



Meeting Date: 7 /17 /07

| ACTION   | TYPE OF ITEM   |
|--|--|
| <input type="checkbox"/> Approved Recommendation | <input checked="" type="checkbox"/> Info/Consent       |
| <input type="checkbox"/> Ord. No(s). _____       | <input type="checkbox"/> Report                        |
| <input type="checkbox"/> Res. No(s). _____       | <input type="checkbox"/> Public Hearing (Info/consent) |
| <input type="checkbox"/> Other _____             | <input type="checkbox"/> Other _____                   |

Prepared By: Dennis L. Scala

Agenda Item No. I-2

Reviewed By: City Manager [Signature]

City Attorney [Signature]

Finance SW

Other (Specify) \_\_\_\_\_

DATE: July 5, 2007

TO: City Council

FROM: Dennis L. Scala, Assistant to the City Manager  
City Manager's Office

SUBJECT: Senate Bill 412, the "State Energy Resources Conservation and Development Act."

**RECOMMENDATION**

That City Council execute a letter in support of SB 412 the "State Energy Resources Conservation and Development Act."

**DISCUSSION**

The Warren-Alquist "State Energy Resources Conservation and Development Act" (Act) establishes the State Energy Resources Conservation and Development Commission (Energy Commission) and requires the commission to prepare a biennial integrated energy policy report containing specified information related to major energy trends and issues facing the state, as well as a biennial energy policy review. The Act also requires the commission to certify sufficient sites and related facilities that are required to provide a supply of electricity sufficient to accommodate projected demand for power statewide.

The bill would also enact the Liquefied Natural Gas Market Assessment Act and would require the Energy Commission, in consultation with other state agencies, to adopt and submit to the Legislature and the Governor, on or before July 1, 2008, the Liquefied Natural Gas Market Assessment Report of 2008 to be incorporated into the integrated energy policy of 2007. The Energy Commission would be required to prepare a draft report, on or before April 1, 2008, to solicit public comments in the preparation of the report, and to hold public hearings to consider the results of the LNG needs assessment study and to provide an opportunity for public comment. The Energy Commission would also be required to include a Liquefied Natural Gas Market Assessment Report in every integrated energy policy report adopted after January 1, 2009.

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The Governor or a state or local entity would be prohibited from approving a LNG facility in the state until the Liquefied Natural Gas Market Assessment Report of 2008 has been issued and becomes final and all appeals have been exhausted, or November 1, 2008, whichever is earlier. By requiring a local official to determine whether the LNG Needs Evaluation Report of 2008 has been adopted, the bill would increase the level of service provided by a local agency, thereby imposing a state-mandated local program.

The bill would also prohibit a state or local entity from approving a project to construct or operate a facility to import LNG to the state unless the project applicant files with the Energy Commission a specified memorandum of understanding between the project applicant and the United States Department of Defense. For a project involving the construction or operation of an onshore or offshore facility or terminal to import natural gas into the state that has not received a permit to operate on or before January 1, 2008, an environmental impact report prepared for that project by a lead agency would be required. By requiring a local agency to prepare an environmental impact report, the bill would increase the level of service provided by a local agency, thereby imposing a state-mandated local program.

The Energy Commission would be required, on or before March 31, 2008, to create a matrix on its Internet Web site containing specified information related to the construction and operation of an LNG facility project and would require quarterly updates.

#### **FINANCIAL IMPACT**

There is no financial impact directly related to this action.

DLS.dls



## CITY COUNCIL OFFICE

305 West Third Street • Oxnard, CA 93030 • (805) 385-7428 • Fax (805) 385-7595

July 17, 2007

Senator Sheila Kuehl  
State Capitol  
Room 5108  
Sacramento, CA 95814

Dear Senator Kuehl:

The purpose of this letter is to solicit your support for the passage of SB 412 the "State Energy Resources Conservation and Development Act. In our opinion, the provisions of the bill would set the policies in place that are necessary to sort through the onslaught of proposed liquefied natural gas facilities off the shore of California.

The "State Energy Resources Conservation and Development Act" (Act) would establish the State Energy Resources Conservation and Development Commission (Energy Commission) and require the commission to prepare a biennial integrated energy policy report containing specified information related to major energy trends and issues facing the state, as well as a biennial energy policy review. The Act would also require the commission to certify sufficient sites and related facilities that are required to provide a supply of electricity sufficient to accommodate projected demand for power statewide.

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More importantly, the Governor of a state or local entity would be prohibited from approving a LNG facility in the state until the Liquefied Natural Gas Market Assessment Report of 2008 has been issued and becomes final and all appeals have been exhausted, or November 1, 2008, whichever is earlier. By requiring a local official to determine whether the LNG Needs Evaluation Report of 2008 has been adopted, the bill would increase the level of service provided by a local agency, thereby imposing a state-mandated local program.

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The City Council of the City of Oxnard firmly believes that the provisions called upon in this bill would establish the policies necessary to determine whether LNG facilities are needed in California and where they should be placed. We urge you to pledge your support to the enactment of the bill.

Very truly yours:

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Dr. Thomas E. Holden  
Mayor

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Dean Maulhardt  
Mayor Pro Tem

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John C. Zaragoza  
Councilmember

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Andres Herrera  
Councilmember

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Timothy B. Flynn  
Councilman



## CITY COUNCIL OFFICE

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July 17, 2007

Senator Tom McClintock  
State Capitol  
Room 3070  
Sacramento, CA 95814

Dear Senator McClintock:

The purpose of this letter is to solicit your support for the passage of SB 412 the "State Energy Resources Conservation and Development Act. In our opinion, the provisions of the bill would set the policies in place that are necessary to sort through the onslaught of proposed liquefied natural gas facilities off the shore of California.

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## CITY COUNCIL OFFICE

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July 17, 2007

Assemblymember Julia Brownley  
State Capitol  
Room 6011  
Sacramento, CA 94249-0041

Dear Assemblymember Brownley:

The purpose of this letter is to solicit your support for the passage of SB 412 the "State Energy Resources Conservation and Development Act. In our opinion, the provisions of the bill would set the policies in place that are necessary to sort through the onslaught of proposed liquefied natural gas facilities off the shore of California.

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## CITY COUNCIL OFFICE

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July 17, 2007

Assemblymember Pedro Nava  
State Capitol  
Room 2148  
Sacramento, CA 94249-0035

Dear Assemblymember Nava:

The purpose of this letter is to solicit your support for the passage of SB 412 the "State Energy Resources Conservation and Development Act. In our opinion, the provisions of the bill would set the policies in place that are necessary to sort through the onslaught of proposed liquefied natural gas facilities off the shore of California.

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