

2009 Legislative Review

Rob Oglesby

Legislative Director

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California Environmental Protection Agency
AIR RESOURCES BOARD



Extraordinary Legislative Sessions

- 1X – Fiscal Emergency
- 2X – Stimulus, Jobs, Unemployment Insurance, and Government Efficiency
- 3X – Fiscal Emergency
- 4X – Fiscal Emergency
- 5X – Federal “Race to the Top” Eligibility & Secure Other Federal Funds
- 6X – State Tax System
- 7X – Water Management, Protection and Restoration of the Delta

Legislative Hearings

- 15 Special hearings
 - Air Quality
 - Climate Change
 - Energy
- Upcoming hearings
 - December 1st :
“The Future of HOV Lanes”
 - December 7th :
“AB 32 Implementation”



Regulatory Delay

Enacted

- AB2X 2 (Nestande) – Off-road equipment regulations delay

Held

- SB 507 (Cox) – EVR Delay
- AB 453 (Garrick) – EVR Penalty Reduction

Legislators' Correspondence

- On-road truck/off-road equipment rules
 - Delay until the economy recovers
- Water-well drilling
 - Five-year delay for:
 - On-road Truck
 - Off-road Equipment
 - Portable Equipment



Energy

Renewable Portfolio Standard

Renewable Energy Standard

(RPS/RES)



Energy *RPS*

- SB 14 (Simitian) and AB 64 (Krekorian)
 - Would have established 33% RPS for electricity
- Currently:
20% RPS for investor-owned utilities
- Scoping Plan:
33% RPS anticipates 21.3 MMT

Energy

RPS Veto

“...adds new regulatory hurdles to permitting renewable resources in the state, at the same time limiting the importation of cost-effective renewable energy from other states in the West.”
Governor Arnold Schwarzenegger



Energy

Executive Order S-21-09

- In conjunction with the Public Utilities Commission, Energy Commission, and California Independent System Operator
 - 33% Renewable Energy Standard
 - Adopt regulation by July 1, 2010

Energy

Power Plants

- SB 827 (Wright)
 - Allows SCAQMD to issue offsets until May 1, 2012 for essential public services, businesses, and power plant repowers.
- AB 1318 (M. Perez)
 - ERC's for Sentinel Energy Project



Energy Reliability *Assessment*

- Required by AB 1318
 - In SCAQMD ARB, must:
 - (1) evaluate the electrical system reliability needs and
 - (2) make recommendations on the most efficient and effective means
 - Due July 1, 2010



Energy *Efficiency*

- AB 758 (Skinner)
 - Energy Commission to develop an energy efficiency program for existing residential and commercial buildings



AB 32 Implementation



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Climate Change Legislation

- AB 881 (Huffman)
 - New Sonoma County Regional Climate Protection Authority
- SB 104 (Oropeza)
 - Adds nitrogen trifluoride (NF₃) to the statutory list of GHGs subject to AB 32
- SB 391 (Liu)
 - Caltrans to prepare plans that assess effectiveness of transportation & land-use measures for reducing GHGs



Climate Change Legislation

Veto

- AB 1404 (De Leon)
 - Attempted to restrict carbon emission offsets
- SB 406 (DeSaulnier)
 - Would have authorized \$1-\$2 vehicle registration surcharge for regional land use planning activities associated with GHGs



SB 83 (Hancock)

- Transportation planning agencies may impose, upon a majority vote of the electorate
- Annual fee of up to \$10 on motor vehicles
- Fees for transportation and pollution mitigation-related programs and projects

AB 1085 (Mendoza)

- Requires release of all technical, theoretical, and empirical information used in the ARB Staff Report
- Information must be released prior to the 45-day comment period.



