



**2009-10  
Budget Conference Committee  
on SB 61**

**Upon Call of the Chair – Room 4203**

**RESOURCES**

**Assemblymember Noreen Evans, Chair  
Senator Denise Moreno Ducheny, Vice Chair**

**Members: Senator Bob Dutton, Senator Mark Leno, Senator Alan Lowenthal, and Senator Mimi Walters  
Assemblymember Bob Blumenfield, Assemblymember Kevin De León, Assemblymember Roger Niello, and Assemblymember Jim Nielsen**

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**0540 Natural Resources Agency**

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<b>Issue</b>	<b>Description</b>	<b>2009 Budget Act</b>	<b>May Revise</b>	<b>Comments</b>
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**0540-011-0140 Secretary of the Natural Resources Agency**

**3600-001-0140 Department of Fish and Game**

**310 Environmental License Plate  
111 Fee (ELPF)**

The *2009 Budget Act* includes a \$4.7 million reduction to the ELPF expenditures in Resources departments due to declining revenues.

In January the Governor introduced trailer bill language to increase the ELPF by \$4 per plate. The Assembly approved the TBL.

The Senate adopted TBL that increased the ELPF by \$8 and used the additional funds for new fish and game wardens.

The May Revise proposes to reduce ELPF funding for Fish and Game by an additional \$2.5 million. This reduction will delay a February Budget augmentation of \$3 million (FGPF) for 15 new Wardens until 2010-11.

**3360 Energy Resources Conservation and Development Commission**

Issue	Description	2009 Budget Act	May Revise	Comments
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**3360-001-0890 Energy Resources Conservation and Development Commission**

**3360-001-0465**

302	<b>ARRA Funds for the State Energy Program (SEP)</b>	53,628,000	226,093,000	
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The SEP funds will be used to provide loans, grants, technical assistance and support of commercially-available energy efficiency and renewable energy technologies and related projects. These projects will focus on improving commercial and residential building energy efficiency and promoting green workforce development.

The commission will develop a program plan for spending the funds by mid-July 2009. The plan must be approved by DOE.

Proposal includes nine limited-term PYs.

**3360 Energy Resources Conservation and Development Commission**

Issue	Description	2009 Budget Act	May Revise	Comments
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**204 Alternative and Renewable Fuel and Vehicle Technology Program: Hydrogen Component** \$40,000,000

*The 2008-09 Budget Act includes \$75 million for the ARFVT. The 2009-10 Budget Act includes \$102 million for the ARFVT.*

The Energy Commission has developed an Investment Plan for how to spend the ARFVT funds. The Investment Plan includes \$40 million for hydrogen projects.

The Assembly adopted budget bill language to cap the hydrogen spending to \$6 million in the budget year.

**3480 Department of Conservation**

Issue	Description	2009 Budget Act	May Revise	Comments
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**3480-001-0133 Department of Conservation  
3480-101-0133**

109	<b>Restructure Beverage Container Recycling Fund (BCRF)</b>	564,829,000	-203,193,000 TBL	
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The BCRF is projected to have a negative fund balance of \$161.9 million by the end of 2009-10.

To bring the fund into balance, the Governor proposes:

1. Decrease BCRF expenditures by \$1.1 million and 10 PY.
2. Eliminate program expenditures currently in statute (PRC 14581). Retain only handling fee payments at \$40 million annually.
3. Create a new \$20 million local assistance competitive grant program to replace the programs eliminated by the trailer bill.

