

LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____.

General Subject: Greenhouse Gas Reduction Fund: green infrastructure projects.

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 as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law requires the California Environmental Protection Agency to identify disadvantaged communities and requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund.



This bill would require the Secretary of the Natural Resources Agency to support the development of sustainable communities by managing and awarding financial assistance for the preparation and implementation of specified green infrastructure projects that reduce greenhouse gas emissions and secondarily provide multiple benefits, as defined, to specified entities. The bill would authorize moneys from the Greenhouse Gas Reduction Fund, upon appropriation, to be available for allocation by the Secretary for the purposes of awarding the financial assistance. The bill would require the Secretary to allocate at least 40% of the moneys to projects in disadvantaged communities, as specified. The bill would exempt the development and adoption of guidelines and selection criteria from the Administrative Procedure Act.

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



16082216319BILL

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 12802.10 is added to the Government Code, to read:

12802.10. (a) For purposes of this section, the following terms have the following meanings:

(1) "Disadvantaged community" means a community identified pursuant to Section 39711 of the Health and Safety Code.

(2) "Multiple benefits" includes, but is not limited to, a decrease in air and water pollution or a reduction in the consumption of natural resources and energy, including, but not limited to, the establishment and enhancement of projects listed in subdivision (d).

(3) "Secretary" means the Secretary of the Natural Resources Agency.

(b) (1) To support the development of sustainable communities, the Secretary shall manage and award financial assistance, for the preparation and implementation of green infrastructure projects that reduce greenhouse gas emissions and secondarily provide multiple benefits, to any of the following:

(A) A city.

(B) A county.

(C) A special district.

(D) A nonprofit organization.

(E) An agency or entity formed pursuant to the Joint Exercise of Powers Act (Chapter 5 (commencing with Section 6500) of Division 7 of Title 1) if at least one of the parties to the joint powers agreement qualifies as an eligible applicant, notwithstanding the Joint Exercise of Powers Act.



(2) Moneys from the Greenhouse Gas Reduction Fund, created pursuant to Section 16428.8, shall be available, upon appropriation by the Legislature, for allocation by the Secretary pursuant to this section.

(c) The Secretary shall develop minimum requirements for awarding moneys for eligible projects pursuant to this section. Those requirements shall require a project, in addition to reducing greenhouse gas emissions, to meet at least one of the following criteria:

(1) Use natural systems or systems that mimic natural systems to achieve multiple benefits.

(2) Create, enhance, or expand community green spaces.

(d) The multiple benefits of a project may include, but are not limited to, the establishment or enhancement of at least one of the following:

(1) The greening of existing public lands and structures, including schools.

(2) Multiobjective stormwater projects, including the construction of permeable surfaces and collection basins and barriers.

(3) Green streets and alleys that integrate green infrastructure elements into the street or alley design, including permeable surfaces, bioswales, and trees.

(4) Urban heat island mitigation and energy conservation efforts through greening, including green roof projects.

(5) Nonmotorized urban trails that provide safe routes for both recreation and travel between residences, workplaces, commercial centers, and schools.

(6) Tree canopy.

(7) Wetlands.



160822183198BILL

(8) Local parks and open space.

(e) The Secretary shall give additional consideration to awarding moneys for a project pursuant to this section that meets at least one of the following criteria:

(1) Uses interagency cooperation and integration.

(2) Uses existing public lands and facilitates the use of public resources and investments, including schools.

(3) Is proposed by a disadvantaged community.

(f) The Secretary shall allocate at least 40 percent of the moneys available pursuant to this section to projects that are located in, and that provide benefits to, disadvantaged communities.

(g) The Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1) does not apply to the development and adoption of guidelines and selection criteria adopted pursuant to this section.



16082213198111