



EXECUTIVE ORDER S-14-08

11/17/2008

WHEREAS, the State of California is a world leader in efforts to reduce global warming and greenhouse gas emissions, increase renewable energy production, promote energy efficiency, energy conservation, clean air and emission controls, expand the use of low carbon, alternative fuels and promote and commercialize new technologies and industries; and

WHEREAS, California has previously led the nation with an aggressive Renewable Portfolio Standard (RPS), requiring California's retail sellers of electricity to serve 20 percent of their load with renewable energy by 2010; and

WHEREAS, in 2003, the Governor called for an acceleration of the RPS, urging that 20 percent of California's electricity come from renewable sources by 2010 rather than 2017, seven years earlier than previously required, and this accelerated standard became law in September 2006, when the Governor signed SB 107; and

WHEREAS, California's high standards and ambitious goals have resulted in California leading the nation in renewable energy innovation, receiving more investment funding in clean technology than anywhere else in the United States, and accounting for 44 percent of all U.S. patents in solar technologies and 37 percent of all U.S. patents in wind technologies; and

WHEREAS, producing electricity from renewable resources provides multiple and significant benefits to California's environment and economy, including improving local air quality and reducing global warming pollution, diversifying energy supply, improving energy security, enhancing economic development, and creating jobs; and

WHEREAS, California has some of the best renewable energy resource areas in the world, providing immense potential for clean, valuable electricity generation in the state, and the development of these resources must be accelerated; and

WHEREAS, substantially increased development of renewable electricity sources, energy efficiency and demand response is needed to meet the greenhouse gas reduction goal of 1990 levels by 2020 and 80 percent below 1990 emissions levels by 2050, making the success and expansion of renewables a key priority for California's economic and environmental future; and

WHEREAS, fostering greater and more timely renewable energy development means California's energy agencies must establish a more cohesive and integrated statewide strategy, including greater coordination and streamlining of the siting, permitting, and procurement processes for renewable generation, improving the manner in which the state develops its transmission infrastructure, and encouraging technically and economically feasible distributed renewable energy opportunities; and

WHEREAS, the California Public Utilities Commission (CPUC) has approved more than 6,300 MW of renewable generation contracts for investor-owned utilities, and has identified various challenges that impede their timely realization, relating to transmission, financing, siting, permitting, integration, environmental and military objectives, technology development and commercialization and equipment procurement; and

WHEREAS, the California Energy Commission (CEC) in its 2007 Integrated Energy Policy Report (IEPR) indicated that there are substantial barriers to generation siting, permitting and transmission that must be addressed in order to achieve the 2010 and 2020 RPS goals; and

WHEREAS, the Renewable Energy Transmission Initiative (RETI) is a statewide initiative to help identify the transmission projects needed to accommodate these renewable energy goals and facilitate transmission corridor designation and transmission and generation siting and permitting; and

WHEREAS, RETI will (1) assess competitive renewable energy zones in California and surrounding regions that can provide significant electricity to California consumers by 2020; (2) identify those zones that can be developed in the most timely and cost effective way, with least environmental impact; and (3) prepare detailed transmission plans for those zones identified for development; and

WHEREAS, deployment of new renewable energy technologies across the state will require utilizing new areas of biologically sensitive land; and

WHEREAS, California is committed to conserving natural communities at the ecosystem scale through the use of California's unique Natural Community Conservation Planning (NCCP) tool, coordinated by the Department of Fish and Game (DFG) and CEC, which identifies and provides for the region-wide protection of plants, animals, and their habitats while allowing for compatible economic activities such as renewable energy generation; and

WHEREAS, the Western Governors Association has initiated the Western Renewable Energy Zone (WREZ) initiative to identify and expedite cost-effective, environmentally sensitive transmission development to areas with high-grade, renewable energy resources in order to bring about the development of 30,000 megawatts of clean and diversified energy across the West by 2015.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, by virtue of the power vested in me by the Constitution and statutes of the State of California, do hereby order effective immediately:

