California State Assembly

NATURAL RESOURCES

ISAAC G BRYAN
CHAIR

AGENDA

Monday, March 24, 2025
2:30 p.m. -- State Capitol, Room 437

ADOPTION OF COMMITTEE RULES

** = Bills Proposed for Consent

BILLS HEARD IN SIGN-IN ORDER

1.	AB 30	Alvarez	State Air Resources Board: gasoline specifications: ethanol blends.(Urgency)
2.	AB 43	Schultz	Wild and scenic rivers.
3.	AB 66	Tangipa	California Environmental Quality Act: exemption: egress route projects: fire safety.
4.	AB 70	Aguiar-Curry	Solid waste: organic waste: diversion: biomethane.
5.	****AB 261**	Quirk-Silva	Fire safety: fire hazard severity zones: State Fire Marshal.
6.	****AB 274**	Ransom	Abandoned and derelict vessels: inventory.
7.	****AB 300**	Lackey	Fire hazard severity zones: State Fire Marshal.
8.	AB 307	Petrie-Norris	Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024: Department of Forestry and Fire Protection: fire camera mapping system.
9.	****AB 337**	Bennett	Greenhouse Gas Reduction Fund: grant program: edible food.
10.	AB 399	Boerner	Coastal resources: coastal development permits: blue carbon demonstration projects.
11.	AB 404	Sanchez	California Environmental Quality Act: exemption: prescribed fire, reforestation, habitat restoration, thinning, or fuel reduction projects.
12.	AB 436	Ransom	Composting facilities: zoning.
13.	AB 439	Rogers	California Coastal Act of 1976: local planning and reporting.
14.	****AB 471**	Hart	County air pollution control districts: board members: compensation.
15.	AB 491	Connolly	California Global Warming Solutions Act of 2006: climate goals: natural and working lands.
16.	AB 580	Wallis	Surface mining: Metropolitan Water District of Southern California.

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 30 (Alvarez) – As Amended March 4, 2025

SUBJECT: State Air Resources Board: gasoline specifications: ethanol blends

SUMMARY: Authorizes the use of blends of gasoline containing up to 15% ethanol by volume (E15) without regard to existing review and rulemaking requirements if the Air Resources Board (ARB) does not complete a rulemaking adopting specifications for E15 by July 1, 2025.

EXISTING LAW:

1) Establishes ARB as the air pollution control agency in California and requires ARB, among other things, to control emissions from a wide array of mobile sources and implement the Federal Clean Air Act (FCAA). (Health and Safety Code (HSC) 39500 *et seq*.)

2) Requires ARB to adopt and implement technologically feasible emission standards for new motor vehicles to, among other things, ensure compliance with state air quality laws and the FCAA, and prohibit vehicles that do not comply with those emissions standards from being certified for use in the state. (HSC 43100 *et seq*.)

3) Requires ARB to adopt motor vehicle fuel specification requirements for the control of air contaminants and air pollution where it is necessary, cost effective, and technologically feasible to do so. (HSC 43013).

4) Creates the California Environmental Policy Council (CEPC), consisting of the leaders of seven specified state entities: the Environmental Protection Agency, the Department of Pesticide Regulation, the Department of Toxic Substances Control, ARB, the State Water Resources Control Board, the Office of Environmental Health Hazard Assessment, and the Integrated Waste Management Board. (Public Resources Code 71017).

5) Prevents ARB from adopting any regulations setting specifications for motor vehicle fuels unless that regulation, and a multimedia evaluation of any significant adverse impacts on public health or the environment, have been reviewed by the CEPC, as specified. (HSC 43830.8).

THIS BILL requires ARB to complete a rulemaking on or before July 1, 2025 to adopt specifications for E15 for use as a transportation fuel, and, if ARB does not meet this deadline, provides that E15 shall be treated as approved by ARB and may be sold in the state for use as a transportation fuel.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Background**. Existing law requires ARB to undertake specific actions prior to adopting motor fuel specifications. For example, ARB must conduct certain analyses, including an evaluation of the environmental impacts of the proposed policy change known as a

"multimedia evaluation." ARB reports that a multimedia evaluation includes three main steps (referred to as tiers) that generally involve the following activities: (1) Tier I: summarizing existing research and identifying knowledge gaps, (2) Tier II: conducting experiments to fill the identified knowledge gaps, and (3) Tier III: preparing a final report summarizing the existing and new research and providing findings and conclusions. According to ARB, completing a multimedia evaluation typically takes two to five years. Statute further requires that the multimedia evaluation be approved by the CEPC.

ARB indicates that it initiated a multimedia evaluation for E15 in 2018 and finalized the Tier I analysis in 2020. Tier II and Tier III have not been completed, but ARB anticipates finishing these remaining steps by summer 2025. Once complete, ARB will use the multimedia evaluation process to determine whether to move forward with developing a regulation to authorize the use of E15 in California.

In October 2024, Governor Newsom sent a letter directing ARB to expedite its actions related to E15. In that letter, the Governor also indicated that the administration "welcomes a partnership" with the Legislature in 2025 to consider necessary statutory changes and funding that would further expedite ARB's consideration of authorizing the use of E15 in California. In response to the Governor's directive, ARB indicates a goal of completing its work, and required peer review, and delivering the multimedia evaluation to the CEPC by mid-2025. The Administration has proposed a budget change proposal (BCP) to support ARB's expedited work on E15 ($2.3 million for 10 staff). ARB estimates CEPC approval and completion of the multimedia evaluation process sometime in 2026, assuming it gets the additional staff requested.

2) **Author's statement**:

> As our state continues its transition toward a cleaner, more sustainable energy future, we must embrace practical solutions that reduce emissions and lower fuel costs for California drivers. Approving access to E15 gasoline – a blend of 15% ethanol and 85% gasoline—is a step in that direction. E15 is a proven, cleaner-burning fuel that has been used safely across the country for over a decade. As of January 1, 2025, California is currently the only state in the nation that has not yet approved the sale of E15.
>
> ARB began studying E15 in 2018 and has completed multimedia studies that demonstrate the fuel blend's benefits for public health and the environment. ARB's draft E15 report is complete and has been held internally since June 2022. Despite multiple legislative and executive branch signals to propel E15, ARB has not yet taken formal steps to circulate its study findings and draft report or initiate an E15 regulation. AB 30 resolves bureaucratic inaction by requiring ARB to complete an E15 regulation by July 1, 2025 – a deadline identified through consensus discussions during last year's special session committee hearings on E15.
>
> A study by UC Berkeley and the U.S. Naval Academy estimates that adopting E15 could lower gasoline prices by 20 cents per gallon, saving California drivers $2.7 billion annually. Approving E15 for sale in our state would provide immediate financial relief to consumers while ensuring California keeps pace with the rest of the country in offering more affordable and cleaner fuel options. The Governor's January state budget proposal

includes $2.3 million for E15 rule adoption and implementation, and AB 30 includes an urgency clause so it can take effect immediately upon the Governor's signature.

3) **Incompatibility with older light-duty vehicles, motorcycles, and various heavy-duty and non-road engine types complicates the broad use of E15 and may counteract expected economic benefits.**

According to a recent analysis from the Legislative Analyst's Office:

> California statute provides authority for ARB to issue regulations for motor vehicle fuel specifications, among other areas. Under this authority, ARB has established regulations that authorize the use of up to 10% ethanol in gasoline (a blend known as E10). ARB reports that virtually all gasoline currently sold in California is E10.
>
> Starting in 2010, U.S. EPA has issued various waivers for the adoption of up to 15% ethanol in gasoline (known as E15) for 2001 and newer conventional vehicles. (The use of E15 is not authorized for older vehicles, motorcycles, lawnmowers and other types of off-road equipment, delivery trucks, or other types of heavy-duty vehicles.) Since the adoption of those waivers, all other states besides California have authorized the sale of E15. However, according to the U.S. Department of Energy, E15 only is available at roughly 3,000 gas stations across 31 states (roughly 2 percent of gas stations that sell fuel to the public), and E10 continues to be the standard blend nationwide.

Under U.S. EPA guidelines and waivers, E15 can be used in flexible-fuel vehicles and model year 2001 and newer cars, light-duty trucks, and medium-duty passenger vehicles (SUVs).

E15 cannot be used in:

- Model year 2000 and older cars, light-duty trucks, and medium-duty passenger vehicles.
- On-highway and non-road motorcycles;
- Vehicles with heavy-duty engines, such as school buses, transit buses, and delivery trucks;
- Non-road vehicles, such as boats and snowmobiles;
- Engines in non-road equipment, such as lawnmowers and chain saws.

Some vehicle/engine manufacturers identify allowable fuels in their warranty programs and the use of other fuels, potentially E15, runs the risk of nullifying the vehicle warranty.

U.S. EPA's Misfueling Mitigation Rule requires companies to submit a Misfueling Mitigation Plan (MMP) for approval prior to selling E15. These plans must include measures that the fuel producer will take to reduce the potential of misfueling vehicles that cannot use E15. Companies cannot introduce E15 into commerce until a MMP has been approved and implemented.

4) **Bill presents an unachievable deadline, followed by permanent loss of regulatory authority for ARB**. This bill requires ARB to complete a rulemaking by July 1, 100 days from today's hearing. This is clearly infeasible, regardless of staffing or prioritization. The consequence, as of July 2, is that E15 must be treated as approved by ARB, and may be sold in the state for use as a transportation fuel, indefinitely and without regard to the results of the multimedia evaluation or the normal rulemaking process.

However, the Legislature could authorize the sale of E15 upon enactment of this bill, pending the completion of the multimedia evaluation and fuel specification rulemaking, without casting aside the multimedia evaluation and permanently revoking ARB's authority to set specifications for gasoline blends in the 10.5-15% ethanol range.

To achieve this, *the author and the committee may wish to consider* the following alternative to Section 1:

> *43013.7. (a) Notwithstanding Section 43830.8, blends of gasoline containing 10.5 percent to 15 percent ethanol by volume may be sold in the state for use as a transportation fuel until both of the following occur:*
> *(1) The California Environmental Policy Council completes its review and publicly posts its findings of the multimedia evaluation for blends of gasoline containing 10.5 percent to 15 percent ethanol by volume required pursuant to Section 43830.8.*
> *(2) The state board does either of the following:*
> *(A) Adopts a regulation establishing a specification for blends of gasoline containing 10.5 percent to 15 percent ethanol by volume.*
> *(B) Posts an assessment on its internet website demonstrating that it is not possible for a proposed regulation establishing a specification for blends of gasoline containing 10.5 percent to 15 percent ethanol by volume to meet the requirements of subdivision (f) of Section 43830.8.*
> *(b) This section shall not be construed to limit the authority of the state board to adopt and enforce transportation fuel specifications for other fuels, or for blends of gasoline containing 10.5 percent to 15 percent ethanol by volume after the state board takes action pursuant to subparagraph (A) or (B) of paragraph (2) of subdivision (a).*

REGISTERED SUPPORT / OPPOSITION:

Support

Association of the U.S. Army - Southern California
California Council of Chapters, Military Officers Association of America
California Enlisted Association of the National Guard of the United States
California Farm Bureau Federation
California League of United Latin American Citizens
Marine Corps League, Department of California
Multicultural Business Alliance
Renewable Fuels Association

Opposition

350 Bay Area Action
ABATE of California
Democrats of Rossmoor
National Marine Manufacturers Association (unless amended)
Recreational Boaters of California (unless amended)
SanDiego350
Sustainable Rossmoor

Analysis Prepared by: Lawrence Lingbloom / NAT. RES. /

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 43 (Schultz) – As Introduced December 2, 2024

SUBJECT: Wild and scenic rivers

SUMMARY: Permanently extends the authority of the secretary of the Natural Resources Agency (NRA) to take the specified actions relating to the addition of rivers or segments of rivers to the state's wild and scenic rivers system by eliminating a sunset date.

EXISTING LAW:

1) Prohibits water resources projects from having a negative impact on the values of designated rivers. This includes the river's water quality, free-flow, and other notable values. (Title 16 United States Code 1278)

2) Pursuant to the California Wild and Scenic Rivers Act (Public Resources Code 5093.50 *et seq.)*

    a) Defines "wild rivers" as those rivers or segments of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted.

    b) Defines "scenic rivers" as those rivers or segments of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads."

    c) Requires the secretary, if the federal government enacts a statute that would require the removal or delisting of any river or segment of a river in California that is included in the national wild and scenic rivers system and not in the state wild and scenic rivers system, or the secretary determines that the federal government has exempted a river or segment of a river in California that protect rivers, segments of rivers, or values for which those rivers were established as part of the national system, to take both of the following actions:

        i) Hold a public hearing to provide information and an opportunity for public comment on any proposed addition to the state wild and scenic rivers system resulting from federal action to remove, delist, or exempt that river or segment of a river from those protective provisions of the national wild and scenic rivers system.

        ii) Determine whether the provision of state protection for the river or segments of the river removed, delisted, or exempted from the national wild and scenic rivers system is in the best interest of the state and, if so, add the river or segment of the river that is removed, delisted, or exempted from those federal protective provisions to the state wild and scenic rivers system, and classify the river or segment of the river as wild, scenic, or recreational.

d) Requires the secretary, if the secretary makes a determination to add a river or segment of a river to the state wild and scenic rivers system, to take all actions necessary to ensure the addition of the river or segment of the river to the state wild and scenic rivers system, and to classify the river or segment of the river to be added as wild, scenic, or recreational.

e) Provides that wild and scenic river designation by the secretary does not do any of the following:

   i) Provide protective provisions that exceed the scope of the prior federal designation as wild, scenic, or recreational of that river or segment of the river.

   ii) Conflict with any provisions of the prior federal designation of that river or segment of the river as wild, scenic, or recreational.

   iii) Conflict with a Comprehensive River Management Plan prepared for that river or segment of the river.

f) Sunsets the secretary's authority on December 31, 2025.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement**:

   There are about 819 miles of *federally* protected wild and scenic rivers in California that are preserved in their free-flowing condition for the benefit and enjoyment of present and future generations. Current law applies to federally protected rivers (as of January 1, 2018) if Congress or the federal Administration were to pass legislation or enact an Executive Order to degrade or eliminate federal protection from all or a portion of a federal river, or take actions that negatively affect provisions in the federal act that prohibits new dams and major diversions from designated river segments.

   Current law directs the California Natural Resources Agency Secretary to hold a public hearing on the federal action, determine whether to add the river or river segment threatened by the federal action to the state wild and scenic rivers system, and if the river is added to the state system, classify as wild, scenic, and recreational the appropriate river segments. However, this public process that allows the state to protect wild and scenic rivers sunsets at the end of the year. It is important for California to allow this process to be in place given threats to our natural resources from the federal government.

2) **Wild and Scenic River System**. The National Wild and Scenic Rivers System was created by Congress in 1968 to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. Rivers may be designated by Congress or, if certain requirements are met, the Secretary of the Interior. Each river is administered by either a federal or state agency.

Under federal law, the Federal Energy Regulatory Commission is prohibited from licensing the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project works under the Federal Power Act on or directly affecting any river which is designated as a component of the national wild and scenic rivers system, and prohibits all federal departments and agencies from financially supporting construction of any water resources project that would have a direct and adverse effect on the values for such river.

In 1972, California enacted its own Wild and Scenic Rivers Act to establish the policy of the state that certain rivers which possess extraordinary scenic, recreational, fishery, or wildlife values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state. With its initial passage, the California system protected the Smith River and all of its tributaries; the Klamath River and its major tributaries, including the Scott, Salmon, and Trinity Rivers; the Eel River and its major tributaries, including its tributary the Van Duzen River; and, segments of the American River. The Legislature declared that such use of these rivers is the highest and most beneficial use and is a reasonable and beneficial use of water. Legislative actions since have expanded the bodies of water designated in the system.

California has 2,072 miles of federally- *and* state-designated wild and scenic rivers – only 1.1% of the state's approximate 189,454 miles of river. Those river include:

National Designated Rivers in California

- American River (Lower)
- American River, North Fork
- Big Sur River
- Black Butte River
- Eel River System
- Feather River, Middle Fork and Kern River
- Kings River
- Klamath River System
- Merced River
- Sespe Creek
- Sisquoc River
- Smith River System
- Trinity River System
- Tuolumne River

California Wild and Scenic Rivers System

- Albion River
- American River
- Cache Creek
- Carson River
- Eel River
- Gualala River
- Klamath River
- McCloud River
- Salmon River
- Scott River
- Smith River
- South Yuba River
- Trinity River
- Van Duzen River
- West Walker Rive

The state statute prohibits activities that could damage soil, water, timber, and habitat close to the river. It also bars the State Water Resources Board and other state agencies from assisting or licensing facilities that could harm the wild and scenic values of a protected river. In general, no dam, reservoir, diversion, or other water impoundment facility may be constructed on any river segment included in the system. No water diversion facility may be constructed on any river segment included in the system unless the secretary of NRA determines that the facility is needed to supply domestic water to local residents of the

county or counties in which the river flows and that the facility will not adversely affect the river's free-flowing condition and natural character.

The secretary can recommend classifications to the Legislature. "Wild" river segments are free of impoundment and generally are inaccessible except by trail, with primitive watersheds or shorelines and unpolluted waters. "Scenic" river segments are free of impoundment, with shorelines or watersheds still largely primitive and shorelines largely undeveloped but accessible in places by roads. "Recreational" river segments are readily accessible by road or railroad, may have some development along their shorelines, and may have been impounded or diverted in the past.

Most recent legislative action, AB 142 (Bigelow), Chapter 661, Statutes of 2015, directed the NRA to evaluate the suitability of five segments of the upper Mokelumne River's main stem and North Fork for inclusion in the state system. NRA released a draft study report in January 2018, held two public meetings, and received extensive public comment. The process marked the first time a river has been assessed for addition to the California Wild and Scenic Rivers System since 1994. Designating the Mokelumne a California Wild and Scenic River preserves those segments in their free-flowing state and prevents construction of new dams or impoundments on the designated segments. Current water and land uses continue.

3) **Past state protections from federal action**. In 1995, in response to legislatively mandated studies, dams on portions of Deer and Mill creeks were prohibited (though the creeks were not formally designated).