**3540 Department of Forestry and Fire Protection**

Issue	Description	2009 Budget Act	May Revise	Comments
<b>3540-001-0001 Department of Forestry and Fire Protection</b>				
<b>3540-001-1014</b>				
<b>110</b>	<p data-bbox="212 443 693 524"><b>Revised Emergency Response Initiative (ERI)</b></p> <p data-bbox="212 524 693 654">Replace \$76 million of CalFire’s General Fund base with a new ERI fee.</p> <p data-bbox="212 686 693 849">The enhancements to the CalFire budget that proposed in January will be delayed until FY 2010-11.</p> <p data-bbox="212 881 693 1125">The Assembly approved the January proposal for a 2.8 percent ERI fee for additional fire fighters and equipment, and added \$5 million for fuels reduction competitive grants.</p> <p data-bbox="212 1157 693 1239">The Senate rejected the January proposal for a 2.8 percent ERI.</p> <p data-bbox="212 1287 693 1408">For a more detailed discussion of the ERI fee proposal, please see item 0690-001-1014.</p>	564,829,000	76,000,000 TBL	<p data-bbox="1205 443 1932 735">The LAO has an alternative proposal for a State Responsibility Area (SRA) fee. The SRA fee as proposed by the LAO would be a fee on the owners of structures in SRA that would be generally proportional to the additional costs imposed on the state as a result of the presence of those structures.</p>



**3560 State Lands Commission**

Issue	Description	2009 Budget Act	May Revise	Comments
<b>3560-001-0001</b>	<b>State Lands Commission</b>			
	<p><b>Tranquillon Oil and Gas</b>            The Plains Exploration and Production Company (PXP) would use an existing oil platform in federal waters to drill to state waters. Separate confidential agreements with the Environmental Defense Counsel require PXP to donate 3,900 acres of coastal area lands to the state for conservation purposes and decommission 3 oil platforms and other coastal infrastructure in 14 years. Without federal cooperation, the terms of this agreement are not enforceable.</p> <p>The State Lands Commission (SLC) rejected this project. The trailer bill would allow the Director of DOF to approve the project in lieu of the SLC.</p>	9,447,000	TBL	<p><u>State revenue:</u>            2009-10:            \$100 million</p> <p>2010-11 through 2023-24:            royalties dependent on price of oil per barrel, but the DOF estimates a total of \$1.8 billion (assumes \$75/barrel)</p>

**3600 Department of Fish and Game**

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<b>Issue</b>	<b>Description</b>	<b>2009 Budget Act</b>	<b>May Revise</b>	<b>Comments</b>
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**3600-001-0001 Department of Fish and Game**

**Marine Life Protection Act** 74,831,000

The LAO proposed to reduce the MLPA by \$4.4 million General Fund. That is the entire amount of the state funding for the MLPA.

The Department of Fish and Game (DGF) receives matching funds from private foundations, the federal government, and the Department of Parks and Recreation.

There are five study areas for Marine Protected Areas (MPA) along the California coast. One of these studies has been completed.

The Marine Life Protection Act (MLPA) directs the state to reevaluate and redesign California's system of marine protected areas (MPAs) to:

- Increase coherence and effectiveness in protecting the state's marine life and habitats, marine ecosystems, and marine natural heritage; and
- Improve recreational, educational and study opportunities provided by marine ecosystems subject to minimal human disturbance.

**3790 Department of Parks and Recreation**

Issue	Description	2009 Budget Act	May Revise	Comments
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**3790-001-0001 Department of Parks and Recreation**

**3790-001-0392**

107	<b>Eliminate General Fund Support for the State Park System</b>	143,408,000	-110,000,000	
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Eliminate \$70 million General Fund in 2009-10 and eliminate all General Fund for state parks in 2010-11 (\$143 million).

In 2009-10, the General Fund reduction will lead to the closure of 220 state parks.

The closure of parks will lead to a loss of \$40 million in park user fee revenue.

**3860 Department of Water Resources**

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<b>Issue</b>	<b>Description</b>	<b>2009 Budget Act</b>	<b>May Revise</b>	<b>Comments</b>
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**3860-510-0502 Department of Water Resources  
3860-001-6026**

**305 Delta Habitat and Conveyance Program** 0

Delta Habitat and Conservation Conveyance: 11 permanent and 4 temporary PY to begin environmental and engineering work for an environmental impact report on alternative water conveyance. These PY would be paid for by the State Water Project at \$2.6 million. Both the Senate and Assembly rejected this part of the BCP.