1. That the following Renewable Portfolio Standard target is hereby established for California: All retail sellers of electricity shall serve 33 percent of their load with renewable energy by 2020. State government agencies are hereby directed to take all appropriate actions to implement this target in all regulatory proceedings, including siting, permitting, and procurement for renewable energy power plants and transmission lines.
2. The Resources Agency shall lead the joint collaboration between the CEC and the DFG to expedite the development of RPS eligible renewable energy resources through the actions outlined in this order.
3. The Department of Fish and Game shall immediately create a new internal division, the primary purpose being comprehensive planning and streamlined compliance services; including for renewable energy projects. The division shall ensure the timely completion of NCCPs, which embody the balancing of project assurances with ecosystem protection.
4. Pursuant to this Order and the MOU signed on November 17, 2008 by the CEC and DFG formalizing the Renewable Energy Action Team (REAT), the REAT shall lead completion of items 5 through 12.
5. Pursuant to the MOU, DFG and CEC shall immediately create a "one-stop" process for permitting renewable energy generation power plants. Instead of filing multiple sequential applications, the DFG and CEC shall create a concurrent application review process, which shall be filed directly at the state level. To facilitate this process, a special joint streamlining unit shall be created and shall reduce permit processing times by at least 50% for projects in renewable energy development areas, as such areas are defined by the REAT beginning on February 1, 2009.
6. Pursuant to the MOU signed on November 17, 2008 by the CEC, the DFG, the United States Bureau of Land Management and the U.S. Fish and Wildlife Service, the REAT shall endeavor to include all appropriate federal partners in the expedited permitting process described in number 5 above.
7. By December 1, 2008, the REAT shall initiate the Desert Renewable Energy Conservation Plan (DRECP) process for the Mojave and Colorado Desert regions.

8. By March 1, 2009, the REAT shall identify and publish top priority areas in California where other NCCPs or similar plans should be developed based upon their renewable energy development potential.
9. By December 31, 2009, the REAT shall develop and publish a Best Management Practices manual to assist RPS project applicants in designing projects to emphasize siting considerations and minimize environmental impacts for RPS desert projects.
10. By December 31, 2009, the REAT, in conjunction with our federal partners and stakeholder groups, shall develop a conservation strategy that clearly identifies and maps areas for RPS project development and areas intended for long-term natural resource conservation as a foundation for the DRECP.
11. By December 31, 2010, the REAT, in conjunction with our federal partners and stakeholder groups, shall complete the draft DRECP and initiate the environmental review process.
12. By June 1, 2012, the final DRECP shall provide binding, long-term endangered species permit assurances, facilitate the RPS desert project approval process, and provide a process for state and federal conservation funding to implement the DRECP.
13. By January 1, 2010, the CEC shall provide an estimate of total retail electricity sales in California in 2020 by utility and shall update this number every two years through the IEPR.
14. Direct the CEC, and request the CPUC and California Independent System Operator (ISO), to work with other RETI stakeholders to complete the following by March 31, 2009: (a) develop a product that identifies top priority renewable energy zones that can be developed reliably, cost-effectively and with least environmental impact; and (b) issue a Renewable Transmission Development Report that identifies potential routes and interconnection points for new lines. I direct DFG to participate in the RETI process and the REAT to provide increased technical support to the RETI stakeholder group. I also request that the CPUC and the ISO support the RETI stakeholder group as appropriate in order to meet this deadline.
15. Direct the CEC, and request the CPUC, to participate in the WREZ initiative in order to increase availability to all potential renewable energy resources, coordinate research, planning, and investments with our regional partners, and to complement RETI. Specifically, I request that the CPUC, in conjunction with the CEC, ensure that there is information exchange and coordination between the WREZ initiative and RETI and to facilitate the feasible integration of the resulting plans from each initiative.
16. In order to facilitate the timely permitting of renewable energy projects, all state regulatory agencies shall give priority to renewable energy projects as set forth in this Executive Order.
17. In conjunction with its work with DFG to develop the DRECP pursuant to number 7 above and any work it performs to facilitate the siting and permitting of renewable generation and transmission projects, the CEC shall coordinate with BLM, CPUC, the California ISO, and other interested federal, state, and local agencies, work closely with interested stakeholders, and utilize input from RETI.

This Order is not intended to create, and does not create, any right or benefit, whether substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, entities, officers, employees, agents or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this Order be filed with the Office of the Secretary of State and that widespread publicity and notice be given to this Order.



IN WITNESS WHEREOF I have here unto set my hand and caused the Great Seal of the State of California to be affixed this the 17th day of November 2008.

ARNOLD SCHWARZENEGGER
Governor of California

ATTEST:
DEBRA BOWEN
Secretary of State