In 2019, the U.S. Bureau of Reclamation and its cost-sharing partner, Westlands Water District, proposed to raise Shasta Dam to increase storage capacity in the state's largest reservoir. The Trump Administration, under authority of the Water Infrastructure Improvements for the Nation Act of 2016 (WIIN), issued a "Secretarial Determination for Commencement of Construction" regarding the Shasta Dam raise and proposed to sign up cost-sharing partners for the Shasta Dam raise (the raise is illegal under provisions of the California Wild and Scenic Rivers Act) and begin construction in 2019.

Opponents of the project—including the State of California, argued that the project would flood prime fish habitat and inundate tribal religious sites on the McLoud River, which is protected under the California Wild and Scenic Rivers Act. California courts ordered Westlands not to study or participate in other efforts to raise Shasta Dam, because the California Wild and Scenic Rivers Act prohibits "agencies of the state" from cooperating on facilities that could impact the free-flowing condition of the McCloud River. Further, on November 15, 2021, the Infrastructure Investment and Jobs Act signed into law by President Biden continues many Western water projects features of the WIIN but prohibits construction funding for the expansion of Shasta Reservoir, a project that would inundate a portion of the McCloud River protected by the California Wild & Scenic Rivers Act.

According to the author, since 2011, the House of Representatives has considered at least four bills to remove federal protection for part of the Merced Wild River to allow for expansion of McClure Reservoir. The proposed expansion would drown a portion of this wild river and wipe out most of the known population of the state-protected Merced Canyon limestone salamander. Reservoir expansion also raises serious dam safety concerns. Those bills would not only have allowed unprecedented reservoir expansion to inundate a segment of the federally-designed Merced River, they would have permitted flooding of a river

segment that provides whitewater boating, hiking, fishing, and other popular outdoor activities, as well as drown most of the known population of the state protected Merced limestone salamander, while raising serious dam safety concerns by reducing the capacity of Exchequer Dam's emergency spillway.

There are indications that federal interest in the integrity of the national wild and scenic system has waned under the current Administration.

4) **Current Trump Administration**. Last November, on the heels of President Trump's election, Governor Newsom issued a proclamation convening a special session of the Legislature to safeguard California policies and values from the incoming Trump Administration. The special session will focus on bolstering California legal protections to protect civil rights, reproductive freedom, climate action, and immigrant families, including $25 million in state funding for the Department of Justice to strengthen the state's legal defenses against the incoming administration.

   Since taking office, President Trump has downsized the federal workforce by more than two million employees, including more than 7,000 employees at the U.S. Forest Service (USFS), and hundreds of positions at the National Park Service, the Environmental Protection Agency (US EPA), and the Bureau of Land Management. Further, the Department of Government Efficiency plans to terminate lease contracts at nearly two dozen California offices including the National Oceanic and Atmospheric Administration, US EPA, USFS, and Geological Survey.

5) **This bill**. In step with the Governor's efforts to "future proof" the state, this bill would grant the secretary authority in perpetuity to protect wild and scenic rivers from actions taken by the federal government to derecognize them.

   AB 43 eliminates the December 31, 2025, sunset date on the authority provided to the secretary by AB 2975 (Friedman), Chapter 221, Statutes of 2018, to determine whether the state should protect a river or segment of a river that has lost or will lose protection under the federal wild and scenic rivers system.

REGISTERED SUPPORT / OPPOSITION:

Support

All Outdoors
American River Conservancy
American Rivers
American Whitewater
Armargosa Conservancy
California Environmental Voters
California for Western Wilderness
California Native Plant Society, Alta Peak Chapter
California Sportfishing Protection Alliance
California Trout
Calwild
Center for Biological Diversity
Central Valley Partnership
Clean Earth 4 Kids
Clean Water Action
Coast Action Group
Defenders of Wildlife
Endangered Habitats League
Environmental Protection Information Center
Foothill Conservancy
Friends of The Eel River
Friends of The Inyo
Friends of The Lost Coast
Friends of The River

Keep It Wild Merced River
Klamath Forest Alliance
Los Angeles Waterkeeper
Los Padres Forest Watch
Mother Lode River Center
Nature for All
Northcoast Environmental Center
Northern California Council of Fly Fishers International
O.A.R.S.
Planning and Conservation League
Protect American River Canyons
Restore the Delta
Restoring the Stanislaus River
Safe Alternatives for Our Forest
Environment
San Francisco Baykeeper
Save California Salmon
Save the American River Association
Sequoia Riverlands Trust
Sierra Club California
Sierra Consortium
Sierra Nevada Alliance
Sierra State Parks Foundation
The Climate Center
Trust for Public Land
Tuolumne River Trust
Union of Concerned Scientists
Water Climate TrusT

Opposition

None on file

Analysis Prepared by: Paige Brokaw / NAT. RES. /

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 66 (Tangipa) – As Amended February 24, 2025

SUBJECT: California Environmental Quality Act: exemption: egress route projects: fire safety

SUMMARY: Exempts from the California Environmental Quality Act (CEQA) egress route projects in subdivisions reviewed by the State Board of Forestry and Fire Protection (BOF) where the BOF recommends creation of secondary access to the subdivision.

EXISTING LAW:

1) Requires lead agencies with the principal responsibility for carrying out or approving a proposed project to prepare a negative declaration, mitigated negative declaration, or environmental impact report (EIR) for this action, unless the project is exempt from CEQA (CEQA includes various statutory exemptions, as well as categorical exemptions in the CEQA Guidelines). (Public Resources Code (PRC) 21000, *et seq*)

2) Requires on or before July 1, 2021, and every five years thereafter, the BOF, in consultation with the State Fire Marshall, to survey local governments to identify existing subdivisions (i.e., an existing residential development of more than 30 dwelling units) in the state responsible area (SRA) or locally-designated "very high fire hazard severity zones" (VHFHSZ) without a secondary egress route that are at significant fire risk, then develop recommendations to improve the subdivision's fire safety. Authorizes the recommendations to include, but not be limited to, the following (PRC 4290.5):

    a) Creating secondary access to the subdivision;

    b) Improvement to existing access road; and,

    c) Other additional fire safety measures.

THIS BILL:

1) Exempts from CEQA an egress route project to improve emergency access to and evacuation from a subdivision without a secondary egress route if the subdivision has been identified by the BOF, and the BOF recommends the creation of a secondary access to the subdivision, provided all of the following conditions are met:

    a) The subdivision has insufficient egress routes, as determined by the lead agency.

    b) The subdivision is located in either a SRA classified as high or very high fire hazard severity zone or a VHFHSZ.

    c) The location of the project does not contain wetlands or riparian areas.

d) The project does not harm or take any species protected by the federal Endangered Species Act, the Native Plant Protection Act, the CEQA Guidelines, or the California Endangered Species Act.

e) The project does not cause the destruction or removal of any species protected by an applicable local ordinance.

f) The project does not affect known archaeological, historical, or other cultural resources.

g) The project is carried out by a public agency.

h) The public agency consults with the Department of Fish and Wildlife during project development.

i) The egress route is scaled to the existing population of the development, as specified.

j) The lead agency determines that the primary purpose of the project is fire safety egress.

k) Any commercial timber harvest is incidental to the project's primary purpose and complies with the Forest Practice Act.

l) The lead agency determines that the project has obtained, or is able to obtain, all necessary funding and any federal, state, and local approvals within one year of the filing of the notice of exemption.

m) All roads that comprise the egress route are publicly accessible to vehicular traffic at all times.

2) Requires the lead agency, before determining that a project is exempt, to hold a noticed public meeting to hear and respond to public comments.

3) Requires the lead agency to file a notice of exemption with the Office of Land Use and Climate Innovation and the county clerk in the county in which the project is located.

4) Sunsets January 1, 2032.

FISCAL EFFECT: According to the Assembly Appropriations Committee's analysis of an identical bill in 2023, AB 692 (Jim Patterson):

1) The Department of Forestry and Fire Protection (CAL FIRE) estimates a one-time cost of approximately $1 million for staff resources and equipment in year one and ongoing annual costs of approximately $858,000 (General Fund) until January 1, 2030, for four new positons in the Forest Practice Program to accommodate the additional workload needed to implement this bill.

2) The California Department of Fish and Wildlife (CDFW) estimates costs of approximately $1.7 million in fiscal year (FY) 2023-24 and $1.6 million in FY 2024-25 and ongoing (General Fund) for seven positions to provide policy coordination support and coordinate project notices and discretionary permitting needs with the department's regional offices.

CDFW notes projects exempted from CEQA would not be subject to the department's environmental document filing fees, resulting in a decrease in revenue that funds CDFW's CEQA program. CDFW notes it does not know how many communities would qualify for the exemption proposed in this bill as efforts to survey potentially qualified subdivisions are ongoing. However, CAL FIRE's Subdivision Review Program has, as of January 2022, identified close to 300 subdivisions throughout the state, as demonstrated on CAL FIRE's Subdivision Survey Reports map.

COMMENTS:

1) **Author's statement**:

> Too many Californians, especially in fire-prone regions, live with the fear of being trapped during wildfires due to a single egress route. The CEQA process, while vital for environmental protection, has bogged down these urgent safety projects with years of red tape and costs – delays we can't afford when lives are at stake. I introduced AB 66 to cut through that bureaucracy, granting a temporary exemption to expedite secondary egress routes while preserving public input through mandated meetings.

2) **CEQA review for roads**. CEQA provides a process for evaluating the environmental effects of applicable projects undertaken or approved by public agencies. If a project is not exempt from CEQA, an initial study is prepared to determine whether the project may have a significant effect on the environment. If the initial study shows that there would not be a significant effect on the environment, the lead agency must prepare a negative declaration. If the initial study shows that the project may have a significant effect on the environment, the lead agency must prepare an EIR.

   Generally, an EIR must accurately describe the proposed project, identify and analyze each significant environmental impact expected to result from the proposed project, identify mitigation measures to reduce those impacts to the extent feasible, and evaluate a range of reasonable alternatives to the proposed project. Prior to approving any project that has received environmental review, an agency must make certain findings. If mitigation measures are required or incorporated into a project, the agency must adopt a reporting or monitoring program to ensure compliance with those measures.

   It should be noted that CEQA already provides alternatives to comprehensive environmental review for minor projects, including road maintenance. First, the CEQA Guidelines provide a categorical exemption for work on existing facilities where there is negligible expansion of an existing use, specifically including "(e)xisting highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities," (CEQA Guidelines, Section 15301(c)). Second, if the project is not exempt from CEQA, but the initial study shows that it would not result in a significant effect on the environment, the lead agency must prepare a negative declaration, and no EIR is required. In addition, a road project that has been considered in a local planning EIR would be subject to abbreviated review, or possibly exemption, depending on the project's potential to have a significant effect on the environment.

3) **Local fire safety planning**. Cities and counties are required to adopt a comprehensive general plan with various elements including a safety element for protection of the

community from unreasonable risks associated with various hazards, including wildfires. CAL FIRE acknowledges the importance of planning and its importance to wildland fire safety and risk mitigation. Land use planning incorporates safety element requirements for state SRA and VHFHSZ; requires local general plan safety elements, upon the next revision of the housing element on or after January 1, 2014, to be reviewed and updated as necessary to address the risk of fire in the SRA and VHFHSZ; requires each safety element update to take into account the most recent version of OPR's "Fire Hazard Planning" document; and requires OPR to include a reference to materials related to fire hazards or fire safety.

Local jurisdictions with land in the SRA and VHFHSZ must revise their general plan safety elements to include information relating to the protection of the planning area from wildfire, and update that information whenever the housing element is amended. New requirements for wildfire planning in the safety element have increased wildfire planning efforts. Since April 2013, the BOF has reviewed 45 safety elements, and has received letters back from jurisdictions explaining which recommendations they did or did not incorporate from 11 of them. AB 2911 (Friedman), Chapter 641, Statutes of 2018, provided more tools for the BOF to collaborate with local governments and enhanced its ability to recommend changes based on best practices.

Many developments in the SRA and VHFHSZ were constructed prior to building standards and the fire prevention regulations developed by the BOF, including limits on dead end roads. These older nonconforming developments are not required to take proactive steps to reduce their fire risk, and could be in jeopardy because their homes are not fire resistant and they do not have secondary access roads. Lack of a secondary road is a serious problem that could leave people trapped and unable to escape a wildfire.

4) **Fourth time's the charm**? Except for a later sunset date, this bill is the same as AB 692, which was held in the Assembly Appropriations Committee, AB 1154 (Patterson, 2022), which was held in the Senate Appropriations Committee, and AB 394 (Obernolte, 2019), which was vetoed by Governor Newsom, with the following message:

> This bill exempts from (CEQA), until January 1, 2025, egress route projects or activities undertaken by a public agency. The affected projects include those that are specifically recommended by the (BOF) to improve the fire safety of an existing subdivision when certain conditions are met.
>
> California's devastating wildfires of 2017 and 2018 amplified the urgent imperative to mitigate risk and build robust community emergency plans, especially for our most vulnerable in the Wildland-Urban Interface (WUI). However, the CEQA exemption provided in this bill is premature and may result in unintended consequences. Without better information on the number, location and potential impacts of future fire safety road construction projects, it is not clear whether statutory changes are needed. Furthermore, it is important that we build solutions around the unique and targeted needs of each community.

REGISTERED SUPPORT / OPPOSITION:

Support

California Building Industry Association
Rural County Representatives of California

Opposition

None on file

Analysis Prepared by: Lawrence Lingbloom / NAT. RES. /

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 70 (Aguiar-Curry) – As Amended March 11, 2024

SUBJECT: Solid waste: organic waste: diversion: biomethane

SUMMARY: Defines pyrolysis as the thermal decomposition of organic material at elevated temperatures in the absence or near absence of oxygen and revises the definition of "combustion" to incorporate this definition of pyrolysis. Requires the Department of Resources Recycling and Recover (CalRecycle) to include pipeline biomethane converted from organic waste as eligible for procurement credit by local jurisdictions by January 1, 2027.

EXISTING LAW:

1) Establishes the Integrated Waste Management Act (IWMA), which generally governs the management of solid waste and recycling in the state, and is implemented by CalRecycle. (Public Resources Code (PRC) 40000 *et seq*.)

    a) Defines "solid waste disposal," "disposal," or "dispose" as the final deposition of solid wastes onto land, into the atmosphere, or into waters of the state. For specified purposes, defines these terms to include the management of solid waste through landfill disposal, transformation, or engineered municipal solid waste (EMSW) conversion at a permitted solid waste facility. For specified purposes, further defines these terms to mean the final deposition of solid waste onto land. (PRC 40192)

    b) Defines "transformation" as incineration, pyrolysis, distillation, or biological conversion other than composting. Specifies that "transformation" does not include composting, gasification, EMSW conversion, or biomass conversion. (PRC 40201)

2) Establishes the Warren-Alquist State Energy Resources Conservation and Development Act (Warren-Alquist Act), which generally governs energy policy and planning in the state, and is implemented by the California Energy Commission (CEC). (PRC 25000 *et seq*.)

3) Requires the Air Resources Board (ARB) to develop a comprehensive strategy to reduce the emissions of short-lived climate pollutants (SLCP) to achieve a 40% reduction in methane emissions, 40% reduction in hydrofluorocarbon gases, and 50% reduction in anthropogenic black carbon below 2013 levels by 2030. (Health and Safety Code (HSC) 39730-39730.5)

4) Requires the state to reduce the disposal of organic waste by 40% from the 2014 level by 2020 and 75% by 2025 to help achieve the state's methane reduction goal. (HSC 39730.6)

5) Defines "conversion," for purposes of the Warren-Alquist Act, to mean the processes by which residue is converted to a more usable energy form, including, but not limited to, combustion, anaerobic digestion, and pyrolysis, and is used for heating, process heat applications, and electric power generation. (PRC 25135)

THIS BILL:

1) Defines "pyrolysis" in the IWMA to mean the thermal decomposition of organic material at elevated temperatures in the absence of gases such as air or oxygen.

2) Requires CalRecycle, no later than January 1, 2027, to revise the state's organic materials procurement regulations to include procurement of pipeline biomethane converted exclusively from diverted organic waste, as specified.

3) States legislative findings relating to SLCPs and declares the intent of the Legislature to accelerate diversion and beneficial reuse of organic waste, meet the state's organic waste disposal reduction targets, and adopt policies and incentives to maximize climate, public health, environmental, economic, and community benefits of organic waste diversion and reuse.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Organic waste recycling**. Nearly 40 million tons of waste are disposed of in California's landfills annually. Nearly half of those materials are organics (~48%). Organic waste includes food, yard, paper, and other organic materials. As that material decomposes in landfills, it generates significant amounts of methane, a potent greenhouse gas (GHG) with 84 times the climate impact as carbon dioxide. ARB states that about 20% of methane emissions in California comes from landfills.

   SB 1383 (Lara), Chapter 395, Statutes of 2016, requires ARB to approve and implement a comprehensive SLCP strategy to achieve, from 2013 levels, a 40% reduction in methane, a 40% reduction in hydrofluorocarbon gases, and a 50% reduction in anthropogenic black carbon, by 2030. In order to accomplish these goals, the law specifies that the methane emission reduction goals include targets to reduce the landfill disposal of organic waste, including food, 50% by 2020 and 75% by 2025 from the 2014 level. SB 1383 also requires that by 2025, 20% of edible food that would otherwise be sent to landfills is redirected to feed people. Specifically, the law requires: jurisdictions to establish food recovery programs and strengthen existing food recovery networks; food donors to arrange to recover the maximum amount of edible food; and, food recovery organizations and services that participate in SB 1383 to maintain specified records.

   To achieve this, California's waste management infrastructure is going to have to process and recycle much higher quantities of organic materials, involving significant investments in additional processing infrastructure. Organic waste is primarily recycled by composting the material, which generates compost that can be used in gardening and agriculture as a soil amendment and engineering purposes for things like slope stabilization. Anaerobic digestion is also widely used to recycle organic wastes. This technology uses bacteria to break down the material in the absence of oxygen and produces biogas, which can be used as fuel, and digestate, which can also be used as a soil amendment. Tree trimmings and prunings can also be mulched.

   In order to ensure that there are adequate markets for the state's increasing quantities of products made from organic waste, like mulch, compost, and digestate, CalRecycle

established procurement requirements for local jurisdictions. The procurement targets are based on the average amount of organic waste generated by Californians annually multiplied by the population of a jurisdiction. Jurisdictions can meet the target by procuring, giving away, or arranging for the use of the material through contracts with direct service providers. Eligible materials include compost, mulch, biomass electricity, or renewable gas, as specified.