CALFED Conveyance Program: \$180,000 from Proposition 13 bond funds and two limited term PY for the South Delta Fish Facility Improvement Projects. The Assembly approved and the Senate rejected this part of the proposal.

**3940 State Water Resources Control Board**

Issue	Description	2009 Budget Act	May Revise	Comments
<b>3940-001-0890</b> <b>3940-001-0439</b>	<b>State Water Resources Control Board</b>			
155	<p><b>ARRA Funds for 604(b) and Orphan Underground Storage Tank (UST) Cleanup</b>            \$2.6 million in American Recovery and Reinvestment Act (ARRA) funds for Clean Water Act Section 604(b) project planning.</p> <p>\$13.6 million in ARRA funds for the UST Orphan Site Cleanup Fund.</p> <p>The proposal also includes budget trailer bill language waiving the requirement to deposit \$10 million in UST funds into the Orphan fund when federal funds are available and allowing the use of federal funds to fulfill requirements for Orphan UST Cleanup funds.</p>	268,113,000	16,240,000 TBL	

**3980 Office of Environmental Health Hazard Assessment**

Issue	Description	2009 Budget Act	May Revise	Comments
<b>3980-001-0001</b> <b>3980-001-0044</b> <b>3980-001-0106</b> <b>3980-001-3056</b>	<b>Office of Environmental Health Hazard Assessment</b>			
<b>050</b>	<b>Fund Shift from General Fund to Special Funds</b> Shift \$1.6 million and 7 PY from General Fund to special funds as follows: - \$840,000 from MVA - \$201,000 from Department of Pesticide Regulation Fund - \$598,000 from Safe Drinking Water and Toxic Enforcement Fund.  The shift would pay for activities related to hazard evaluation of toxic air contaminants, public health pesticide activities, and Proposition 65 activities.	8,340,000	1,639,000	Note: The Governor proposes to eliminate OEHHA starting July 1, 2010.

RESOURCES, CALEPA, AND ENERGY  
ITEMS RECOMMENDED FOR VOTE-ONLY

	Item/Issue No.	Description	2009 Budget Act	Proposal	Assembly	Senate	Recommendation
	<b>0540-001-0140</b> <b>0540-501-0140</b> <b>0540-492</b>	<b>Secretary of Natural Resources</b>					
1	101	CALFED Science	0	2,899,000	AAB - \$2.89 million with 5 year encumbrance; BBL to conform science program with new Bay-Delta governance structure if adopted by the Legislature through the policy process.	\$1.5 million with 3 year encumbrance; BBL to move CBDA funds to a new governance structure if adopted by the Legislature; TBL to post science contracts online.	\$2,899,000; Senate liquidation period (3 years); Senate TBL; Assembly BBL
2	102	CALFED Science Reappropriation	0	BBL	AAB - Reappropriations with 5 year encumbrance period.	Approved Reappropriations with 3 year encumbrance period.	Senate
	<b>0540-493</b>	<b>Secretary of Natural Resources</b>					
3	150	Coastal Impact Assistance Program Reappropriation	0	0	May Revise Item - Not Heard in Subcommittee	May Revise Item - Not Heard in Subcommittee	AAB
	<b>0540-001-6051</b> <b>0555-001-0044</b> <b>3600-001-8018</b>	<b>Secretary of Natural Resources/ Secretary for CalEPA/ Department of Fish and Game</b>					
4	304	New River Project	0	0	\$2 million to CalEPA from Salton Sea funds for New River EIR	BBL to provide \$800,000 to locals from river parkways funds for New River EIR.	Senate
	<b>0555-001-0235</b>	<b>Environmental Protection Agency</b>					
6	199	Proposition 99 Reduction	0	-8,000	May Revise Item - Not Heard in Subcommittee	May Revise Item - Not Heard in Subcommittee	AAB

