



## AB-3076 Public utilities: County of Riverside: Riverside Transmission Reliability Project. (2023-2024)

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AMENDED IN ASSEMBLY MARCH 21, 2024

CALIFORNIA LEGISLATURE— 2023–2024 REGULAR SESSION

### ASSEMBLY BILL

### NO. 3076

Introduced by Assembly Member Essayli  
(Coauthor: Senator Seyarto)

February 16, 2024

~~An act to add Section 25969 to the Public Resources Code, relating to energy.~~ *An act to add Section 327.5 to the Public Utilities Code, relating to the Public Utilities Commission.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 3076, as amended, Essayli. ~~Energy: gas stoves.~~ *Public utilities: County of Riverside: Riverside Transmission Reliability Project.*

*Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations. Existing law prohibits an electrical corporation from beginning the construction of a line, plant, or system, or any extension of a line, plant, or system, without having first obtained from the commission a certificate that the present or future public convenience and necessity require its construction. Southern California Edison Company has submitted an application to the commission for that certificate for the proposed Riverside Transmission Reliability Project (RTRP) in the County of Riverside.*

*This bill would require the commission, as part of the proceeding on that application, to suspend the implementation of a commission decision regarding the project, as described, until a supplemental environmental impact report has been prepared and submitted for the commission's consideration to address updated information on the wildfire risk associated with the construction and operation of the RTRP, as specified. The bill would require the supplemental environmental impact report to reconsider the feasibility and environmental impacts of alternatives to the adopted RTRP route and to consider the social and economic impact on the communities adjacent to the RTRP route. The bill would require the commission to consider the environmental impacts of the RTRP in determining whether to certify the new supplemental environmental impact report, and to accept testimony from affected communities and stakeholders on the feasibility and cost of the RTRP and any other feasible alternatives as part of its determination of whether the project is in the public interest.*

~~Existing law prohibits new residential type gas appliances that are equipped with a pilot light from being sold in the state 24 months after an intermittent ignition device has been demonstrated and certified by the State Energy Resources Conservation and Development Commission.~~

~~This bill would prohibit state agencies and local governments from adopting or enforcing a rule, regulation, resolution, or~~

~~ordinance that directly or indirectly results in prohibiting the use of gas stoves in residential or nonresidential buildings.~~

~~The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.~~

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

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

### **SECTION 1.** *The Legislature finds and declares all of the following:*

*(a) The risk of wildfire in the County of Riverside, particularly in and around the Santa Ana River Basin, has increased substantially since the initial environmental impact report for the Riverside Transmission Reliability Project (RTRP) was prepared in 2013. The County of Riverside has been designated as the community with the most significant fire risk in the nation by a nonprofit group that analyzes the economic impact of climate change.*

*(b) A serious wildfire, the Mann Fire, occurred in 2020 in the immediate vicinity of where the RTRP is planned to cross the Santa Ana River and its heavily overgrown riverbed.*

*(c) Although various parties raised concerns about wildfires during the development of the subsequent environmental impact report for the RTRP in 2018, when the City of Norco submitted testimony and filed a MOTION FOR PARTY STATUS OF THE CALIFORNIA INDEPENDENT SYSTEM OPERATOR CORPORATION in the Public Utilities Commission proceeding to review the RTRP pursuant to Application 15-04-013 (April 15, 2015), "In the Matter of the Application of Southern California Edison Company (U338E) for a Certificate of Public Convenience and Necessity for the Riverside Transmission Reliability Project," the commission denied the City of Norco party status on the grounds that its concerns about wildfire risk did not impact the "revised project," which was limited to the portion of the RTRP to be located underground in the City of Jurupa Valley.*

*(d) In issuing its 2020 decision approving the project, Decision 20-03-001 (March 12, 2020), DECISION GRANTING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE RIVERSIDE TRANSMISSION RELIABILITY PROJECT, the commission did not accept or consider new testimony on wildfire risk in the portion of the RTRP route, including the Santa Ana River crossing and the lands to the east, where the wildfire risk is greatest.*

### **SEC. 2.** *Section 327.5 is added to the Public Utilities Code, to read:*

**327.5.** *(a) The commission, as part of its proceeding pursuant to Application 15-04-013 (April 15, 2015), "In the Matter of the Application of Southern California Edison Company (U338E) for a Certificate of Public Convenience and Necessity for the Riverside Transmission Reliability Project," shall suspend the implementation of commission Decision 20-03-001 (March 12, 2020), DECISION GRANTING A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR THE RIVERSIDE TRANSMISSION RELIABILITY PROJECT, until a supplemental environmental impact report has been prepared and submitted for the commission's consideration to address updated information on the wildfire risk associated with the construction and operation of the Riverside Transmission Reliability Project (RTRP), including both of the following:*

*(1) The impact of the RTRP on emergency response to wildfires, specifically including the use of aerial firefighting equipment and the impact on the safe and timely evacuation of persons and animals from the communities adjacent to the RTRP that have experienced wildfires.*

*(2) The risk that the RTRP transmission facilities will ignite a wildfire or cause the spread of a previously ignited wildfire. This risk shall be analyzed in conformity with the Attorney General's guidance on best practices for analyzing and mitigating wildfire impacts under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).*

*(b) The supplemental environmental impact report described in subdivision (a) shall reconsider the feasibility and environmental impacts of alternatives to the adopted RTRP route, including a fully underground alternative version of the RTRP, and shall consider current information on the undergrounding of transmission lines, including the experiences of California utilities that have constructed underground high-voltage transmission lines.*

*(c) The supplemental environmental impact report described in subdivision (a) shall also consider the social and economic impacts on the communities adjacent to the RTRP route, including impacts related to the cost of fire insurance, the impact of the project on home values, and any disproportionate impacts on economically disadvantaged communities.*

*(d) The commission shall consider the environmental impacts of the RTRP in determining whether to certify the new supplemental environmental impact report described in subdivision (a), and shall also accept testimony from affected communities and stakeholders on the feasibility and cost of the RTRP and any other feasible alternatives as part of its determination of whether the RTRP, as currently designed or as modified, is in the public interest.*

~~SECTION 1. Section 25969 is added to the Public Resources Code, to read:~~

~~25969.(a) A state agency or local government, including a charter city, shall not adopt or enforce a rule, regulation, resolution, or ordinance, including, but not limited to, an ordinance prohibiting natural gas hookups for buildings, that directly or indirectly results in prohibiting the use of gas stoves in residential or nonresidential buildings.~~

~~(b) The Legislature finds and declares that this section addresses a matter of statewide concern rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this section applies to all cities, including charter cities.~~