2) **Plastic**. Plastics pose a threat to the environment from origin to end-of-life. Plastic production is responsible for three and a half percent of all greenhouse gas emissions—more than the entire aviation sector. In 2021, global plastics production was estimated at 390.7 million metric tons, a 4% increase from the previous year. The United Nations Environment Programme reports that only 9% of all plastic ever made has been recycled, 12% has been incinerated, and the remaining 79% has accumulated in landfills or the environment.

   Once plastics enter the environment, they remain there for hundreds to thousands of years. Plastics do not break down into their constituent parts, but instead break down into smaller and smaller particles, or microplastics. Because they are so small, microplastics are carried in the air and in water, and are easily ingested or inhaled by living things and accumulate up the food chain. Microplastics have been found in the most pristine natural environments on earth, including in the deep ocean, Antarctic sea ice, and in the sand of remote deserts. Micoplastics are found in household dust and drinking water (bottled and tap), and humans are inhaling and consuming them. A March, 2024, study published in *Science of the Total Environment* identified microplastics in all human tissues sampled, with the polyvinyl chloride being the dominant polymer. In February of this year, a study published in *Nature Medicine* found microplastics in human brains in higher concentrations than other body systems. This plastic accumulation increased 50% over the past eight years. Shockingly little information exists about the potential health impacts of microplastics exposure. Laboratory studies have found that microplastics increase the risk of cancer and disrupt hormone pathways in lab rats.

   Plastic pollution and the impacts of microplastics on human health fall disproportionately on marginalized communities. Nearly all plastic is produced from fossil fuels and generates greenhouse gas emissions and toxic chemicals that impact air and water quality. About 14% of oil is used in petrochemical manufacturing, a precursor to producing plastic. By 2050, plastic production is predicted to account for 50% of oil and fracked gas demand growth. According to *Feeding the Plastics Industrial Complex: Taking Public Subsidies, Breaking Pollution Limits*, a report released on March 14, 2024, by the Environmental Integrity Project, "more than 66% of people within three miles of factories that manufacture the main ingredients in plastic products are people of color living in communities that are over-exposed to air pollution while schools and other public services are chronically underfunded." The report notes that these facilities receive billions in subsidies while repeatedly violating environmental laws and regulations. For example, Indorama, the world's largest producer of polyethylene terephthalate (PET) resins used in beverage containers and other single-use packaging, operates a facility in Louisiana that cracks natural gas or oil into ethylene. The facility received both a $1.5 million grant from the state and an exemption from local taxes – a subsidy estimated to be worth at least $73 million over 10 years. In return, Indorama violated its permitted air pollution control limits. In one example, over five months in 2019, the facility released more than 90 times the permitted level of

volatile organic compounds. Instead of coming into compliance after multiple violations, the state revised the facility's pollution control permit to allow higher levels of emissions.

Recycling plastic into new products is one way to reduce plastic pollution, as it keeps the recycled plastic out of the environment and reduces our dependence on virgin resin. However, recycling is currently only feasible for some of the more common, and least toxic, forms of plastic. The most effective way to tackle the plastic pollution crisis is to use less of it, particularly the types that are not readily recyclable.

3) **Pyrolysis**. Pyrolysis is generally defined as the chemical decomposition of organic materials (i.e., containing carbon) by heat in the absence of oxygen. In practice, the complete absence of oxygen is nearly impossible, and the systems are operated with some unavoidable oxygen. Pyrolysis is usually conducted temperatures above 500 degrees Celsius. The CEC's Energy Glossary defines pyrolysis as "the breaking apart of complex molecules by heating in the absence of oxygen, producing solid, liquid, and gaseous fuels." The CEC also describes pyrolysis as "the thermal decomposition of organic material at elevated temperatures in the absence of gases such as air or oxygen. The process, which requires heat, produces a mixture of combustible gases (primarily methane, complex hydrocarbons, hydrogen and carbon monoxide), liquids, and solid residues." Due to the lack of oxygen, the material does not combust, but is thermally decomposed into combustible gases and bio-char. The gases can be combusted for energy or converted into bio-oil. Pyrolysis is widely used in the chemical industry to produce chemicals, such as ethylene from oil and coke from coal, and in the conversion of natural gas and methane into hydrogen.

   Prolysis is one of the technologies that has gained attention in recent years as a form of "advanced recycling" (previously known as conversion technologies and also referred to as chemical recycling), which is a term widely used by the plastic and oil industries to describe technologies that convert plastic back into chemicals, fuel, or oil. When used to convert waste plastic, these technologies have significant environmental impacts, particularly on the surrounding communities, including toxic air emissions, GHG emissions, and hazardous waste generation. According to a recent study by the National Renewable Energy Lab, pyrolysis and gasification require large amounts of energy and generate GHG emissions and pollutants.

   Pyrolysis can also be used to process organic waste and biomass to produce fuels, bio-oil, and biochar. The use of pyrolysis to convert food waste and green waste are being researched for feasibility and environmental impacts. There also appears to be promise to use pyrolysis to manage the large amounts of forest biomass that will be generated as the state continues efforts to minimize wildfire risk. In 2023, the Department of Conservation awarded $4 million to eight grant awardees as part of a pilot project to create carbon-negative fuels from forest residues.

   In California, pyrolysis and other advanced recycling technologies do not count as recycling for purposes of achieving the state's solid waste recycling targets. However, when used to convert organic waste, they may count as organics recycling if they meet certain standards. Known as the Article 2 process, in reference to the article in regulations that creates the standard, a technology may qualify as organic waste diversion for purposes of meeting the state's SLCP targets if the permanent life-cycle GHG emissions reductions are equal to or greater than the emissions reductions from composting organic waste (California Code of

Regulations 18983.2).

4) **Federal regulatory action**. Federally, the United States Environmental Protection Agency (USEPA) categorizes pyrolysis as small waste combustion units and institutional waste incinerators under the Clean Air Act, as the facilities consist of "two chamber incinerators with a starved air primary chamber followed by an afterburner to complete combustion." The USEPA considered removing the technology from Clean Air Act rules in 2020 in response to pressure from the plastics, oil, and waste industries. According to a Plastics Industry Association comment, regulating pyrolysis and gasification under the Clean Air Act would discourage the use of the technologies, which they argue are necessary to meet the country's recycling needs. The USPEA reversed course in 2023 after receiving public comments (and a change in Administration). In response to the proposal, Earthjustice submitted a public comment noting that Clean Air Act rules should apply to all combustion associated with waste processing, including the various forms of pyrolysis and gasification.

5) **This bill**. This bill defines pyrolysis as the thermal decomposition of organic material at elevated temperatures in the absence of oxygen and expands markets for pipeline biomethane.

   The author and sponsors of this bill indicate that establishing a definition will give clarity to regulatory agencies regarding pyrolysis technologies; however, it also restricts their ability to interpret the term as technologies advance or change, or tailor the definition for use in specific programs. For example, the Legislature codifed a definition for the term "gasification" in 2005 in a bill sponsored by the gasification industry. Instead of providing clarity, this definition has arguably hindered the deployment of gasification in California, as the definition is no longer technically accurate. The definition of pyrolysis used in this bill is consistent with the definition generally used by industry; however, it also has the potential to create confusion. "Organic" as used in the conventional definition of pyrolysis refers to organic matter that contains carbon, including plastic and other solid waste. However, in the IWMA, "organic waste" and "organic material" refer to compostable materials, like yard waste, tree trimmings, and food waste and the recycled materials produced from them, like compost and mulch. As this definition is being added to the IWMA, it creates confusion and may make the definition difficult to interpret.

6) **Author's statement**:

   > Climate scientists agree that reducing methane and other Short-Lived Climate Pollutants (SLCPs) is the most urgent step to address climate change. SLCP reductions benefit the climate immediately and reducing methane emissions also provides immediate benefits to public health because methane leads to smog formation and air pollution. SB 1383 required communities to divert organic waste from landfills because organic waste contributes almost 90% of California's methane emissions, but the state has fallen behind on meeting these goals and organic waste diversion projects have faced many obstacles in the permitting process. AB 70 aims to accelerate progress in meeting the state's methane reduction requirements by providing more certainty to projects that divert organic waste from landfills.

7) **Previous legislation**. AB 2514 included the same definition of pyrolysis as this bill and required CalRecycle to amend its regulations to include pipeline biomethane and hydrogen in its list of eligible organic waste procurement products. AB 2514 also specified that biosolids handling projects from the Town of Windsor and the Windsor Water Development District were eligible for specified organic waste grants. That bill was not taken up on the Senate Floor.

REGISTERED SUPPORT / OPPOSITION:

Support

Anaergia Services, LLC
Bioenergy Association of California
California Association of Sanitation Districts
County Sanitation Districts of Los Angeles County
Electrochaea Corporation
Marin Sanitary Service
Monterey One Water
Northeast-Western Energy Systems
Raven SR
Resource Recovery Coalition of California
SeaHold
SoCalGas
Sevana Bioenergy
Stellar J
TSS Consultants

Opposition

None on file

Analysis Prepared by: Elizabeth MacMillan / NAT. RES. /

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 261 (Quirk-Silva) – As Introduced January 16, 2025

SUBJECT: Fire safety: fire hazard severity zones: State Fire Marshal

SUMMARY: Authorize the State Fire Marshal (SFM) to confer with entities and members of the public on actions that may impact the degree of fire hazard in an area or the area's recommended fire hazard severity zone (FHSZ) designation, and authorizes the SFM to provide a written response to an entity on actions that may impact the degree of fire hazard, and would require this written response to be posted on the SFM's internet website.

EXISTING LAW:

1) Establishes the SFM as an entity within the Department of Forestry and Fire Protection (CAL FIRE) to foster, promote, and develop ways and means of protecting life and property against fire and panic. (Health & Safety Code 13100 – 13100.1)

2) Requires the SFM to identify areas in the state as moderate, high, and very high FHSZs based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Requires FHSZs to be based on fuel loading, slope, fire weather, and other relevant factors including areas where winds have been identified by the Office of the SFM as a major cause of wildfire spread. (Government Code (GC) 51178)

3) Requires a person who owns, leases, controls, operates, or maintains an occupied dwelling or occupied structure in, upon, or adjoining a mountainous area, forest-covered land, shrub-covered land, grass-covered land, or land that is covered with flammable material, which area or land is within a very high FHSZ (VHFHSZ) designated by the local agency to, at all times, maintain a defensible space of 100 feet from each side and from the front and rear of the structure, as provided. Requires the Board to adopt regulations for an ember-resistant zone for the elimination of materials that would likely be ignited by embers. (GC 51182)

4) Requires the SFM, by regulation, to designate FHSZs and assign to each zone a rating reflecting the degree of severity of fire hazard that is expected to prevail in the zone. Provides that no designation of a zone and assignment of a rating shall be adopted by the SFM until the proposed regulation has been transmitted to the board of supervisors of the county in which the zone is located at least 45 days before the adoption of the proposed regulation and a public hearing has been held in that county during that 45-day period. (Public Resources Code (PRC) 4203)

5) Requires the SFM to periodically review zones and, as necessary, revise FHSZs or their ratings or repeal the designation of FHSZs. (PRC 4204)

6) Requires a person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, shrub-covered lands, grass-covered lands, or land that is covered with flammable material, to at all times maintain a defensible space of 100 feet from each side and from the front and rear of the structure, as provided. (PRC 4291.5)

7) Defines "home hardening" as the replacement or repair of structural features that are affixed to the property with features that are in compliance with Chapter 7A (commencing with Section 701A.1) of Title 24 of the California Code of Regulations. (PRC 4291.5 (a)(1))

8) Defines "wildfire safety improvements" as wildfire resilience and fire safety improvements, including measures for home hardening, the creation of defensible space, and other appropriate fuel reduction activities, to residential, commercial, industrial, agricultural, or other real property identified by the SFM, in consultation with the director of CAL FIRE. (PRC 4291.5 (a)(3))

THIS BILL:

1) Authorizes the SFM, in periods between the SFM's review of areas of the state for recommendations regarding an area's FHSZ, to confer with entities, including, but not limited to, public agencies, tribes, nonprofit organizations, project applicants, members of the public, and others, on actions that may impact the degree of fire hazard in an area or the area's recommended FHSZ designation. Authorizes the SFM to provide a written response to an entity on actions that may impact the degree of fire hazard.

2) Authorizes, during those periods, entities, including, but not limited to, public agencies, tribes, nonprofit organizations, project applicants, members of the public, and others, to provide information to the SFM on actions the entity has taken or plans to take before the next review that may impact the degree of fire hazard in an area or the area's FHSZ designation. Authorizes the SFM to consider this information in the next review.

3) Authorizes the SFM to require a fee from an entity that confers with the SFM or provides information to the SFM to cover the costs associated with this bill.

4) Authorizes the SFM, in periods between the SFM's review of areas of the state regarding an area's FHSZ designation, to confer with entities, including, but not limited to, public agencies, tribes, nonprofit organizations, project applicants, members of the public, and others, on actions that may impact the degree of fire hazard in an area or the area's recommended FHSZ designation. Authorizes the SFM to provide a written response to an entity on actions that may impact the degree of fire hazard.

5) Authorizes, in periods between the SFM's review of areas of the state regarding an area's FHSZ, entities, including, but not limited to, public agencies, tribes, nonprofit organizations, project applicants, members of the public, and others, to provide information to the SFM on actions the entity has taken or plans to take before the next review that may impact the degree of fire hazard in an area or the area's FHSZ designation. Authorizes the SFM to consider this information in the next review.

6) Requires any letters provided by the SFM and any documentation provided to the SFM to be posted on the SFM's internet website.

7) Authorizes the SFM to require a fee from an entity that confers with the SFM or provides information to the SFM to cover the SFM's costs.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement:**

> California is two million homes short and faces a housing crisis that demands urgent action. We cannot afford to build without wildfire resilience at the core of our decisions. Too many homes were built in an era when climate risk was an afterthought. That cannot continue. AB 261 ensures we use the best information available to guide development, protect homeowners, and strengthen our wildfire defenses, because in the face of rising threats, outdated maps and outdated thinking put Californian lives and livelihoods at risk.

2) **Wildfires in California.** Wildfires have been growing in size, duration, and destructivity over the past 20 years. Growing wildfire risk is due to accumulating fuels, a warming climate, and expanding development in the wildland-urban interface. The 2020 fire season broke numerous records. Five of California's six largest fires in modern history burned at the same time, with more than 4.3 million acres burned across the state, double the previous record. The Los Angeles fires have burned an area nearly the size of Washington, D.C., killed 28 people and damaged or destroyed nearly 16,000 structures, according to CAL FIRE. AccuWeather projects damage and economic losses at more than $250 billion; others project the fires have damaged or destroyed $350 billion in public infrastructure alone.

   Research from Stanford University (February 2022) on wildfire shows that vegetation in the West is drying out even faster due to climate change effects and increasing fire risk. The researchers found that a combination of plant and soil dehydration coupled with atmospheric dryness is creating what they've termed 'double-hazard zones.' The researchers identified 18 of these double-hazard zones across the Western U.S., including three in California. Their study further showed that the increased population growth in the wild-urban interface (WUI) is concerning as this landscape is often comprised of grasslands or chaparral, which is highly sensitive to drought, making it also highly vulnerable to extreme fire events. In California, more than 11 million of the state's 40 million residents live in the WUI, which encompasses not only densely forested areas like Paradise, but also parts of the wooded coastal foothills around Silicon Valley, the brush-and-grass covered hills around Santa Barbara and Los Angeles, and neighborhoods in the Oakland Hills.

3) **Fire hazard mapping**. FHSZs fall into the following classifications: moderate, high, and very high based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. FHSZ maps evaluate "hazard" based on the physical conditions that create a likelihood and expected fire behavior over a 30 to 50-year period without considering mitigation measures such as home hardening, defensible space, vegetation management, or fuel reduction efforts.

   Regulations were approved on January 31, 2024, for revised SRA FHSZs, which became effective April 1, 2024. This current revision only updates areas in the SRA, which are unincorporated, rural areas where wildfires tend to be frequent.

   Before the updated FHSZ regulations were approved, the FHSZ maps were last updated in 2007 when CAL FIRE updated the FHSZs for the entire SRA. Lands are removed from the SRA when they become incorporated by a city, change in ownership to the federal government, become more densely populated, or are converted to intensive agriculture that

minimizes the risk of wildfire. While some lands are removed from SRA automatically, the Board of Forestry (Board) typically reviews changes every five years.

Between 2008 and 2011, CAL FIRE worked with local governments to make recommendations of the VHFSZ within the LRA, which includes incorporated cities, urban regions, agriculture lands, and portions of the desert where the local government is responsible for wildfire protection. This is typically provided by city fire departments, fire protection districts, counties, and by CAL FIRE under contract.

SB 63 (Stern), Chapter 382, Statutes of 2021, requires CAL FIRE to adopt of all FHSZs in the LRA. Prior to 2021, only VHFHSZs were required for adoption in the LRA.

CAL FIRE uses the same modeling data that are used to map the SRA to develop the FHSZs in the LRA. Creating maps is a laborious process that requires scrutinizing detailed data across the state, including small pockets of potentially flammable wildlands within cities, and then coordinating with hundreds of local jurisdictions for validation of the mapping. FHSZ maps for the LRA, as required by SB 63, have not yet been developed. CAL FIRE had drafts of the LRA maps, but the LA fires delayed their release. In February, CAL FIRE announced that the SFM will begin providing recommendations for the classification of FHSZs in LRAs in four phases, to certain local jurisdictions. On March 10, CAL FIRE released maps that added thousands of acres of lands within FHSZs across 15 Central Valley counties that previously had no acres zoned for fire hazard. New maps for Southern California are expected to be released March 24.

Local agencies will have 120 days from receipt of the state's recommendations to designate FHSZs by ordinance. A local agency may, at its discretion, increase the level of FHSZ identified by the SFM, or include areas within its jurisdiction into its FHSZ ordinance, but a local agency may not decrease the level of FHSZ identified by the SFM.

4) **Reducing wildfire risk**. There are various measures (of which some are required) that can be implemented to reduce wildfire risk in a FHSZ, including the following:

   Defensible space. Defensible space is the buffer created between a building on a property and the grass, trees, shrubs, or any wildland area that surrounds it. This space is needed to slow or stop the spread of wildfire, and it helps protect structures from catching fire. A 2019 analysis done by CAL FIRE of the relationship between defensible space compliance and destruction of structures during the seven largest fires that occurred in California in 2017 and 2018 concluded that the odds of a structure being destroyed by wildfire were roughly five times higher for noncompliant structures compared to compliant ones.

