse gases by 2020 under
3 this division. The state board shall consult with all state agencies
4 with jurisdiction over sources of greenhouse gases, including the
5 Public Utilities Commission and the State Energy Resources
6 Conservation and Development Commission, on all elements of
7 its plan that pertain to energy related matters including, but not
8 limited to, electrical generation, load based-standards or
9 requirements, the provision of reliable and affordable electrical
10 service, petroleum refining, and statewide fuel supplies to ensure
11 the greenhouse gas emissions reduction activities to be adopted
12 and implemented by the state board are complementary,
13 nonduplicative, and can be implemented in an efficient and
14 cost-effective manner.

15 (b) The plan shall identify and make recommendations on direct
16 emission reduction measures, alternative compliance mechanisms,
17 market-based compliance mechanisms, and potential monetary
18 and nonmonetary incentives for sources and categories of sources
19 that the state board finds ~~are~~ necessary or desirable to facilitate
20 the achievement of the maximum feasible and cost-effective
21 reductions of greenhouse gas emissions by 2020.

22 (c) In making the determinations required by subdivision (b),
23 the state board shall consider all relevant information pertaining
24 to greenhouse gas emissions reduction programs in other states,
25 localities, and nations, including the northeastern states of the
26 United States, Canada, and the European Union.

27 (d) The state board shall evaluate the total potential costs and
28 total potential economic and noneconomic benefits of the plan for
29 reducing greenhouse gases to California's economy, environment,
30 and public health, using the best available economic models,
31 emission estimation techniques, and other scientific methods.

32 (e) In developing its plan, the state board shall take into account
33 the relative contribution of each source or source category to
34 statewide greenhouse gas emissions, and the potential for adverse
35 effects on small businesses, and shall recommend a de minimis
36 threshold of greenhouse gas emissions below which emission
37 reduction requirements will not apply.

38 (f) In developing its plan, the state board shall identify
39 opportunities for emission reductions measures from all verifiable

1 and enforceable voluntary actions, including, but not limited to,
2 carbon sequestration projects and best management practices.

3 (g) The state board shall conduct a series of public workshops
4 to give interested parties an opportunity to comment on the plan.

5 The state board shall conduct a portion of these workshops in
6 regions of the state that have the most significant exposure to air
7 pollutants, including, but not limited to, communities with minority
8 populations, communities with low-income populations, or both.

9 (h) The state board shall update its plan for achieving the
10 maximum technologically feasible and cost-effective reductions
11 of greenhouse gas emissions at least once every five years.

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