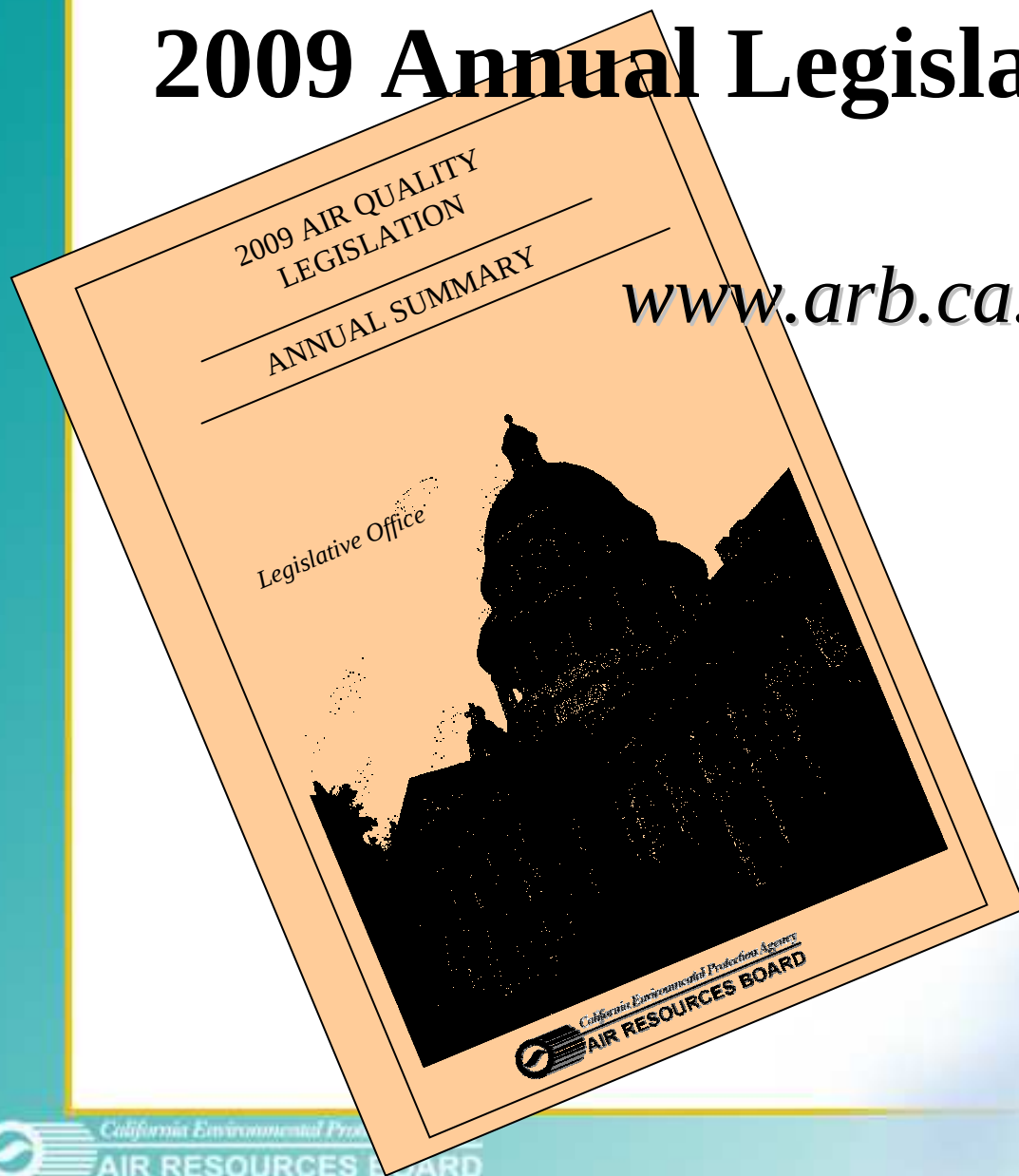
Parking Cash-Out

- SB 728 (Lowenthal) – Signed
 - Allows locals to enforce parking cash-out programs
- AB 1186 (Blumenfield) –Vetoed
 - Would have required landlords to isolate parking costs in tenant leases



2009 Annual Legislative Report

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Thank you!



Rob Oglesby

Legislative Director

Air Resources Board

(916) 322-2896

roglesby@arb.ca.gov