   The defensible space for all structures within the SRA and VHFHSZ is 100 feet. CAL FIRE additionally requires the removal of all dead plants, grass, and weeds, and the removal of dry leaves and pine needles within 30 feet of a structure. In addition, tree branches must be 10 feet away from a chimney and other trees within that same 30 feet surrounding a structure. AB 3074 (Friedman), Chapter 259, Statutes of 2020, established an ember-resistant zone within 5 feet of a structure as part of revised defensible space requirements for structures located in FHSZs. The Board has not yet promulgated regulations effectuating that defensible space requirement (known as Zone 0).

Home hardening. Home hardening includes vegetation management compliance and building materials used to resist the intrusion of flames or embers projected by a wildland fire. It can be applied to new construction or for retrofitting an older home. Home hardening considers the relationship between a structure and its exposure to nearby combustible features such as vegetation, vehicles, accessory buildings, or even miscellaneous structures like a fence.

California's wildfire building code (known colloquially by its citation reference as Chapter 7A) went into effect in 2008 and mandates fire-resistant siding, tempered glass, vegetation management, and ignition-resistant roofs, standards for vents, decks, under eves, siding, windows, gutters, vents for attics and crawlspaces designed to resist embers and flames. These standards, which are periodically updated, have been shown to work. An analysis by the Sacramento Bee showed that approximately 51% of the 350 single-family homes built after 2008 in the path of the Camp Fire were undamaged. By contrast, only 18% of the 12,100 homes built prior to 2008 escaped damage. Factors that can cause post-2008 homes to combust include not having adequate defensible space and proximity to neighboring non-fire hardened homes.

Grading. Site grading is the alteration of the topography of a construction site to meet design requirements for drainage, stability, and functionality. It involves precisely manipulating the earth's surface to ensure proper runoff, prevent erosion, and accommodate various structural needs. Construction grading can reduce wildfire risk by creating defensible spaces around buildings, avoiding steep slopes or narrow canyons, and ensure there is space between a structure and wildland vegetation on ridgelines.

Invasive species removal. Removing invasive species can help reduce the risk of wildfires by reducing the amount of flammable fuel available for fires. Rapidly growing annual weeds like invasive grasses, mustards and thistles dry out quickly after completing their life cycle. When these plants outcompete native species, they can significantly increase the amount of flammable material available to burn during a fire. The presence of invasive plants can also change the behavior of wildfires, making them more intense and faster-spreading due to their high flammability. Native plants often retain moisture longer into the dry season and can be more resistant to wildfires. Furthermore, landscaping with drought-tolerant, native species can increase fire resistance to homes and structures.

5) **Can we create meaningful "herd immunity" with these actions?** Defensible space, in combination with home hardening, theoretically makes a home "ignition resistant" from embers, radiant heat, and flame impingement.

The state does not bear the primary responsibility for defensible space. Instead, the creation and maintenance of defensible space around private properties is an owner responsibility. When homeowners or other property owners fail to maintain defensible space, however, they can put their neighbors and the larger community at greater risk of devastating wildfires, which can have myriad negative impacts on the state.

Implementation of defensible space requirements works best, however, when they are applied to all structures in the areas where the requirements are intended to be applied. The

Legislative Analysist's Office 2021 report on defensible space explains, "While homeowners benefit from defensible space on their properties, the benefits extend to others, as well. For example, when homeowners maintain defensible space, their homes are less likely to ignite other nearby homes, overwhelm firefighters, and ultimately threaten larger communities with wildfire disasters. As such, an individual homeowner's decision to create and maintain defensible space can help protect communities, governments, and insurers from the significant costs of wildfire disasters." In other words, a resident in a rural, mountainous area may comply with all of the applicable defensible space requirements, but those clearances will only keep so much fire at bay if the adjacent structures are not managed and have surrounding vegetation that feeds a burning fire.

There are no definitive data or research studies measuring the success of defensible space requirements based on landowner participation. In other words, it isn't known how many structures in FHSZs need to implement and maintain defensible space (and other actions) in order for it to be effective. A September 2019 article, *Factors Associated with Structure Loss in the 2013–2018 California Wildfires* (Alexandra D. Syphard and Jon E. Keeley), analyzed an extensive dataset of building inspectors' reports documenting homeowner mitigation practices for more than 40,000 wildfire-exposed structures from 2013–2018. The authors found that, overall, structural characteristics (home hardening) explained more of a difference between survived and destroyed structures than defensible space distance.

This bill authorizes the SFM to confer with entities, including public agencies, tribes, nonprofit organizations, project applicants, and members of the public on actions that may impact the degree of fire hazard in an area or the area's recommended FHSZ designation, and authorizes the SFM to provide a written response to an entity on actions that may impact the degree of fire hazard. Likewise, the bill authorizes those entities to provide information to the SFM on actions taken or plans to take that may impact the degree of fire hazard in an area.

To accurately assess areas with potentially reduced fire hazard risk based on landowner fire risk reduction efforts will necessitate ongoing inspections and thorough scientific assessment. To that end, the bill would allow the SFM to assess a fee on an entity submitting information for consideration of a FHSZ designation.

6) **Double referral.** This bill is also referred to the Assembly Emergency Management Committee.

7) **Committee amendments**. The Committee may wish to consider the following amendments:

   a) GC 51178 (b)(2) In periods between the State Fire Marshal's review of areas of the state for recommendations regarding an area's fire hazard severity zone, pursuant to Section 51181, entities, including, but not limited to, public agencies, tribes, nonprofit organizations, project applicants, members of the public, and others, may provide information to the State Fire Marshal on <u>wildfire safety improvements and other</u> actions the entity has taken or plans to take, <u>and any information submitted to or by the department pursuant to PRC 4291.5,</u> before the next review that may impact the degree of fire hazard in an area or the area's fire hazard severity zone designation. The State Fire Marshal, according to the State Fire Marshal's discretion, may consider this information in the next review.

b) GC 51178 (b)(3) Any letters provided by the State Fire Marshal pursuant to paragraph (1) and any documentation provided to the State Fire Marshal pursuant to paragraph (2) shall be posted and easily accessible on the State Fire Marshal's internet website.

8) **Related legislation**:

AB 300 (Lackey) requires the SFM to review the FHSZ maps every 5 years. This bill is being heard in the Assembly Natural Resources Committee on March 24.

AB 3150 (Quirk-Silva, 2024) would have transferred authorities related to designation of fire hazards from the Board to the SFM. This bill was held in the Senate Appropriations Committee.

SB 610 (Wiener, 2024) would have eliminated the state's fire hazard severity mapping for the state responsibility area (SRA) and local responsibility area (LRA) and requires the State Fire Marshal to designate Wildfire Mitigation Area (WMA), through regulations, for fire mitigation across the state. This bill was held in the Senate Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

California Building Industry Association

Opposition

None on file

Analysis Prepared by: Paige Brokaw / NAT. RES. /

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 274 (Ransom) – As Amended March 3, 2025

SUBJECT: Abandoned and derelict vessels: inventory

SUMMARY: Requires the State Lands Commission (SLC) to create an inventory of all commercial and recreational vessels on or in waters within the Sacramento-San Joaquin Delta, including commercially navigable waters.

EXISTING LAW:

1) Vests SLC with control over specified public lands in the state, including tidelands and submerged lands. (Public Resources Code (PRC) 6101, *et seq*.)

2) Authorizes SLC to take immediate action, without notice, to remove a vessel that is left unattended and is moored, docked, beached, or made fast to land in a position as to obstruct the normal movement of traffic or in a condition as to create a hazard to navigation other vessels using a waterway from areas under its jurisdiction. (PRC 6302.1 (a)(1))

3) Authorizes SLC to take immediate action to remove a vessel that poses a significant threat to public health, safety, or welfare; to sensitive habitat, wildlife, or water quality; or, that constitutes a public nuisance or that is placed on areas under its jurisdiction without its permission. (PRC 6302.1 (a)(2))

4) Authorizes SLC to remove and dispose of an abandoned or derelict vessel on a navigable waterway in the state that is not under the jurisdiction of SLC, as specified, if requested to do so by another public entity that has regulatory authority over the area. (PRC 6302.1 (d))

5) Authorizes SLC to recover all costs incurred in removal actions undertaken pursuant to these provisions, including administrative costs and the costs of compliance with the California Environmental Quality Act. (PRC 6302.1 (e))

6) Prohibits a person from abandoning a vessel upon a public waterway or public or private property without the express or implied consent of the owner or person in lawful possession or control of the property. (Harbors and Navigations Code (HNC) 525 (a))

7) Establishes the Abandoned Watercraft Abatement Fund to be used by the Division of Boating and Waterways, in the California Department of Parks and Recreation (State Parks), for grants to be awarded to local agencies for the abatement, removal, storage, and disposal of abandoned vessels. Prohibits these grants from being used for abatement, removal, storage, or disposal of commercial vessels. (HNC 525 (d)(1)(A))

8) Authorizes any state, county, city, or other public agency having jurisdiction and authority to remove and destroy, or otherwise dispose of marine debris or solid waste that is floating, sunk, partially sunk, or beached in or on a public waterway, public beach, or on state tidelands or submerged lands. (HNC 551 (a)(1))

9) Defines “vessel” in various codes, including:

a) Defines a "vessel" as a vessel, boat, raft, other watercraft, buoy, anchor, mooring, other ground tackle used to secure a vessel, boat, raft or similar watercraft, hulk derelict, wreck, or parts of a ship, vessel, or other water craft. (PRC 6302.1 (f)(4))

b) Defines "vessel" as ships of all kinds, steamboats, steamships, canal boats, barges, sailing vessels, and every structure adapted to be navigated from place to place for the transportation of merchandise or persons. (HNC 21)

c) Defines "vessel" as every description of a watercraft or other artificial contrivance used or capable of being used as a means of transportation on water, except seaplanes and watercraft specifically designed to operate on a permanently fixed course. (HNC 651 (aa))

d) Defines "recreational vessel" as a vessel that is used only for pleasure. (HNC 651 (t))

THIS BILL:

1) Defines terms used in the bill, including:

   a) "Commercial vessel" as a vessel designed or used for commercial work, and includes, but is not limited to, a ferry, tug, barge, crane, dredge, workboat or work platform, fishing vessel used for commercial fishing, and military craft. Specifies that "commercial vessel" includes "marine debris," as specified.

   b) "Commercially navigable waters" as surface water used, or historically or presently capable of being used, for navigation by commercial vessels within the boundaries of the state. Specifies that surface water that contains an abandoned or derelict commercial vessel is commercially navigable if the surface water is a tributary or is otherwise adjacent to commercially navigable waters.

2) On and after January 1, 2027, and upon appropriation by the Legislature, requires SLC to create an inventory of all commercial and recreational vessels on or in waters within the Sacramento-San Joaquin Delta, including commercially navigable waters. Specifies that the inventory may be conducted by aerial survey from currently available data.

3) Requires the inventory to include, but not be limited to:

   a) The amount of commercial and recreational vessels located in the Sacramento-San Joaquin Delta;

   b) The estimated size and weight of each vessel;

   c) An estimate of the amount of and possible hazardous contents of each vessel;

   d) Whether the vessel is located near a commercial or community water source; and,

   e) The estimated amount to remove the vessel.

4) Requires the inventory to be broken down by county, vessel type, and vessel size.

5) States related legislative findings and declarations.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Derelict vessels**. Abandoned and derelict vessels are vessels that are no longer maintained and pose a threat to people and the environment. Though the legal definition of abandoned and derelict vessels varies, "derelict" often refers to vessels that are neglected with an identifiable owner, while "abandoned" vessels are those where the owner is unknown or has surrendered rights of ownership.

   Abandoned and derelict commercial vessels usually consist of, but are not limited to, ferries, tugs, barges, cranes, dredges, work boats and work platforms that were designed and utilized for commercial work, and military craft. At their end of life they may be sold at auction, but often these vessels are simply left to fall into a dilapidated condition, leading the vessel to either be sunk, partially sunk, or post a sinking hazard.

   Vessels become abandoned and derelict for many reasons. Owners may neglect or abandon their boats when they can no longer afford to maintain them. Some boats may break loose from anchors or moorings and drift away, and some may be stolen. Severe weather events, like hurricanes or flooding, can also result in large numbers of vessels becoming abandoned and derelict. In these conditions boats can sink at moorings, become submerged in tidal areas, or strand on shorelines, reefs, or in marshes.

   Abandoned and derelict vessels can cause problems for California's ocean, lakes, and waterways by blocking navigational channels, damaging ecosystems, and diminishing the recreational value of the surrounding area. Some vessels contain fuel and hazardous materials, including solvents, asbestos-containing materials, polychlorinated biphenyls (PCBs), lead paint, batteries, and petroleum products, which can leak and pose a threat to the surrounding environment.

   Removing abandoned and derelict vessels is usually complicated and expensive. Costs range from tens of thousands to several million dollars per vessel depending on its size, location, and condition, and other factors. Some vessels are located in hard-to-reach areas, requiring large, specialized equipment for recovery and transportation. The wreckage may persist for many years, breaking apart and creating widespread debris that threatens marine and coastal resources. Assessing, removing, and disposing of these vessels also requires significant financial and technical resources.

2) **Abandoned vessel programs**. California has created a number of programs that authorize the removal and disposal of abandoned and derelict vessels and related marine debris.

   Local public agencies that have jurisdiction over their area of responsibility (AOR) have authority to remove, store, and dispose of wrecked property within their AOR. SLC was granted statewide authority to remove abandoned and derelict vessels through the Abandoned Vessel Program [SB 595 (Wolk), Chapter 595, Statutes of 2011], which established an administrative removal and disposal process for abandoned and trespassing vessels on waterways under SLC's jurisdiction. SLC has the authority to immediately remove a vessel from areas under its jurisdiction without prior notice if the vessel seriously hinders navigation, poses a threat to vessel operators, is a hazard to the natural environment, or creates a public nuisance.

In 2015, the Legislature enacted AB 1323 (Frazier), Chapter 645, Statues of 2015, to assist local governments with derelict vessel removal by authorizing a public agency to remove and dispose of marine debris after 10 days if the debris is floating, sunk, partially sunk, or beached in or on a public waterway, public beach, or on state tidelands or submerged.

The abandoned recreational vessel removal program administered by State Parks' Division of Boating and Waterways facilitates recreational vessel removal through the Surrendered and Abandoned Vessel Exchange program (SAVE), which includes the Abandoned Watercraft Abatement Fund and the Vessel Turn-In Program. The SAVE program is used for removing and disposing of abandoned recreational vessels, but SAVE funds may not be used to abate commercial vessels.

The Delta Protection Commission and the Office of Spill Prevention and Response (OSPR) sponsored a 2017 study that identified roughly 240 abandoned and derelict vessels in the Sacramento San Joaquin Delta region, of which approximately 50 were commercial vessels. The study estimated that the removal cost was on the order of $33 million, and most of the cost was associated with the removal of commercial vessels (at $500,000 each). According to OSPR, roughly two commercial vessels are abandoned in the Sacramento-San Joaquin Delta every year.

A 2019 SLC report to the Legislature, *Abandoned Commercial Vessel Removal Plan*, recommends expanding their program to a statewide program to help prevent additional commercial vessels from becoming abandoned, implementing ownership requirements for marginal and end-of-life vessels so they are less likely to be acquired by those who lack the resources to maintain them, and collaborating with elected officials to help facilitate abandoned vessel removal efforts.

3) **Inventorying abandoned and derelict vessels.** California has the fourth largest boating population in the nation; according to SLC, California had almost 670,000 registered vessels statewide in 2018, and more than 430,000 expired vessel registrations. Because many vessels are registered for years, sometimes decades, before they are abandoned, it is hard to predict the percentage of registered vessels that will be left to rot.

   According to SLC's 2019 report to the Legislature, efforts to document abandoned vessels in the Delta area had been conducted by OSPR using aerial surveys and the U.S. Coast Guard Auxiliary, and visual data from SLC staff from site visits. OSPR's website has an Abandoned Derelict Vessel Reporting tool to track abandoned derelict vessels in California, but it has never been formally used and data is not collected or reviewed by OSPR.

   Under California law, recreational vessels are required to be registered, but commercial vessels are not, complicating the effort to identify the number of vessels in California's waterways and the total potential for abandoned and derelict vessel management.

   In 2018, the Pacific States/British Columbia Oil Spill Task Force (Task Force) formed an abandoned and derelict vessels workgroup comprised of experts and program leads from each of the five Task Force jurisdictions: Alaska, California, Hawaii, Oregon, and Washington. The January 2020 Task Force report, *Abandoned and Derelict Vessel Blue-Ribbon Program for Western U.S. States*, recommended states to establish a comprehensive database to track and (potentially) prioritize abandoned and derelict vessels:

Identifying vessels of concern and developing and maintaining a comprehensive database of these identified vessels is one of the most important aspects of prevention. States should develop robust tracking systems for vessels of concern that include location, condition assessment, and (to help with disposal decisions) prioritization. Ranking/ prioritizing the vessels for state-funded removal is important in order to stretch limited resources.

4) **This bill**. This bill would require SLC to create and update an inventory of all commercial and recreational vessels in the Sacramento-San Joaquin Delta. The inventory could be conducted by aerial survey, from currently available data from federal, state, and local agencies, or from other data available to SLC.

5) **Author's statement**:

> California has almost 800,000 registered recreational boats, making it one of the largest boating states in the country. It's difficult to know how many of these vessels will eventually be abandoned, since many stay registered long after they've been left behind. Abandoned vessels are becoming an increasing problem, especially in the Sacramento-San Joaquin Delta. In 2024, the abandoned "MV Aurora" near Stockton threatened the environment and public safety by leaking fuel and other toxic materials into the water, endangering the water quality and local wildlife. This situation showed just how much we need better ways to track and remove these vessels. Without a system in place, it becomes nearly impossible to manage them, and local governments end up paying the cost. AB 274 aims to create a tracking system to help manage, remove, and prevent abandoned vessels, making our waterways safer and cleaner.