RESOURCES, CALEPA, AND ENERGY  
ITEMS RECOMMENDED FOR VOTE-ONLY

	Item/Issue No.	Description	2009 Budget Act	Proposal	Assembly	Senate	Recommendation
	<b>3340-001-0001</b>	<b>California Conservation Corps</b>					
7	100	Emergency Response Expenditure Authority - Collins Dugan Reimbursement Account	0	BBL	AAB - Language allows CCC to bypass JLBC when seeking expenditure of Federal, local, or private funds during an emergency. CCC currently has such authority for state funds.	Not heard	Approve language with notification to JLBC when authority is used without the 30-day wait period
	<b>3340-001-6051</b>	<b>California Conservation Corps</b>					
8	201	Proposition 84 - Additional bond funds for the California Conservation Corps	0	0	Not heard	Increase of \$7 million Prop 84 funds for CCC and BBL that requires state CCC to do outreach to foster youth.	Senate
9	201	Proposition 84 - Additional bond funds for the Local Conservation Corps	0	0	Not heard	Increase of \$6.7 million Prop 84 for local corps and BBL that requires local corps to do outreach to foster youth.	Senate
	<b>3360-001-0465</b> <b>3360-001-3062</b>	<b>Energy Resources Conservation and Development Commission</b>					
10	001	April Letter: Siting Program Workload Requirements	0	2,252,000	Approved proposal with change to fund 40 percent of proposal from fee revenue.	Not heard	Senate



RESOURCES, CALEPA, AND ENERGY  
ITEMS RECOMMENDED FOR VOTE-ONLY

	Item/Issue No.	Description	2009 Budget Act	Proposal	Assembly	Senate	Recommendation
	<b>3360-001-0465</b>	<b>Energy Resources Conservation and Development Commission</b>					
11	104	Siting Renewable Generation and Transmission	0	2,589,000	AAB	Not heard	Senate
	<b>3540-001-0001</b>	<b>Department of Forestry and Fire Protection</b>					
12	302	CDF - Diesel Retrofits	0	2,762,000	AAB - \$2.7 million from GF.	\$2.7 million from AB 118 funds with BBL allowing the use of the fund source for one year.	Senate
	<b>3540-001-0001</b>	<b>Department of Forestry and Fire Protection</b>					
13	112	Delay Vehicle Replacements	0	-17,000,000	May Revise Item - Not Heard in Subcommittee	May Revise Item - Not Heard in Subcommittee	AAB
	<b>3540-001-0235</b>	<b>Department of Forestry and Fire Protection</b>					
14	199	Proposition 99 Reduction	0	-53,000	May Revise Item - Not Heard in Subcommittee	May Revise Item - Not Heard in Subcommittee	AAB
	<b>3540-490</b>	<b>Department of Forestry and Fire Protection</b>					
15	105	Extension of Liquidation for Bonds	0	0	Not heard	AAB	Senate
	<b>3540-301-0660</b>	<b>Department of Forestry and Fire Protection</b>					
16	701	Restore Funding for Lease Revenue Projects	0	290,344,000	AAB	Approved as budgeted +1,000	Assembly

RESOURCES, CALEPA, AND ENERGY  
ITEMS RECOMMENDED FOR VOTE-ONLY

	Item/Issue No.	Description	2009 Budget Act	Proposal	Assembly	Senate	Recommendation
	<b>3600-001-0001</b>	<b>Department of Fish and Game</b>					
17	303	Board of Forestry (BOF) Regulations	0	0	No action	TBL that requires the BOF to adopt permanent Steelhead and Chinook regulations and the regulations find all logging within a watershed is a take on fish.	Conference Compromise (CC): Senate TBL modified to state that BOF must adopt permanent regulations by June 30, 2010.
	<b>3600-001-0001</b>	<b>Department of Fish and Game</b>					
18	199	Proposition 99 Reduction	0	-362,000	May Revise Item - Not Heard in Subcommittee	May Revise Item - Not Heard in Subcommittee	AAB
	<b>3600-001-0001</b> <b>3600-001-0200</b>	<b>Department of Fish and Game</b>					
19	110	One-time \$30 million fund shift from Fish and Game Preservation Fund to replace General Fund for DFG activities.	0	0	May Revise Item - Not Heard in Subcommittee	May Revise Item - Not Heard in Subcommittee	AAB with BBL requiring notification to JLBC if federal funds will be lost
	<b>3600-001-0995</b>	<b>Department of Fish and Game</b>					
20	102	Environmental Review Support	0	500,000	AAB - Reimbursement Authority to allow Sempra Energy, Tejon Ranch, and the Orange County Transportation Authority to fund staff at DFG for permit review.	Rejected	Senate
21	302	Renewable Energy Regulatory Action Team	0	3,057,000	AAB - \$3,057,000 and 21 PYs to develop Natural Communities Conservation Plans (NCCP) for renewable energy siting.	Rejected	Senate

