

AMENDED IN SENATE SEPTEMBER 2, 2011

AMENDED IN ASSEMBLY APRIL 28, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1180

Introduced by Assembly Member Bradford

February 18, 2011

~~An act to add Section 13142.6 to the Water Code, relating to water.
An act to add Section 38572 to the Health and Safety Code, relating to
air pollution.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1180, as amended, Bradford. ~~Water: coastal powerplants.
California Global Warming Solutions Act of 2006: compliance offsets.~~

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 state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. The state board is authorized to adopt market-based compliance mechanisms, as defined, meeting specified requirements to be used for compliance with those regulations.

This bill would require the state board to adopt a compliance offset protocol that meets specified criteria if the state board adopts a cap-and-trade program that allows the use of offsets for compliance under the cap-and-trade program.

~~Under existing law, the State Water Resources Control Board (state board) and the 9 California regional water quality control boards regulate water quality in accordance with the Porter-Cologne Water Quality Control Act and the federal Clean Water Act. Existing law establishes the policy of the state with respect to water quality as it relates to the coastal marine environment.~~

~~This bill would require the state board to consider an implementation plan submitted by a municipally owned powerplant in compliance with the Statewide Water Quality Control Policy on the Use of Coastal and Estuarine Waters for Power Plant Cooling, adopted May 4, 2010, and recommendations made by the Statewide Advisory Committee on Cooling Water Intake Structures (SACCWIS), if any, and direct staff to make modifications to the policy, if appropriate.~~

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 38572 is added to the Health and Safety
- 2 Code, to read:
- 3 38572. If the state board adopts a cap-and-trade program
- 4 pursuant to this division that allows the use of offsets for
- 5 compliance under the cap-and-trade program, in addition to other
- 6 protocols that may be appropriate, the state board shall adopt a
- 7 compliance offset protocol that meets all of the following criteria:
- 8 (a) Targets reductions from a high global warming potential
- 9 greenhouse gas.
- 10 (b) Has been approved by a third-party registry as a voluntary
- 11 protocol and the state board determines that it could be converted
- 12 into a protocol for the purpose of compliance with the
- 13 cap-and-trade program.
- 14 (c) Requires measurement and monitoring of greenhouse gas
- 15 emission reductions continuously and in real time.
- 16 (d) Is capable of accurately, reliably, and permanently providing
- 17 at least 1,000,000 metric tons of carbon dioxide equivalent
- 18 greenhouse gas emission reductions each year.
- 19 (e) Meets the requirements of this division, including Sections
- 20 38562 and 38570.
- 21 SECTION 1. ~~Section 13142.6 is added to the Water Code, to~~
- 22 read:

1 ~~13142.6. No later than at its next regularly scheduled public~~
2 ~~meeting following January 1, 2012, the state board shall consider~~
3 ~~an implementation plan submitted by a municipally owned~~
4 ~~powerplant in compliance with the Statewide Water Quality~~
5 ~~Control Policy on the Use of Coastal and Estuarine Water for~~
6 ~~Power Plant Cooling, adopted May 4, 2010, and recommendations~~
7 ~~made by the Statewide Advisory Committee on Cooling Water~~
8 ~~Intake Structures (SACCWIS), if any, and direct staff to make~~
9 ~~modifications to the policy, if appropriate.~~

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