6) **Suggested amendments**. The *committee may wish to make* two minor and technical amendments:

   a) Define "recreational vessel" to include vessels used for recreation.

   b) Clarify that the inventory includes *abandoned and derelict* commercial and recreational vessels.

7) **Previous legislation**. AB 748 (Villapudua, 2023) would have established the California Abandoned and Derelict Commercial Vessel Program to identify, prioritize, and fund, as specified, the removal of abandoned and derelict commercial vessels from commercially navigable waters. This bill would have generally prohibited a commercial vessel that is at-risk of becoming derelict from occupying, anchoring, mooring, or otherwise being secured in or on commercially navigable waters. AB 748 was vetoed by the Governor.

REGISTERED SUPPORT / OPPOSITION:

Support

California Central Valley Flood Control Association
County of Sacramento

Opposition

None on file

Analysis Prepared by: Elizabeth MacMillan / NAT. RES. /

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 300 (Lackey) – As Amended February 14, 2025

SUBJECT: Fire hazard severity zones: State Fire Marshal

SUMMARY: Requires the State Fire Marshall (SFM) to identify and review lands within state responsibility areas (SRA) as fire hazard severity zones (FHSZ), and identify and review of areas in the state as moderate, high, and very high FHSZs every five years.

EXISTING LAW:

1) Requires the SFM to identify areas in the state as moderate, high, and very high FHSZs based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. (Government Code (GC) 51178)

2) Requires the SFM to periodically review the areas in the state identified as very high FHSZs, and as necessary, make recommendations relative to those zones. Requires this review to coincide with the review of state responsibility area (SRA) lands every five years and, when possible, fall within the time frames for each county's general plan update. (GC 51181)

3) Requires the SFM to classify lands within the SRA into FHSZs. (Public Resources Code (PRC) 4202)

4) Requires the SFM to periodically review designated FHSZs and, as necessary, revise zones or their ratings or repeal the designation of zones. (PRC 4204)

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement**:

> Given the recent devastating wildfires, it is crucial for the State Fire Marshal to assess and review fire hazard severity zones across the state. Not only do insurance companies rely on these maps to assess homeowner insurance risks, but local governments use them to determine evacuation routes. AB 300 will help ensure our communities are more accurately represented in assess wildfire risks by having these high fire hazard severity zones updated on a fixed schedule.

2) **FHSZ development**. FHSZs fall into the following classifications: moderate, high, and very high based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. FHSZ maps evaluate "hazard" based on the physical conditions that create a likelihood and expected fire behavior over a 30 to 50-year period without considering mitigation measures such as home hardening, defensible space, vegetation management, or fuel reduction efforts.

   The FHSZ maps need to be periodically updated to reflect updated fire history, atmospheric changes, proximity to wildland, and updated science and improved fire assessment modeling.

Regulations were approved on January 31, 2024, for revised FHSZs in the SRA, which became effective April 1, 2024. This current revision only updates unincorporated, rural areas in the SRA.

Before the updated FHSZ regulations were approved, the FHSZ maps were last updated in 2007 when the SFM updated the FHSZs for the entire SRA. Lands are removed from the SRA when they become incorporated by a city, change in ownership to the federal government, become more densely populated, or are converted to intensive agriculture that minimizes the risk of wildfire.

In the local responsibility area (LRA), FHSZs were prompted by the Oakland Hills Fire of 1991. Government Code 51178 requires the SFM to evaluate fire hazard severity in the LRA and to make a recommendation to the local jurisdiction where very high FHSZs exist. Government Code then provides direction for the local jurisdiction to take appropriate action.

SB 63 (Stern), Chapter 382, Statutes of 2021, requires the state to adopt of all FHSZs in the LRA. To date, only VHFHSZs were required for adoption in the LRA.

The SFM uses the same modeling data that are used to map the SRA to develop the FHSZs in the LRA. Creating maps is a laborious process that requires scrutinizing detailed data across the state, including small pockets of potentially flammable wildlands within cities, and then coordinating with hundreds of local jurisdictions for validation of the mapping. FHSZ maps for the LRA, as required by SB 63, have not yet been developed. The state had drafts of the LRA maps, but the LA fires delayed their release. In February, the state announced that the SFM will begin providing recommendations for the classification of FHSZs in LRAs in four phases to certain local jurisdictions. On March 10, CAL FIRE released maps that added thousands of acres of lands within FHSZs across 15 Central Valley counties that previously had no acres zoned for fire hazard. New maps for Southern California are expected to be released March 24.

Local agencies will have 120 days from receipt of the state's recommendations to designate FHSZs by ordinance. A local agency may, at its discretion, increase the level of FHSZ identified by the SFM, or include areas within its jurisdiction into its FHSZ ordinance, but a local agency may not decrease the level of FHSZ identified by the SFM.

3) **This bill**. AB 300 requires the SFM to identify and review the FHSZs every five years.

4) **Related legislation**. AB 3150 (Quirk Silva, 2024) included, among many other provisions, identical language to require the SFM to identify and update FHSZs for the SRA and LRA every five years. That bill was held in the Senate Appropriations Committee, but the author reintroduced the core concepts of that bill in AB 261, minus the requirement for updating the FHSZs every five years over cost.

5) **Double referral**. This bill is also referred to the Assembly Emergency Management Committee.

6) **Committee amendments**. The *committee may wish to consider* amending the bill to allow for more time for the Board's periodic reviews, which will help with workload management and associated costs. Amend GC 51178, GC 51181, PRC 4202, and PRC 4204 as follows:

"At least once every ~~five~~ eight years, the State Fire Marshal shall …"

REGISTERED SUPPORT / OPPOSITION:

Support

California Fire Chiefs Association
Fire Districts Association of California

Opposition

None on file

Analysis Prepared by: Paige Brokaw / NAT. RES. /

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 307 (Petrie-Norris) – As Introduced January 23, 2025

SUBJECT: Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024: Department of Forestry and Fire Protection: fire camera mapping system.

SUMMARY: Requires $10 million of the $25 million made available by the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 (Proposition 4) for the Department of Forestry and Fire Protection (CAL FIRE) to be allocated for purposes of the ALERTCalifornia fire camera mapping system.

EXISTING LAW, pursuant to Proposition 4, makes $25 million available, upon appropriation by the Legislature, to CAL FIRE for technologies that improve detection and assessment of new fire ignitions. (Public Resources Code 91535)

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement:**

> With the frequency and severity of wildfires in California increasing at an alarming rate over the last decade, remote sensing technology has never been more essential to the development of effective and time-critical wildfire prevention, protection, mitigation, and response plans. Since 2001, the ALERTCalifornia Wildfire Mapping System has proven to be an efficient and effective resource for our fire safety teams, providing enhanced wildfire detection and response in our state, and should be an integral part of our emergency fire response strategy.

2) **Proposition 4**. The Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024, approved by the voters as Proposition 4 at the November 5, 2024, statewide general election, authorized $10 billion in general obligation bonds to finance projects for safe drinking water, drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate-smart, sustainable, and resilient farms, ranches, and working lands, park creation and outdoor access, and clean air programs.

   Of these funds, the bond act makes $1.5 billion available, upon appropriation by the Legislature, for wildfire prevention, which includes $25 million available for CAL FIRE for technologies that improve detection and assessment of new fire ignitions.

3) **ALERTCalifornia**. On July 10, 2023, CAL FIRE announced it joined forces with the University of California San Diego's ALERTCalifornia Program to enhance wildfire response with artificial intelligence (AI) with the goal of improving firefighting capabilities and response times. The AI tool was rolled out to all units in the late summer of 2023 and

analyzes camera feeds across California for anomalies, alerting Emergency Command Centers and first responders to potential fires, sometimes even before 911 is notified.

As of July 2024, ALERTCalifornia uses 1,087 high-definition, pan-tilt zoom cameras strategically deployed throughout California. These cameras create a 24-hour surveillance network equipped with near-infrared night vision, enabling efficient monitoring of active wildfires and other disasters. ALERTCalifornia cameras can perform 360-degree sweeps approximately every two minutes, providing clear visuals of up to 60 miles on a clear day and 120 miles on a clear night.

CAL FIRE has invested a little more than $20 million in the ALERTCalifornia program over the past four years, and has committed an additional $3.5 million in the coming years.

The program also compiles data to enhance scientific understanding of fire-prone environments. Technologies like LiDAR (Light Detection and Ranging) are employed for data collection, providing detailed information on biomass and carbon estimation.

ALERTCalifornia sponsored LiDAR data acquisition from NV5, a leading provider of geospatial software and services, of the Palisades Fire and the Eaton Fire burn areas.

The provisional LiDAR data was collected by NV5 January 21- January 22, 2025, and can be used to analyze the fire's impact and provide insights for damage assessment, which is critical for recovery and rebuilding efforts, as well as for better understanding potential hazards due to debris from the fire.

4) **Other technologies coming down the line.** FireSat is a network of more than 50 low earth orbit satellites equipped with advanced multispectral infrared sensors and artificial intelligence to detect and monitor wildfires in real time. The technology will identify wildfires as small as 5x5 meters**,** significantly earlier than conventional methods, provide real-time data with a revisit time of fires between 15 to 20 minutes, and as few as 9 minutes in fire-prone regions, maintain 24/7 surveillance, and provide automated response integration to send alerts directly to CAL FIRE, local fire departments, and emergency management systems.

5) **This bill**. AB 307 would dedicate $10 million of the $25 million pot specifically for ALERTCalifornia. Appropriations are considered by the Assembly Budget Committee; the Budget Subcommittee no. 4 on Resources will be considering the allocations from Proposition 4 for the 2025-2026 budget. The author may wish to consider all of the available technologies and what each has to offer for wildfire detection and alert notification as appropriations from Proposition 4 are considered.

REGISTERED SUPPORT / OPPOSITION:

Support

California Forestry Association
Nv5

Opposition

None on file

Analysis Prepared by: Paige Brokaw / NAT. RES. /

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 337 (Bennett) – As Introduced January 28, 2025

SUBJECT: Greenhouse Gas Reduction Fund: grant program: edible food

SUMMARY: Adds edible food recovery activities to the activities eligible for funding from the Department of Resources Recycling and Recovery's (CalRecycle) grant program that funds the development of organic waste infrastructure and waste reduction programs (infrastructure grant program).

EXISTING LAW:

1) Requires the Air Resources Board (ARB) to develop a comprehensive strategy to reduce the emissions of short-lived climate pollutants (SLCP) to achieve a 40% reduction in methane emissions, 40% reduction in hydrofluorocarbon gases, and 50% reduction in anthropogenic black carbon below 2013 levels by 2030. (Health and Safety Code (HSC) 39730-39730.5)

2) Requires the state to reduce the disposal of organic waste by 40% from the 2014 level by 2020 and 75% by 2025 to help achieve the state's methane reduction goal. (HSC 39730.6)

3) Requires CalRecycle, in consultation with ARB, to adopt regulations to achieve the state's organic waste reduction goals. (Public Resources Code (PRC) 42652.5)

4) Establishes the Waste Diversion and Greenhouse Gas Reduction Financial Assistance program to reduce organics waste and resultant emissions, which includes:

    a) The CalRecycle GHG Reduction Revolving Loan Program, which provides loans to reduce GHG emissions by advancing organic waste processing infrastructure, recyclables, and diversion.

    b) The infrastructure grant program to support in-state development of organic waste infrastructure, food waste prevention, or other projects to reduce organic waste or to process it into new products, such as organics composting, waste to energy, recycling, and waste diversion strategies like edible food recovery. When awarding grants under this program, requires CalRecycle to consider the amount of GHG reductions, organic material diversion, and benefits to disadvantaged communities among other criteria. Specifies that eligible projects include, but are not limited to:

        i) Capital investments in new facilities and increased throughput at existing facilities;
        ii) Designing and constructing in-vessel digestion facilities;
        iii) Designing and constructing or expanding facilities to process recyclable materials;
        iv) Projects that improve the quality of recycled materials;
        v) Projects undertaken by local governments at publicly owned facilities to improve the recovery, sorting, or baling of recyclable materials;
        vi) Deployment of bear bins to minimize adverse human and bear interactions related to the collection and management of solid and organic waste;

vii) Purchase of equipment and construction or expansion of facilities to help develop, implement, or expand edible food waste recovery operations; and,
viii) Establishment of reuse programs to divert items from landfill disposal for reuse by members of the public.

c) The Zero-Waste Equity Grant Program to support targeted strategies and investments in communities transitioning to a zero-waste circular economy. (PRC 42995-42999.7)

THIS BILL:

1) Adds edible food recovery, including, but not limited to, the transportation of recovered edible food and the purchase or subscription to technology that improves the efficiency and tracking of edible food recovery to the list of activities eligible for funding from CalRecycle's grant program that provides financial assistance to promote the development of organic waste infrastructure and waste reduction programs.

2) Requires CalRecycle to consider the increased amount of edible food recovery capacity that a funded project will create when awarding grants pursuant to the bill.

FISCAL EFFECT: Unknown; however, for a similar bill last session, AB 2311, (Bennett), the Senate Appropriations Committee identified the following costs:

1) Cost pressure of an unknown amount to increase funding for CalRecycle's grant program to accommodate increased eligibility for and utilization of the program (Greenhouse Gas Reduction Fund [GGRF]); and,

2) CalRecycle estimates ongoing costs of about $300,000 annually (GGRF) to provide technical assistance for grant applications, develop program criteria, review and score applications, and manage the overall grant process.

COMMENTS:

1) **Organic waste recycling**. Nearly 40 million tons of waste are disposed of in California's landfills annually. Nearly half of those materials are organics (~48%). Organic waste includes food, yard, paper, and other organic materials. As that material decomposes in landfills, it generates significant amounts of methane, a potent greenhouse gas (GHG) with 84 times the climate impact as carbon dioxide. ARB states that about 20% of methane emissions in California comes from landfills.

   SB 1383 (Lara), Chapter 395, Statutes of 2016, requires ARB to approve and implement a comprehensive SLCP strategy to achieve, from 2013 levels, a 40% reduction in methane, a 40% reduction in hydrofluorocarbon gases, and a 50% reduction in anthropogenic black carbon, by 2030. In order to accomplish these goals, the law specifies that the methane emission reduction goals include targets to reduce the landfill disposal of organic waste, including food, 50% by 2020 and 75% by 2025 from the 2014 level. SB 1383 also requires that by 2025, 20% of edible food that would otherwise be sent to landfills is redirected to feed people. Specifically, the law requires: jurisdictions to establish food recovery programs and strengthen existing food recovery networks; food donors to arrange to recover the maximum amount of edible food; and, food recovery organizations and services that participate in SB 1383 to maintain specified records.

To achieve this, California's waste management infrastructure is going to have to process and recycle much higher quantities of organic materials, involving significant investments in additional processing infrastructure. Organic waste is primarily recycled by composting the material, which generates compost that can be used in gardening and agriculture as a soil amendment and engineering purposes for things like slope stabilization. Anaerobic digestion is also widely used to recycle organic wastes. This technology uses bacteria to break down the material in the absence of oxygen and produces biogas, which can be used as fuel, and digestate, which can also be used as a soil amendment. Tree trimmings and prunings can also be mulched.

In order to ensure that there are adequate markets for the state's increasing quantities of products made from organic waste, like mulch, compost, and digestate, CalRecycle established procurement requirements for local jurisdictions. The procurement targets are based on the average amount of organic waste generated by Californians annually multiplied by the population of a jurisdiction. Jurisdictions can meet the target by procuring, giving away, or arranging for the use of the material through contracts with direct service providers. Eligible materials include compost, mulch, biomass electricity, or renewable gas, as specified.

2) **Funding**. CalRecycle's Local Assistance Grant Program provides funding to local jurisdictions to meet the state's organic waste reduction goals. Funded by the GGRF, eligible costs include capacity planning, collection, edible food recovery, education and outreach, enforcement and inspection, program evaluation, procurement requirements, and record keeping. On February 16, 2024, CalRecycle awarded more than $109 million for 387 grants to numerous jurisdictions throughout the state. The most recent grant awards for edible food recovery were awarded in March of 2022, and totaled approximately $1.7 million. Grants included funding the purchase of refrigerated box trucks for the transportation of edible food and walk-in freezers for edible food storage. In total, CalRecycle has awarded $20 million in grants to recover edible food. According to CalRecycle, its food waste prevention and rescue grant program has funded more than 86 million meals served, created 345 jobs, diverted more than 51 tons of food from the landfill, and reduced nearly 99,000 million metric tons of carbon dioxide equivalent emissions. Future grants are dependent on additional budget appropriations.

3) **This bill**. This bill codifies that edible food recovery projects are eligible for the infrastructure grant program, including the transportation of recovered edible food and the purchase or subscription to technology that improves the efficiency and tracking of edible food recovery. While CalRecycle has previously funded various transportation projects to improve food recovery, it has determined that the fees to support subscription services or software that provide edible food recovery services are not eligible for funding. This bill would require CalRecycle to include these as eligible expenses for grant funding.

This bill is intended to help accomplish two important goals. First, codifying edible food recovery as eligible for SB 1383 grant funding has the potential to increase the amount of food available to low-income and food insecure Californians. Second, food waste is the largest contributor to SLCP emissions from landfills. Reducing food waste from landfill disposal reduces GHG emissions, which has a benefit to vulnerable communities. According to the National Institutes of Health:

> Studies of adults have found evidence of racial disparities related to climactic changes with respect to mortality, respiratory and cardiovascular disease, mental health, and heat-related illness. Children are particularly vulnerable to the health impacts of climate change, and infants and children of color have experienced adverse perinatal outcomes, occupational heat stress, and increases in emergency department visits associated with extreme weather.

4) **Author's statement**:

> As part of our commitment to reducing harmful GHG emissions from landfills, California has embarked on an aggressive plan to increase composting and divert edible food from ending up in landfills. This bill provides a small, but impactful, change to help streamline the methods for how food can be provided to community based organizations for distribution to hungry Californians.