RESOURCES, CALEPA, AND ENERGY  
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	Item/Issue No.	Description	2009 Budget Act	Proposal	Assembly	Senate	Recommendation
	<b>3600-001-6051</b>	<b>Department of Fish and Game</b>					
22	201	Prop 84: Ecosystem Restoration Plan: NCCP for Delta	0	8,914,000	Not heard	\$8.9 million with BBL restricting the uses of the funds for the program.	
23	202	Prop 84: Ecosystem Restoration Program	22,022,000	0	AAB	Rejected	Approve contingent on a Bay-Delta governance structure approved through the policy process.
24	<b>3600-001-0001</b> <b>3600-001-0140</b> <b>3600-001-0200</b> <b>3600-001-0320</b> <b>3600-001-3103</b> <b>3600-001-3117</b>	<b>Department of Fish and Game</b>					
25	301	Diesel Vehicle Retrofits Program	0	900,000	AAB - \$900,000 from various funds	\$900,000 from AB 118 (ARFVT) funds with BBL allowing the use of the fund source for one year	Senate
	<b>3680-101-0890</b>	<b>Department of Boating and Waterways</b>					
26	102	Boating Infrastructure Grant Program	0	1,250,000	May Revise Item - Not Heard in Subcommittee	May Revise Item - Not Heard in Subcommittee	AAB
	<b>3790-001-0001</b>	<b>Department of Parks and Recreation</b>					
27	301	Diesel Vehicle Retrofits Program	0	1,635,000	AAB - \$1.6 million from GF	\$1.6 million from AB 118 (ARFVT) funds with BBL allowing the use of the fund source for one year	Senate
	<b>3790-001-0235</b>	<b>Department of Parks and Recreation</b>					
28	199	Proposition 99 Reduction	0	-1,254,000	May Revise Item - Not Heard in Subcommittee	May Revise Item - Not Heard in Subcommittee	AAB

RESOURCES, CALEPA, AND ENERGY  
ITEMS RECOMMENDED FOR VOTE-ONLY

	Item/Issue No.	Description	2009 Budget Act	Proposal	Assembly	Senate	Recommendation
	<b>3810-491</b>	<b>Santa Monica Mountains Conservancy</b>					
29	101	Extension of liquidation: Various Bond Funds	0	0	AAB - extension of liquidation for various bond and special funds	Not heard	Assembly
	<b>3850-301-0005</b>	<b>Coachella Valley Mountains Conservancy</b>					
30	301	Proposition 12: Capital Outlay Projects	0	0	Not heard	\$343,000 in Prop 12 for priority land purchase.	Senate
	<b>3850-301-6029</b>	<b>Coachella Valley Mountains Conservancy</b>					
31	301	Proposition 40: Capital Outlay	0	0	Not heard	\$456,000 in Prop 40 for priority land purchase.	Senate
	<b>3850-301-6051</b>	<b>Coachella Valley Mountains Conservancy</b>					
32	301	Proposition 84: Capital Outlay Projects	0	0	Not heard	\$6 million in Prop 84 for priority land purchase.	Senate
	<b>3860-001-0001</b>	<b>Department of Water Resources</b>					
33	251	Central Valley Flood Protection Board	0	0	Not heard	Reduced GF support for the Board by \$1,000	TBL requiring board members to be appointed by Jan 1, 2010.
34	203	Delta Levees	0	0	Not heard	Reduced \$3.9 million GF from Delta Levees Program	May Revise Proposal: Fund shift of \$7 million GF for Prop 1E funds.
	<b>3860-101-6052</b>	<b>Department of Water Resources</b>					