5) **Previous legislation**. This bill is nearly identical to AB 2311 (Bennett, 2024), which was held in Senate Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

350 Humboldt
350 Sacramento
California Association of Food Banks
California Association of Local Conservation Corps
California Food Recovery Coalition
California Grocers Association
California State Association of Counties
Californians Against Waste
Climate Action California
Climate Reality Project, Silicon Valley Chapter
Climate Reality Project, San Diego
Climate Reality Project, Orange County
Climate Reality Project, San Fernando Valley
Elders Climate Action NorCal Chapter
Elders Climate Action SoCal Chapter
League of California Cities
Rural County Representatives of California

Opposition

None on file

Analysis Prepared by: Elizabeth MacMillan / NAT. RES. /

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 399 (Boerner) – As Introduced February 4, 2025

SUBJECT: Coastal resources: coastal development permits: blue carbon demonstration projects

SUMMARY: Authorizes the California Coastal Commission (Commission) to authorize blue carbon demonstration projects, as defined, in order to demonstrate and quantify the carbon sequestration potential of these projects to help inform the state's natural and working lands and climate resilience strategies.

EXISTING LAW:

1) Pursuant to the California Global Warming Solutions Act of 2006 (Health and Safety Code 38500 *et seq.):*

    a) Establishes the Air Resources Board (ARB) as the state agency responsible for monitoring and regulating sources emitting greenhouse gas (GHG) emissions.

    b) Requires ARB to approve a statewide GHG emissions limit equivalent to the statewide GHG emissions level in 1990 to be achieved by 2020 and to ensure that statewide GHG emissions are reduced to at least 40% below the 1990 level by 2030.

    c) States that it is the policy of the state that the protection and management of natural and working lands is an important strategy in meeting the state's GHG emissions reduction goals, and that the protection and management of those lands can result in the removal of carbon from the atmosphere and the sequestration of carbon in, above, and below the ground.

2) Pursuant to the California Coastal Act of 1976 (Public Resources Code 30000 *et seq.*):

    a) Establishes the Commission to protect regional, state, and national interests in assuring the maintenance of the long-term productivity and economic vitality of coastal resources necessary for the well-being of the people of the state, avoid long-term costs to the public and a diminished quality of life resulting from the misuse of coastal resources, and coordinate and integrate the activities of the many agencies whose activities impact the coastal zone.

    b) Requires anyone planning to perform or undertake any development in the coastal zone to obtain a coastal development permit from the Commission.

THIS BILL:

1) Defines "blue carbon demonstration project" as the restoration of coastal wetland, subtidal, intertidal, or marine habitats or ecosystems, including, but not limited to, wetlands and seagrasses, that can take up and sequester carbon. A blue carbon demonstration project is limited to all of the following:

a) Ecologically appropriate locations where the habitat or ecosystem had historically occurred and subsequently become degraded or removed;

b) The restoration of the habitat or ecosystem to its historical state to provide ecosystem services and habitat values, to the extent feasible; and,

c) The use of diverse native species.

2) Authorizes the Commission to authorize blue carbon demonstration projects in order to demonstrate and quantify the carbon sequestration potential of these projects to help inform the state's natural and working lands and climate resilience strategies.

3) Authorizes the Commission to require an applicant with a nonresidential project that impacts coastal wetland, subtidal, intertidal, or marine habitats or ecosystems to build or contribute to a blue carbon demonstration project.

4) Requires the Commission to consult with the State Air Resources Board, the Department of Fish and Wildlife, the State Coastal Conservancy, the State Lands Commission, and other public entities, and seek consultation with the United States Army Corps of Engineers and the National Oceanic and Atmospheric Administration, in developing the blue carbon demonstration project program.

5) Requires each blue carbon demonstration project to be designed, monitored, and have sufficient data collected in order to demonstrate the carbon uptake and sequestration achieved. Requires this to include an evaluation of relevant factors affecting the permanence of the sequestration. Requires the results to be presented to the Commission in a public hearing.

FISCAL EFFECT: Unknown

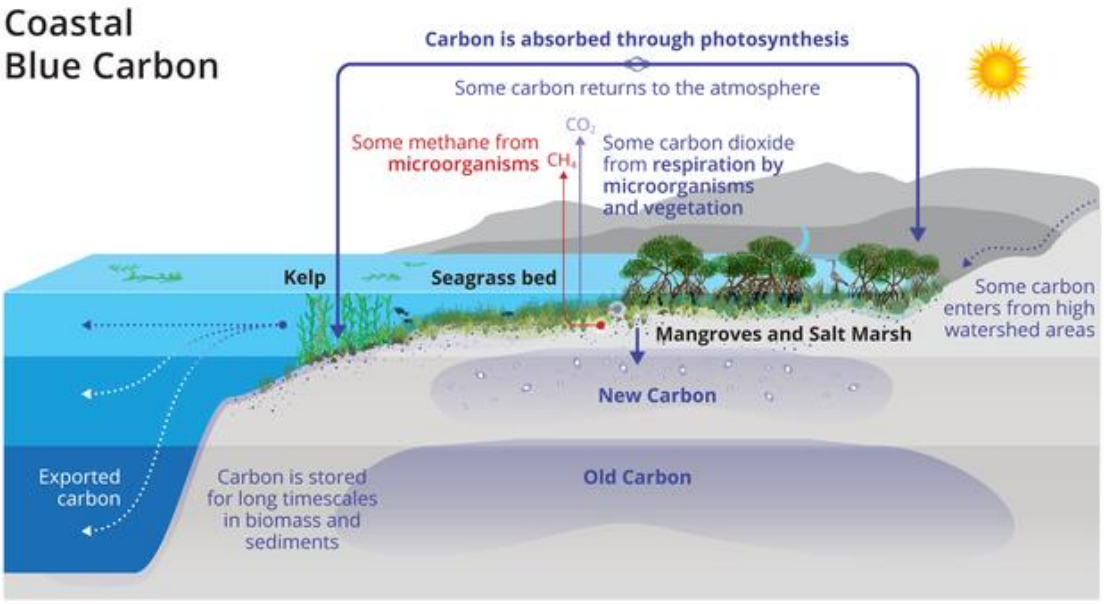
COMMENTS:

1) **Author's statement**:

> Several recent studies focusing on the importance of conserving coastal ecosystems have concluded coastal wetlands can store far greater amounts of carbon than they naturally release, which makes them one of the world's most important natural carbon sinks. Unfortunately, coastal habitats around the world are being lost at a rapid rate, largely due to coastal development for housing, ports, and commercial facilities. AB 399 requires that coastal development permit applicants include in their planning and design how they plan to build or will contribute in promoting blue carbon projects where feasible. This requirement is consistent with the California Coastal Commission's task of working with local governments to protect the shoreline when approving developments in the coastal zone consistent with the California Ocean Protection Act.

2) **Blue carbon.** Blue carbon refers to carbon dioxide that is absorbed from the atmosphere and stored in the ocean. "Blue" refers to the watery nature of this storage. The vast majority of blue carbon is carbon dioxide that has dissolved directly into the ocean. Blue carbon is

stored by seagrass, mangroves, tidal marshes, and other plants in coastal wetlands through photosynthesis. As these aquatic plants grow, they accumulate and bury organic matter in the soil. Water-logged sediments are very low in oxygen, allowing the carbon drawn from plants to stay trapped in the sediment for as long as it remains undisturbed.



[Graphic from the National Oceanic and Atmospheric Administration[i]]

Seagrass, tidal marshes, and mangroves are sometimes referred to as “blue forests” in contrast to land-based forests. Blue forests equal just 0.05% of the plant biomass on land, but they can efficiently store high levels of carbon. Research indicates that coastal blue carbon habitats annually sequester carbon 10 times faster than mature tropical forests, and store 3-5 times more carbon per equivalent area.

Marshes sequester carbon in underground biomass due to high rates of organic sedimentation and anaerobic-dominated decomposition, a process where microorganisms break down biodegradable material in the absence of oxygen. Marshes are susceptible to eutrophication (a nutrient-induced increase in phytoplankton productivity) and pollution from oil and industrial chemicals. Introduced invasive species, sea-level rise, river damming, and decreased sedimentation are other long-term changes that affect marsh habitat, and in turn, may affect carbon sequestration potential.

Although seagrass makes up only 0.1% of area on the ocean floor, it accounts for approximately 10-18% of the total oceanic carbon capture. Researchers have studied how large-scale seaweed cultivation in the open ocean can act as a form of carbon sequestration and found that nearshore seaweed forests constitute a source of blue carbon, as seaweed debris is carried by wave currents into the middle and Deep Ocean, thereby sequestering carbon.

Because oceans cover 70% of the planet, and because more than 80% of the global carbon cycle is circulated through the ocean, ocean ecosystem restoration has great blue carbon development potential. Research is ongoing, but in some cases it has been found that these

types of ecosystems remove far more carbon than terrestrial forests, and can store it for millennia.

As habitats that sequester carbon are altered and decreased, the natural carbon stored in these environments is being released into the atmosphere, accelerating the rate of climate change. Researchers indicate that if blue carbon ecosystems continue to decline at the current rate, 30% to 40% of tidal marshes and seagrasses could be gone in the next century.

International agreements aimed at curbing climate change have focused growing attention on coastal blue carbon. Not enough was known about the carbon storage in blue-carbon ecosystems for them to be included in the earliest National Greenhouse Gas Inventories. As the science advanced, the Intergovernmental Panel on Climate Change (IPCC) released guidance in 2013 for how countries participating in the Paris Climate Agreement should account for coastal blue carbon in their national inventories and their Nationally Determined Contributions, which are voluntary actions a country pledges to take to reduce its carbon emissions. Several years later, however, only a few countries aside from the United States had been able to incorporate blue carbon according to IPCC guidance.

Sadly, in coastal California, human activity has led to a reduction in the coastal wetlands and the distribution and amount of seagrass beds. California has lost on the order of 90% of its coastal wetlands. Despite that, recent estimates indicate that on the order of 13.4 million tons of carbon are stored in California's coastal wetlands. Restoring coastal wetlands can further harness carbon sequestration potential and further California's goals for reaching carbon neutrality.

3) **Blue carbon in California.** In California, coastal blue carbon habitats include tidal salt marsh and seagrass (eelgrass). Currently, the state has about 296,500 acres of tidal salt marsh habitat and 14,800 acres of eelgrass.

   Separate from their ability to sequester carbon, the state has long recognized the ecological value of these habitats. Current law (Fish and Game Code 2856) recognizes that kelp forests and seagrass beds, among other types of habitat should be represented in the types of areas reserved under the Marine Life Protection Act. Further, eelgrass beds are protected as "special aquatic sites" under the federal Clean Water Act guidelines and are designated as Essential Fish Habitat under the federal Magnuson-Stevens Fishery Conservation Management Act. The Ocean Protection Council's (OPC) 2020 – 2025 Strategic Plan proposes developing new approaches to accelerate wetland and seagrass habitat creation and restoration "including developing and/or enhancing wetland and seagrass mitigation banking, blue carbon mitigation banking, cutting the green tape to accelerate habitat restoration and creation projects, green infrastructure projects, creative finance instruments, and other possible solutions." Included in the Strategic Plan are goals to protect and/or restore an additional 10,000 acres of coastal wetlands and create an additional 1,000 acres of seagrass by 2025 and implementation of a statewide Kelp Restoration and Management Plan.

   The California Department of Insurance 2021 report, *Protecting Communities, Preserving Nature, and Building Resiliency*, acknowledges the benefits of wetland protection and restoration:

> One way to increase the provision of nature-based solutions to flood risk is through a market for natural infrastructure that more effectively values wetlands and floodplains, allows for greater cross-jurisdictional pooling of investments, and could provide a mechanism for including blue carbon, a measure of carbon held in oceans and bodies of water, accounting in decision-making. Such markets are created through public policy, which requires "credits" that can then be traded, and contribute to the creation of a supply of nature-based solutions for flood risk reduction.

Nearly all the tidal marshes around San Francisco Bay have been lost since the 1850s due to commercial development and other anthropogenic pressures. California has undertaken an ambitious project to turn 15,000 acres of industrial salt ponds in the southern part of the bay back into tidal marshes to provide ecological and carbon-storage benefits.

4) **Federal Efforts.** The National Oceanic and Atmospheric Agency (NOAA) has supported efforts to include coastal wetlands into the U.S. inventory of GHG emissions and sinks. They work collaboratively with the National Marine Fisheries Service, National Ocean Service, and Oceanic and Atmospheric Research offices, and sponsor the National Academies of Sciences, Engineering, and Medicine's project, *Developing a Research Agenda for Carbon Dioxide Removal and Reliable Sequestration*. NOAA is working to make wetlands conservation and restoration profitable while reducing GHG emissions through blue carbon financial markets. This approach creates a financial incentive for restoration and conservation projects by helping to alleviate federal and state carbon taxes aimed at discouraging the use of fossil fuels.

5) **Natural and working lands.** Although natural and working lands can remove carbon dioxide from the atmosphere and sequester it in soil and vegetation, disturbances such as severe wildfire, land degradation, and conversion can cause these landscapes to emit more carbon dioxide than they store. California's natural and working lands are not healthy and the critical ecosystem services they provide, including their ability to sequester carbon from the atmosphere, are at risk. Actions to protect, restore, and sustainably manage the health and resiliency of these lands can greatly accelerate our progress to mitigate climate change and our ability to reduce worsening climate change impacts.

   To advance that goal, this bill would authorize blue carbon demonstration projects in order to demonstrate and quantify the carbon sequestration potential of these projects to help inform the state's natural and working lands and climate resilience strategies.

   ARB's 2017 Scoping Plan set a preliminary goal to reduce GHG emissions from natural and working lands by at least 15 – 20 million metric tons of carbon dioxide equivalents (MMT CO2e) by 2030.

   The 2022 Scoping Plan for the first time includes modeling for seven land types within the natural and working land sector, including wetlands. The Scoping Plan notes:

   > Wetlands cover 2 percent of the state (roughly 1.7 million acres) and include inland and coastal wetlands, such as vernal pools, peatlands, mountain meadows, salt marshes, and mudflats. These lands are essential to California's communities as they serve as hotspots for biodiversity, contain considerable carbon in the soil,

> are critical to the state's water supply, and protect upland areas from flooding due to sea level rise and storms. Wetlands have been severely degraded through reclamation, diking, draining, and dredging practices in the past, resulting in the emissions of the carbon stored in the soils and the loss of ecosystem benefits. Climate smart strategies to restore and protect all the types of wetlands can reduce emissions while simultaneously improving the climate resilience of surrounding areas and improving the water quality and yield for the state. Restored wetlands also can reduce pressure on California's aging water infrastructure. These benefits beyond emissions reductions will help in the future, as climate change is predicted to negatively affect water supply.

This bill's findings declare that blue carbon is not currently included in the state's natural and working lands inventory due, in part, to the limited availability of data and methodologies to inventory the stored carbon. While "blue carbon" is not explicitly referenced in the Scoping Plan update, the inclusion of wetlands under natural and working lands provides the opportunity to include blue carbon in the conversation as it relates to wetland restoration and meeting the state's GHG goals.

6) **Counting GHG benefits**. While various models exist to evaluate carbon stocks and sequestration rates for different habitats, the California Ocean Science Trust has stated that more research is needed to provide clear estimates and to better understand blue carbon opportunities in California. Information gaps include understanding the differences in carbon sequestration rates for restored wetland habits versus mature blue carbon ecosystems; determining how macro-algae and kelp forests contribute to carbon export and burial; and, better mapping of existing California blue carbon habitats and field measurements of their GHG emissions.

   AB 399 would allow the Commission to authorize blue carbon demonstration projects in order to demonstrate and quantify the carbon sequestration potential of these projects to help inform the state's natural and working lands and climate resilience strategies. Beyond data collection, this could help the state in meeting its strategic goals to restore wetlands, restore seagrass, achieve 30x30, and sequester GHGs to meet our climate goals.

7) **Related legislation:**

   AB 1992 (Boerner, 2024) was identical to AB 1992 and AB 45, plus included authorization for the California Natural Resources Agency (NRA) to authorize teal carbon demonstration projects on inland wetlands. This bill was vetoed by the Governor.

   AB 45 (Boerner, 2023) was identical to AB 1992. This bill was held in the Senate Appropriations Committee.

   AB 1407 (Addis, 2023) would require the OPC, upon appropriation of funding by the Legislature, to establish a Kelp Forest and Estuary Restoration and Recovery Framework that has a goal of restoring a specified amount of kelp forest, eelgrass meadow, and oyster beds annually. This bill is on the Senate on the Inactive File.

   AB 2593 (Boerner Horvath, 2022) would have authorized the Commission to approve blue carbon projects, as defined, in order to demonstrate and quantify the carbon sequestration

potential of these projects to help inform the state's natural and working lands and climate resilience strategies. This bill was held in the Senate Appropriations Committee.

AB 2649 (C. Garcia, 2022) would have set annual targets for natural carbon sequestration starting in 2030 by requiring the removal of 60 million metric tons of carbon equivalent (MMT CO2e) per year, increasing to 75 MMT CO2e annually in 2035. Defined "natural carbon sequestration" as "the removal and storage of atmospheric carbon dioxide equivalents by vegetation and soils on natural, working, and urban lands." Much of the policy language from this bill was codified in the Budget Act to require ARB to establish goals for carbon sequestration in natural and working lands. The bill was subsequently held in the Senate.

AB 1298 (Mullin, 2020) would have appropriated an unspecified amount to the OPC for blue carbon projects that increase the ability of the ocean and coastal ecosystems to capture, sequester, and store carbon dioxide. This bill was held due to the COVID-19 pandemic and limits on how many bills policy committee could hear.

REGISTERED SUPPORT / OPPOSITION:

Support

350 Bay Area Action
Altasea
California Environmental Voters
Wildcoast

Opposition

California Business Properties Association
California Chamber of Commerce

Analysis Prepared by: Paige Brokaw / NAT. RES. /

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[i] Understanding blue carbon | NOAA Climate.gov

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 404 (Sanchez) – As Introduced February 4, 2025

SUBJECT: California Environmental Quality Act: exemption: prescribed fire, reforestation, habitat restoration, thinning, or fuel reduction projects

SUMMARY: Eliminates the January 1, 2028, sunset date on a California Environmental Quality Act (CEQA) exemption for forest projects on federal lands.

EXISTING LAW, pursuant to Public Resources Code (PRC) 4799.05:

1) Exempts from CEQA prescribed fire, reforestation, habitat restoration, thinning, or fuel reduction projects, or to related activities included in the project description, undertaken, in whole or in part, on federal lands to reduce the risk of high-severity wildfire that have been reviewed under the National Environmental Policy Act (NEPA) of 1969, if specified conditions are met.

2) Exempts from CEQA the issuance of a permit or other project approval by a state or local agency for projects described above.

3) Provides that, if the lead agency determines that a project is not subject to CEQA and it determines to approve or carry out the project, the lead agency shall file a notice of exemption with the Office of Planning and Research and with the county clerk in the county in which the project will be located.

4) Requires, if the lead agency is not the Department of Forestry and Fire Protection (CAL FIRE), the lead agency to also provide the notice of exemption together with the information required to CAL FIRE.

5) Requires, on or before February 1, 2027, if the Secretary of the Natural Resources Agency determines that substantial changes have been made since January 1, 2023, to NEPA or other federal laws that affect the management of federal forest lands in California, the secretary to report those changes to the Legislature.

6) Sunsets these provisions on January 1, 2028.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement**:

> With Southern California having experienced some of the most destructive wildfires in California history, consistent forest stewardship has never been more important. Prior enacted legislation helped streamline coordination between the federal government and California by creating a CEQA exemption for prescribed fire, thinning, and fuel reduction projects on federal land that have already been

reviewed under the National Environmental Protection Act. However, this exemption is set to expire at the end of 2027. AB 404 will make this successful exemption permanent, ensuring California's commitment to streamlining necessary wildfire prevention projects.

2) **CEQA exemption.** Current law provides a CEQA exemption for prescribed fire, reforestation, habitat restoration, thinning, or fuel reduction projects, or to related activities on federal lands, and exempts the issuance of a permit or other project approval by a state or local agency for projects described above from CEQA review.

SB 901 (Dodd), Chapter 626, Statutes of 2018 initially created as a limited exemption from CEQA for fuel reduction projects on federal land where the primary role of state or local agency is providing funding or staffing for those projects. If the state or local agency did not provide the funding or staff, the federal government would not have to conduct a CEQA analysis. The CEQA exemption would only be operative if the Secretary of NRA certified on or before January 1 of each year that NEPA or other federal laws that affect the management of federal forest lands in California have not been substantially amended on or after August 31, 2018. Further, SB 901 required that any CEQA exemption established under this statutory subdivision to continue in effect for those projects conducted under a NEPA record of decision, finding of no significant impact, or notice of exemption or exclusion that was issued prior to the date by which the Secretary determines that the NEPA or federal forest management laws were substantially amended.

Agencies that have used the exemption include CAL FIRE and the Sierra Nevada Conservancy. The exemption requires the Secretary of NRA to certify each year whether NEPA has not been substantially amended on or after August 31, 2018. This certification process is important because it gives California a seat at the table in modifications to NEPA that affect federal forest land.

The 2022 PRC trailer bill [AB 211 (Committee on Budget), Chapter 574, Statutes of 2022] expanded the CEQA exemption to reforestation, habitat restoration, and related activities on federal land and extended the original sunset date from 2023 to 2028. It also modified the NEPA qualifier on the CEQA exemption to only require the secretary of NRA to report any changes to NEPA or other federal laws that affect the management of federal forest lands in California to the Legislature.

Between 2021-2024, this CEQA exemption was used a total of 157 times and has thus far generally been uncontroversial.

However, the Trump Administration is in the process of downsizing the federal workforce by more than two million employees, including more than 7,000 employees at the U.S. Forest Service, and hundreds of positions at the National Park Service, the Environmental Protection Agency, and the Bureau of Land Management. Just last week, the Department of Government Efficiency plans to terminate lease contracts at nearly two dozen California offices including the National Oceanic and Atmospheric Administration, US EPA, USFS, and Geological Survey. The result will undoubtedly be sparse and unreliable environmental review for federal land management. Further, the Trump Administration did amend regulations related to NEPA in the summer of 2020, and more changes in his second term can rationally be expected.

The current CEQA exemption does not expire until 2028, so AB 404 proposing eliminating the sunset date prematurely.

3) **Committee amendments**. The *committee may wish to consider* amending the bill to restore the former language making the CEQA exemption contingent upon verification of any substantial changes made to NEPA and its implementation, and restoring the sunset date with a 2-year extension.

4) **Related legislation:**

SB 901 (Dodd), Chapter 626, Statutes of 2018, provides that the CEQA exemption would only remain operative if the Secretary of NRA certified on or before January 1 of each year that NEPA or other federal laws that affect the management of federal forest lands in California have not been substantially amended on or after August 31, 2018.

AB 211 (Committee on Budget), Chapter 574, Statutes of 2022 expands the CEQA exemption to reforestation, habitat restoration, and related activities on federal land and extended the original sunset date from 2023 to 2028.

AB 267 (Valladares, 2022) extends the sunset from January 1, 2023, to January 1, 2026, for the exemption from CEQA for prescribed fire, thinning, or fuel reduction projects undertaken on federal lands to reduce the risk of high-severity wildfire that have been reviewed under the NEPA. This bill was held on the Senate Inactive File.

REGISTERED SUPPORT / OPPOSITION:

Support

California Fire Chiefs Association
California Forestry Association
Fire Districts Association of California
Rural County Representatives of California
Southwest California Legislative Council

Opposition

California Native Plant Society
California Native Plant Society, Alta Peak Chapter
Clean Water Action
Defenders of Wildlife
Fire Restoration Group
Forest Unlimited
Friends of the Inyo
Pacific Forest Trust
Planning and Conservation League
San Francisco Baykeeper
Sierra Forest Legacy
Sierra Nevada Alliance

Analysis Prepared by: Paige Brokaw / NAT. RES. /

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 436 (Ransom) – As Amended March 10, 2025

SUBJECT: Composting facilities: zoning

SUMMARY: Requires the Office of Land Use and Climate Innovation (LUCI) to develop a technical advisory on best practices to facilitate the siting of compost facilities and requires cities and counties to consider incorporating the best practices in their land use elements.

EXISTING LAW:

1) Requires the Air Resources Board (ARB) to develop a comprehensive strategy to reduce the emissions of short-lived climate pollutants (SLCP) to achieve a 40% reduction in methane emissions, 40% reduction in hydrofluorocarbon gases, and 50% reduction in anthropogenic black carbon below 2013 levels by 2030. (Health and Safety Code (HSC) 39730-39730.5)

2) Requires the state to reduce the disposal of organic waste by 40% from the 2014 level by 2020 and 75% by 2025 to help achieve the state's methane reduction goal. (HSC 39730.6)

3) Requires the Department of Resources Recycling and Recovery (CalRecycle), in consultation with ARB, to adopt regulations to achieve the targets for reducing the disposal of organic waste in landfills. (Public Resources Code (PRC) 42652.5)

4) Establishes the Permit Streamlining Act (PSA), which requires each public agency to provide a development project applicant with a list that specifies the information that will be required from any applicant for a development project. (Government Code (GC) 65921)

    a) Establishes timelines for agencies responding to permits under the PSA, including:

        i) An agency has 30 days after an application is submitted to inform an applicant whether or not the application is complete. If the agency does not inform the applicant within that 30-day period, the application is "deemed complete." The 30-day period restarts with a re-submission of an application. (GC 65943).

        ii) Once an aplication is deemed complete, specified public agencies must approve or disapprove the permit within a specified time limit (between 60 and 180 days), or the permit is "deemed approved." (GC 65956).

5) Requires, under the California Environmental Quality Act (CEQA), lead agencies with the principal responsibility for carrying out or approving a project to prepare a negative declaration (ND), mitigated negative declaration (MND), or environmental impact report (EIR) for the project, unless the project is exempt from CEQA. (PRC 21000 *et seq*.)

THIS BILL:

1) Requires LCI to develop, in consultation with CalRecycle, a technical advisory that reflects best practices to facilitate the siting of composting facilities to meet the state's organic waste reduction goals by June 1, 2027.

2) Specifies that the technical advisory include sample general plan goals, policies, and implementation measures and a model ordinance.

3) Requires LCI to consult with representatives of urban, suburban, and rural counties and cities, operators of composting facilities, and private and public waste services throughout the development of the technical advisory.

4) Upon a substantive revision of a land use element on or after January 1, 2029, and after the technical advisory is posted, requires a city, county, or city and county to consider:

   a) The best practices, sample general plan, and model ordinance reflected in the technical advisory; and,

   b) Updating the land use element to identify areas where composting facilities may be appropriate as an allowable use, which may vary based on the types or sizes of the facilities.

5) Specifies that no reimbursement is required by the bill pursuant to Section 6 of Article XIIIB of the California Constitution, as specified.

FISCAL EFFECT: Unknown; however, for a substantially similar bill last session , SB 1045, (Blakespear), the Assembly Appropriations Committee identified the following costs:

- Office of Planning and Research (now LCI) estimated General Fund one-time costs of $448,000 for two full-time positions until the technical advisory is complete for one Attorney III position to draft the technical advisory and provide technical assistance to facilitate siting of composting facilities and one Associate Governmental Policy Analyst to support the Attorney III and assist with required outreach.

- CalRecycle reported minor and absorbable costs from the Greenhouse Gas Reduction Fund.

COMMENTS:

1) **Organic waste recycling**. Nearly 40 million tons of waste are disposed of in California's landfills annually. Nearly half of those materials are organics (~48%). Organic waste includes food, yard waste, paper, and other organic materials. As that material decomposes in landfills, it generates significant amounts of methane, a potent greenhouse gas (GHG) with 84 times the climate impact as carbon dioxide. ARB states that about 20% of methane emissions in California comes from landfills.

   SB 1383 (Lara), Chapter 395, Statutes of 2016, requires ARB to approve and implement a comprehensive SLCP strategy to achieve, from 2013 levels, a 40% reduction in methane, a 40% reduction in hydrofluorocarbon gases, and a 50% reduction in anthropogenic black

carbon, by 2030. In order to accomplish these goals, the law specifies that the methane emission reduction goals include targets to reduce the landfill disposal of organic waste, including food, by 50% by 2020 and 75% by 2025 from the 2014 level. SB 1383 also requires that by 2025, 20% of edible food that would otherwise be sent to landfills be redirected to feed people. Specifically, the law requires: jurisdictions to establish food recovery programs and strengthen existing food recovery networks; food donors to arrange to recover the maximum amount of edible food; and, food recovery organizations and services that participate in SB 1383 to maintain specified records.

To achieve this, California's waste management infrastructure is going to have to process and recycle much greater quantities of organic materials, involving significant investments in additional processing infrastructure. Organic waste is primarily recycled by composting the material, which generates compost that can be used in gardening and agriculture as a soil amendment and engineering purposes for things like slope stabilization. Anaerobic digestion is also widely used to recycle organic wastes. This technology uses bacteria to break down the material in the absence of oxygen and produces biogas, which can be used as fuel, and digestate, which can also be used as a soil amendment. Tree trimmings and prunings can also be mulched.

In order to ensure that there are adequate markets for the state's increasing quantities of products made from organic waste, like mulch, compost, and digestate, CalRecycle established procurement requirements for local jurisdictions. The procurement targets are based on the average amount of organic waste generated by Californians annually multiplied by the population of a jurisdiction. Jurisdictions can meet the target by procuring, giving away, or arranging for the use of the material through contracts with direct service providers. Eligible materials include compost, mulch, biomass electricity, or renewable gas, as specified.

2) **CEQA**. CEQA is intended to make government agencies and the public aware of the environmental impacts of a proposed project, ensure the public can take part in the review process, and identify measures to mitigate a project's environmental impacts. CEQA is enforced by civil lawsuits.

   The CEQA process begins with an initial study to determine the level of environmental review required for a project. If a project has no significant effects on the environment, or if those effects can be fully mitigated, the project can move forward with a ND or MND. If the initial study finds that the project has potential significant effects on the environment, an EIR is conducted to analyze the significant environmental impacts of a project and to identify mitigation measures for any significant effects identified.

3) **Compost facility permitting**. In addition to CEQA review, new composting facilities, depending on size and feedstock, are required to obtain local and state permits to operate. While these various permits provide important environmental protections, the layers of regulatory oversight and overlapping requirements make siting new compost facilities complex and costly. According to the California Compost Coalition, siting new compost facilities can take more than a decade to complete. Moreover, many local governments have not incorporated organic waste recycling facilities into their land use planning.

Local air districts regulate stationary sources of air pollution. Actively composting piles of organic feedstock emit volatile organic compounds (VOCs), which can react in the atmosphere with oxides of nitrogen (NOx) to make ground-level ozone, a criteria pollutant. VOCs can also react with ammonia to create particulate matter (PM 2.5), another criteria pollutant. The amount of emissions released during composting appears to be highly variable, and is influenced by the types of feedstock, types of facilities, and even climate. The relationships between the types of gases being emitted at any one time are complicated and remain poorly understood. Air districts rules and regulations for compost facilities can include detailed operational criteria, such as temperature and pressure requirements for composting aeration systems, and control efficiency rates for VOC and ammonia emissions.

The State Water Resources Control Board and regional boards are charged with issuing waste discharge requirements (WDRs) for composting facilities. In 2015, the Water Board developed and adopted its General Waste Discharge Requirements for Composting Operations (Composting General Order), which is intended to protect against potential threats to water quality from discharges from composting operations, and establishes general criteria that can be applied to composting facilities across the state in order to streamline the permitting process for composting operations that have similar materials and operations.

4) **Permit Streamlining Act**. The PSA was enacted in 1977 to expedite permit processing for development projects. The PSA sets timelines for government agencies to approve or deny permits. Under the PSA, an agency has 30 days after an application is submitted to respond to the applicant and tell them whether or not the application is complete. If the agency doesn't respond to the applicant in that timeframe, the application is deemed complete.

   After an application is deemed complete, the PSA sets time limits for development project permit applications. The timeline depends on the level of environmental review required under CEQA for the project. If a project is eligible for an exemption from CEQA, the lead agency has 60 days to approve or deny the development permit. If the project requires more environmental review than needed for an exemption, the lead agency has 30 days after the project application is completed to conduct an initial study, which determines whether to require the preparation of an EIR or ND. Following the completion of the initial study, the lead agency has 60 days for a ND or 180 days for an EIR. The time limits for approval of applications may be extended up to 90 days by mutual agreement between the applicant and the public agency. If the agency fails to act within the specified timeline, the permits are deemed approved.

5) **Author's statement**:

   California's ambitious organic waste diversion goals require local jurisdictions to divert 75% of organic waste from landfills. CalRecycle estimates that the state needs around 100 new or expanded organic waste recycling facilities to ensure enough capacity to actually divert 75% of organic waste.

   AB 436 will assist local jurisdictions in California in meeting our organic waste diversion targets by expediting the siting and permitting of composting facilities. AB 436 would provide local governments with an additional tool to help more easily site these facilities, mitigating an existing permitting barrier that does not

impact environmental standards. This is a common sense approach that assists local government and helps achieve our environmental goals.

6) **Previous legislation**. This bill is nearly identical to SB 1045 (Blakespear, 2024), which was held in the Assembly Appropriations Committee.

7) **Double referral**. This bill has also been referred to the Assembly Local Government Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

California Compost Coalition
California State Association of Counties
California State Grange
CR&R
League of California Cities
Recology Waste Zero
Republic Services
Resource Recovery Coalition of California
Rethink Waste
Rural County Representatives of California
Waste Connections

Opposition

None on file

Analysis Prepared by: Elizabeth MacMillan / NAT. RES. /

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 439 (Rogers) – As Introduced February 6, 2025

SUBJECT: California Coastal Act of 1976: local planning and reporting

SUMMARY: Enacts de minimis amendments to local coastal programs (LCPs) and port master plans (PMP) effective upon adjournment of a California Coastal Commission (Commission) meeting when voting thresholds are met, and requires a Commission staff report every 5 years instead of annually.

EXISTING LAW, pursuant to the California Coastal Act of 1976 (Coastal Act):

1) Authorizes a certified LCP and all local implementing ordinances, regulations, and other actions to be amended by the appropriate local government, but provides that no such amendment can take effect until it has been certified by the Commission. (Public Resources Code (PRC) 30514 (a))

2) Requires the Commission, by regulation, to establish a procedure whereby proposed amendments to a certified LCP may be reviewed and designated by the executive director of the Commission as being minor in nature or as requiring rapid and expeditious action. Requires that procedure to include provisions authorizing local governments to propose amendments to the executive director for that review and designation. Requires those proposed amendments that are designated as being minor in nature or as requiring rapid and expeditious action to take effect on the 10th working day after designation. (PRC 30514 (c))

3) Authorizes the executive director to determine that a proposed LCP amendment is de minimis if the executive director determines that a proposed amendment would have no impact, either individually or cumulatively, on coastal resources, and meets specified criteria. (PRC 30514 (d)(1))

4) Authorizes a PMP to be amended by the port governing body, but provides that an amendment shall not take effect until it has been certified by the Commission. (PRC 30716)

5) Requires the Commission, by regulation, to establish a procedure whereby proposed amendments to a certified PMP may be reviewed and designated by the executive director of the Commission as being minor in nature. (PRC 30716 (b))

6) Authorize the executive director to determine that a proposed certified PMP amendment is de minimis if the executive director determines that the proposed amendment would have no impact, either individually or cumulatively, on coastal resources, and meets specified criteria. (PRC 30716 (c)(1))

THIS BILL:

1) Enacts a de minimis LCP amendments upon adjournment of a Commission meeting, rather than 10 days after the meeting, if three or more members of the Commission do not object to the de minimis determination.

2) Enacts a de minimis determination amendment to a certified PMP upon adjournment of a Commission meeting, rather than 10 days after the meeting, if three or more members of the Commission do not object to the de minimis determination.

3) Deletes obsolete language related to a 2019 reporting requirement on Coastal Act violations and administrative penalties.

4) Extends, from annually to every 5 years, the requirement that Commission staff prepare and present a written report to the full Commission at its first public hearing. Modifies the requirements of that report as follows:

   a) Requires the number and type of new violations investigated and identified that were reported during the previous five years;

   b) The number of violations resolved during the previous five years, including a description of those resolved without the imposition of an administrative civil penalty;

   c) The number of administrative penalties issued pursuant to PRC 30821 during the previous five years, the dollar amount of the penalties, and a description of the violations that resulted in the imposition of a penalty;

   d) The number of violations that were referred by the commission to the Attorney General during the previous five years;

   e) The number of violations that were pending at the end of the reporting period; and,

   f) Summaries of violations that were resolved that are both illustrative of the commission's enforcement workload and that provided significant public benefit.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement:**

   Public access to the coast is a cornerstone of California's government and culture. In the 2nd Assembly District we are proud of our storied history of protecting coastal access from intense residential and industrial development. We are one of the cradles of the Coastal Commission. We've repeatedly resisted efforts to charge for parking and otherwise limit access to the beach. This is especially critical for low income residents who are trying to escape hot inland temperatures and may be travelling long distances to reach the coast. This bill helps the Coastal Commission operate more efficiently and maintain that critical public access.