RESOURCES, CALEPA, AND ENERGY  
ITEMS RECOMMENDED FOR VOTE-ONLY

	Item/Issue No.	Description	2009 Budget Act	Proposal	Assembly	Senate	Recommendation
35	305	Pajaro River Flood Control Project	0	0	\$5 million Prop 1E Integrated Regional Water Management - Stormwater funds for first phase of the project, with BBL stating that this is in consideration of and contingent upon availability of federal funding.	Not heard	Assembly
	<b>3860-510-0502</b>	<b>Department of Water Resources</b>					
36	106	April Letter: Delta Fishery Improvements	0	367,000	Not heard	AAB: 4 PY to implement new requirements of biological opinion.	Assembly
37	202	State Water Project (SWP) Reporting Language	0	0	Not heard	Trailer bill to require annual reporting of SWP expenditures.	CC - Senate language enhanced.
38	301	SWP New and Expanded Operating Requirements	5,920,000	0	AAB - \$5.9 million and 42 PY	\$3.1 million and 19 PY	Senate
39	302	SWP Program Management Group	1,544,000	0	AAB - \$1.5 million and 9 PY	Rejected proposal	Senate
40	303	SWP Climate Change Energy	1,705,000	0	AAB - \$1.7 million and 9 PY	Approved \$236,000 and one PY	Senate
41	304	SWP 16 flow monitoring stations	-280,000	0	AAB - savings of \$280,000 SWP	Rejected proposal	Assembly
	<b>3900-490</b>	<b>Air Resources Board</b>					
42	190	Proposition 1B Reappropriation	0	0	May Revise Item - Not Heard in Subcommittee	May Revise Item - Not Heard in Subcommittee	AAB
	<b>3910-001-0387</b>	<b>California Integrated Waste Management Board</b>					

RESOURCES, CALEPA, AND ENERGY  
ITEMS RECOMMENDED FOR VOTE-ONLY

	Item/Issue No.	Description	2009 Budget Act	Proposal	Assembly	Senate	Recommendation
43	153	April Letter: Education in the Environment Initiative.	0	250,000	Not heard	AAB: 500,000 over two years of Water Quality funds for the Education and the Environment Initiative. \$500,000 already transferred in 2008-09 via Section letter.	Assembly
	<b>3930-001-0106</b>	<b>Department of Pesticide Regulation</b>					
44	TBL	Require 20 percent reduction in Volatile Organic Compound Emissions for Central Valley	0	0	Not Heard	Approved TBL	Approve TBL
	<b>3940-001-0439</b>	<b>State Water Resources Control Board</b>					
45	199	Proposition 99 Reduction	0	-303,000	May Revise Item - Not Heard in Subcommittee	May Revise Item - Not Heard in Subcommittee	AAB
46	154	Interagency Agreement with Department of Water Resources for bond funded work on IRWM program.	0	870,000	May Revise Item - Not Heard in Subcommittee	May Revise Item - Not Heard in Subcommittee	AAB
	<b>3960-001-0014</b>	<b>Department of Toxic Substances Control</b>					
47	101	Increase TSCA Fee and Offset General Fund	0	0	Not heard	TBL to increase the TSCA Environmental Fee by 15 percent (approximately \$4 million) to replace GF.	Senate
	<b>8660-001-0462</b>	<b>Public Utilities Commission</b>					
48	105	Energy Efficiency Savings Goals and Utility Performance Incentives	0	461,000	AAB	\$461,000 with BBL to restrict the PUC from engaging in workforce education and training development in the Energy Efficiency program.	Senate

RESOURCES, CALEPA, AND ENERGY  
ITEMS RECOMMENDED FOR VOTE-ONLY

	Item/Issue No.	Description	2009 Budget Act	Proposal	Assembly	Senate	Recommendation
49	106	Renewable Portfolio Standard and Renewable Transmission	0	322,000	AAB	Not heard	Senate