2) **Immediate enactment**. In most of the coastal zone, the Commission has delegated coastal permitting authority to local governments and ports, which make coastal permit decisions pursuant to their certified LCPs and PMPs. The Coastal Commission also certifies amendments to those plans. Relatively minor "de minimis" amendments are approved by the Commission administratively. However, once approved, de minimis amendments don't take

effect for 10 days, undercutting the time savings of the administrative approval process. The 10-day waiting period for the de minimis LCP amendment and PMP amendment processes were added to the Coastal Act by AB 3427 (Senate Nautal Resources and Water Committee) Chapter 525, Statutes of 1994, and no longer serves any practical purpose. Delays can create cost burdens on applicants whose projects hinge on the adopted amendments to move forward. In a competitive development market, even minor streamlining measures enhance efficiency.

3) **Reporting**. As part of its mandate to protect coastal resources and public coastal access, the Commission enforces violations of the Coastal Act. The Commission has the authority to issue Cease and Desist Orders to stop unpermitted development in the coastal zone, and to approve Enforcement Orders (either in collaboration with a violator or unilaterally) mandating the restoration of impacted coastal areas and mitigation for unpermitted impacts. New violations of the Coastal Act are reported more quickly than the Commission's limited Enforcement staff have the capacity to resolve them. As a result, the Commission has a backlog of approximately 3,000 reported Coastal Act violations in need of investigation and resolution.

   In recent years, the Legislature has strengthened the Commission's ability to enforce against violations of the Coastal Act by giving the Commission the option to impose administrative civil penalties on violators. In 2014, SB 861 (Committee on Budget), Chapter 35, Statutes of 2014 authorized the Commission to impose administrative penalties for violations of the Coastal Act policies protecting public access to the coast. In 2021, SB 433 (Allen), Chapter 643, Statutes of 2021, authorized the Commission to impose penalties for non-access-related violations of the Coastal Act. Taken together, these two pieces of legislation authorize the Commission to impose administrative civil penalties for any violations of the Coastal Act. Since 2015, the Commission has exercised restraint in exercising this authority, approving only 23 penalties totaling approximately $43 million over a period of 10 years. Ideally, the motivation to avoid penalties acts as a deterrent against potential violations and also motivates confirmed violators to work collaboratively with the Commission to resolve violations, establishing administrative penalty authority as an effective and efficient tool.

   Both of these legislative measures included reporting requirements to ensure that the Commission's administrative penalty authority was operating effectively. SB 861 required the Commission to submit a one-time report to the Legislature in 2019 evaluating the first four years of implementing administrative penalty authority for public access-related violations. The Commission submitted that report by the statutory deadline. By contrast, SB 433 imposed an ongoing, annual requirement for the Commission to submit a report to the Legislature on implementation of its administrative penalty authority for non-access related violations. The Commission provided its most recent annual report to the Legislature in February 2025. As a result, as the law stands today, the Commission no longer reports on its administrative penalty activities for public access-related violations of the Coastal Act but remains required to submit an *annual* report on its administrative penalty activities for non-access-related violations of the Act. This annual reporting requirement places an uneven emphasis on non-access violations of the Coastal Act at the expense of violations that may significantly infringe on the public's right to access the coast. To complicate matters further, many Coastal Act violations affect public access as well as non-access-related coastal resources, making it difficult to parse out whether or not certain violations are within the scope of the ongoing reporting requirement. Moreover, the requirement that the report be

submitted annually places an undue burden on Commission enforcement staff that limits their capacity to work on resolving violations efficiently.

This bill would standardize and streamline the Coastal Act's enforcement reporting requirements by directing the Commission to submit one comprehensive report to the Legislature every five years covering all types of Coastal Act violations (i.e., public access-related and not). The bill would add several additional metrics to the list of required components of the report, resulting in a more useful report, while relaxing the reporting frequency. These changes would make the reporting process more efficient overall and allow the Commission's enforcement staff to maximize time spent resolving Coastal Act violations.

4) **Related legislation**. SB 1077 (Blakespear), Chapter 454, Statutes of 2024, requires the Commission, on or before December 31, 2025, to provide a report to the Legislature that provides information regarding appeals of local government coastal development permits (CDPs) to the Commission, including, among other things, the percentage of local government CDP actions that were appealed to the Commission.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Paige Brokaw / NAT. RES. /

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 471 (Hart) – As Introduced February 6, 2025

SUBJECT: County air pollution control districts: board members: compensation

SUMMARY: Establishes reimbursement and per diem compensation standards for board members of single county air districts, permitting daily compensation up to $200 per day and annual compensation up to $7,200, and permits board approval of 5-10% annual increases going forward.

EXISTING LAW provides for the creation of a county air pollution control district in every county not included within other specified regional and multi-county districts. Existing law requires, under certain circumstances, the membership of the governing board of each county air pollution control district to include one or more members who are mayors, city council members, or both, and one or more members who are county supervisors. (Health and Safety Code 40100, *et seq.*)

THIS BILL:

1) Provides that each member of a county district board shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of board duties and, upon adoption of a resolution by the board at an open regular meeting, compensation of up to $200 per day for attending meetings of the county district board or any committee of the county district board, or, upon authorization of the county district board, while engaged in the official business of the county district, not to exceed $7,200 per year.

2) Authorizes increases by the board at an open regular meeting, not to exceed the greater of 5% per year or up to 10% per year that is equal to the annual change in inflation as determined by the California Consumer Price Index for the area where the district board is located.

3) Prohibits automatic increases.

FISCAL EFFECT: Non-fiscal

COMMENTS:

1) **Background**. Per diem compensation limits for certain air district board members were set in statute many years ago and, until last year, did not provide for inflation adjustment. For example, a $100/day limit for the South Coast district was established in 1987. AB 2522 (Wendy Carrillo), Chapter 406, Statutes of 2024, increased per diem compensation limits for board members of the Bay Area, Sacramento, San Diego, South Coast, and unified (i.e., consisting of two or more contiguous counties) air districts, doubling daily compensation from $100 per day to $200 per day and increasing corresponding monthly and annual compensation limits.

   This bill establishes per diem compensation with comparable limits for single county air districts, and permits the governing boards to approve limited increases in future years, based

on inflation. The bill applies to air districts in the counties of Santa Barbara, San Luis Obispo, Ventura, Placer, Butte, Northern Sonoma, Shasta, and Eastern Kern.

These per diem payments come from local air district funds, so the bill is non-fiscal.

2) **Author's statement**:

> Assembly Bill 471 will help increase participation within local air district boards by providing equitable compensation to board members. Specifically, the bill will allow certain county air districts to provide per diem compensation to board members, while setting compensation limits and prohibiting automatic future increases.
>
> AB 471 will facilitate broader and more diverse participation on air district boards. Better financial incentives can attract a wider range of candidates from diverse backgrounds who may have been discouraged from serving due to the financial burden.

REGISTERED SUPPORT / OPPOSITION:

Support

California Air Pollution Control Officers Association (sponsor)
Eastern Kern Air Pollution Control District
Northern Sonoma County Air Pollution Control District
Placer County Air Pollution Control District
San Luis Obispo County Air Pollution Control District
Santa Barbara County Air Pollution Control District
Ventura County Air Pollution Control District

Opposition

None on file

Analysis Prepared by: Lawrence Lingbloom / NAT. RES. /

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 491 (Connolly) – As Introduced February 10, 2025

SUBJECT: California Global Warming Solutions Act of 2006: climate goals: natural and working lands

SUMMARY: Establishes the goal of the state to achieve each of the specified carbon sequestration targets established by the Natural Resources Agency (NRA) for nature-based climate solutions with priority given to activities that most rapidly, significantly, and cost effectively reduce emissions of greenhouse gases (GHG).

EXISTING LAW:

1) Requires GHG emissions be reduced pursuant to AB 1279 (Muratsuchi), Chapter 337, Statutes of 2022, to at least 85% below the 1990 level by 2045, and establishes a goal of zero net carbon emissions by 2045, commonly known as carbon neutrality. (Health and Safety Code (HSC) 38500 *et seq*.)

2) Requires, on or before January 1, 2024, NRA, in collaboration with the Air Resources Board (ARB), the California Environmental Protection Agency (CalEPA), the Department of Food and Agriculture (CDFA), the expert advisory committee, and other relevant state agencies, to determine an ambitious range of targets for natural carbon sequestration and for nature-based climate solutions that reduce GHGs for 2030, 2038, and 2045 to support state goals to achieve carbon neutrality and foster climate adaptation and resilience. Requires these targets to be integrated into the Scoping Plan. (HSC 38561.5 (b)(1))

THIS BILL:

1) Amends the definition of "natural carbon sequestration" to mean actions that are undertaken on natural and working lands to remove and provide enduring storage of atmospheric GHGs in vegetation and soils or to prevent emissions of GHGs. Provides that this may include improved forest management.

2) Establishes the goal of the state to achieve each of the targets established by NRA for natural carbon sequestration and for nature-based climate solutions by the applicable date for the target, with priority given to activities that most rapidly, significantly, and cost effectively reduce emissions of GHGs.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement**:

> AB 491 would strengthen California's efforts to reduce greenhouse gas emissions by codifying California's Nature-Based Solutions Climate Target. Nature-based solutions are important tools needed to help drastically reduce greenhouse gas

emissions and help achieve California's ambitious climate goals. This bill will also harness natural and working lands for climate action, notably integrating short-term actions, like fuel management to reduce fire risks or restoration to promote natural systems, and long-term conservation to ensure these actions deliver benefits.

2) **Nature-based climate solutions**. Natural lands are those lands consisting of forests, grasslands, deserts, freshwater and riparian systems, wetlands, coastal and estuarine areas, watersheds, wildlands, or wildlife habitat, or lands used for recreational purposes such as parks, urban and community forests, trails, greenbelts, and other similar open-space land. Working lands include lands used for farming, grazing, or the production of forest products. Natural and working lands cover approximately 90% of the state's 105 million acres. Research has shown that these lands have the ability to sequester up to 100 million metric tons of carbon dioxide per year.

   AB 1757 (C. Garcia, R. Rivas), Chapter 341, Statutes of 2022, required ARB, by January 1, 2024, with NRA, CalEPA, and CDFA, to determine an ambitious range of targets for natural carbon sequestration, and for nature-based climate solutions, that reduce GHGs for 2030, 2038, and 2045 to support state goals to achieve carbon neutrality and foster climate adaptation and resilience.

   Through these goals, the state will establish land management practices that increase the health and resilience of natural systems, which supports their ability to serve as a durable carbon sink (lands that absorb more carbon than they release).The GHG targets were developed to reflect the level of climate action required by science to improve land health and resilience in line with the Scoping Plan's carbon stock target. The 2022 Scoping Plan's economic analysis estimated the cost of achieving the carbon stock target is lower than the cost of addressing emissions from California's fossil fuel-based sectors, and that health cost savings from reduced wildfire smoke emissions is approximately double the cost of achieving 2.3 million acres/year of fuel reduction treatments.

3) **Forests as carbon sinks**. Forests cover 27% of California (28.7 million acres). Including trees, soils, other plant materials, forests currently store the largest proportion of carbon on California's lands. Although natural and working lands can remove carbon dioxide from the atmosphere and sequester it in soil and vegetation, disturbances such as severe wildfire, land degradation, and conversion can cause these landscapes to emit more carbon dioxide than they store.

   One of the largest sources of carbon emissions from California's lands over the last eight years comes from catastrophic wildfire. Since 2020, more than 7 million acres of California's lands have burned, with more of these fires being extremely destructive to communities and ecosystems than California has seen historically. Cycles of wildfire are natural to California's landscapes, but have been disturbed by decades of fire exclusion and disconnection from low-level managed wildfire practiced by Native American tribes. Climate change will continue to compound this challenge and expand wildfire threat, severity, and intensity. Limiting huge, dangerous, and catastrophic wildfires and restoring a natural wildfire regime across the state is one of the most important actions to limit carbon emissions from our landscapes.

The Nature-Based Climate Solutions targets aim to achieve 11.9 million acres of forest managed for carbon storage by 2045. This will be realized through climate smart forest management, including thinning, prescribed burns, active reforestation, and reconnection of the forests to aquatic habitats.

4) **This bill**. AB 491 would add improved forest management to the definition of 'natural carbon sequestration' to strengthen the state's efforts to reduce GHGs by codifying California's Nature-Based Solutions Climate targets.

5) **Committee amendments**. The Committee may wish to consider amending the bill to clarify priority shall be given to activities that additionally cost effectively increase sequestration.

REGISTERED SUPPORT / OPPOSITION:

Support

350 Bay Area Action
Alianza Coachella Valley
American River Conservancy
American Rivers
Ban Sup (single Use Plastic)
Bioenergy Association of California
California Cattlemen's Association
California Climate & Agriculture Network
California Native Plant Society
California Native Plant Society, Alta Peak Chapter
California Nurses for Environmental Health and Justice
California Trout
Californians Against Waste
Climate Center; the
Coastal Corridor Alliance
Defenders of Wildlife
Endangered Habitats League
Environmental Protection Information Center
Friends of The Inyo
Hills for Everyone
Pacific Forest Trust
Sequoia Riverlands Trust
Sierra Business Council
Sierra Consortium
Sierra Nevada Alliance
The Watershed Research and Training Center
Trust for Public Land

Opposition

California Farm Bureau Federation

Analysis Prepared by: Paige Brokaw / NAT. RES. /

Date of Hearing: March 24, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 580 (Wallis) – As Introduced February 12, 2025

SUBJECT: Surface mining: Metropolitan Water District of Southern California

SUMMARY: Eliminates the January 1, 2026, sunset date on the statute authorizing the Metropolitan Water District of Southern California (Metropolitan) to prepare a single master reclamation plan, known as the Metropolitan Reclamation Plan (Plan), for its earth moving operations conducted on lands it owns or leases, or upon which easements or rights-of way were granted to Metropolitan.

EXISTING LAW:

1) Establishes the Division of Mine Reclamation (DMR) within the Department of Conservation (DOC), led by the Supervisor of Mine Reclamation (supervisor).

2) Pursuant to the Surface Mining and Reclamation Act (SMARA) of 1975:

    a) Prohibits a person from conducting surface mining operations unless the lead agency for the operation issues a surface mining permit and approves a reclamation plan and financial assurances for reclamation;

    b) Specifies, depending on the circumstances, a lead agency can be a city, county, the San Francisco Bay Conservation and Development Commission, or the California State Mining and Geology Board (Board);

    c) Requires reclamation plans and financial assurances must be submitted to the director of the DOC for review;

    d) Provides a mechanism by which the Board can strip a local agency of its lead agency status for failure to implement state law; the Board then serves as the lead agency;

    e) Requires lead agencies that own or operate a borrow pit to include an interim management plan in their reclamation plan. Authorizes the interim management, which will cover the borrow pit when it is idle plan, to remain in effect until reclamation is complete instead of the current five-year limit;

    f) Requires the Board to act as the lead agency for surface mining operations conducted by the Metropolitan;

    g) Exempts the Plan from the required interim management plan for idle mines;

    h) Authorizes the Board to conduct an inspection of an individual surface mining operation once every two calendar years during a period when that individual surface mining operation is idle or the site has no mineral production;

i) Requires Metropolitan to pay an annual reporting fee;

j) Prohibits, notwithstanding any other law, Metropolitan from being required to secure approval of a reclamation plan from any city or county or obtain a use permit from any city or county under this chapter to conduct the operations under the approved Plan;

k) Prohibits Metropolitan from selling or allowing any materials produced by its surface mining operations from lands it owns, leases, or upon which easements or rights-of-way have been granted to be sold or used for the benefit of any other person; and,

l) Designates Metropolitan, for purposes of the California Environmental Quality Act to be the lead agency for any environmental review of the Plan.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement:**

> AB 580 ensures the Metropolitan Water District can maintain the Colorado River Aqueduct (CRA)—a vital lifeline for 19 million Southern Californians—without unnecessary red tape. This bill removes the sunset date on a proven process that's worked since 2022, allowing faster repairs, consistent environmental oversight, and lower costs. The Aqueduct's maintenance shouldn't be bogged down by inconsistent county regulations when we've already seen the state-level plan succeed. AB 580 keeps our water flowing safely and efficiently for the long haul.

2) **Background**. When Metropolitan completed construction of the CRA and began operation in 1941, it retained ownership of the land beneath and adjacent to the Aqueduct, including the excess stone, gravel, and sand used to construct the project. Metropolitan uses those materials to restore, repair, protect, and maintain berms, and access roads, and pipelines. The CRA is located in a desert area that is subject to heavy rains and flash floods. Maintaining berms and siphons to redirect water laden with sediment around the aqueduct is essential to maintain water quality. In addition, heavy rains and localized flooding in 2018, for example, caused erosion damage to 35 sites and exposed parts of the CRA pipeline in 26 places over nine miles. Metropolitan used the sand and gravel materials from its existing borrow sites adjacent to the CRA to make repairs to the exposed pipeline and washed out roads.

   Metropolitan currently maintains 19 borrow pit sites that supply aggregate materials for repairs and maintenance of the CRA and other infrastructure. Most of the material at these sites are spoils from tunnel construction of the CRA. However, in 2017, San Bernardino and Riverside counties informed Metropolitan it had to comply with SMARA because some sites involved the removal of native soils, which constitutes a mining activity under SMARA.

   In response to the notice provided by the counties, Metropolitan has worked with both counties to identify sites that are subject to SMARA and in 2020, began preparation of a reclamation plan for each county. AB 442 (Mayes), Chapter 166, Statutes of 2021, authorized Metropolitan, until January 1, 2026, to prepare a single master reclamation plan. The Board conducted an annual inspection in April 2024 and submitted its report that all

aspects of Metropolitan's surface mining operation is compliant with SMARA, and that all financial assurance cost estimates were also approved by the Board in April.

3) **This bill**. AB 442 was initially drafted with a sunset date to ensure that Metropolitan would actually use the authorization, and provide opportunity for legislative oversight. The author is concerned that the sunset date creates unnecessary uncertainty and that without action, Metropolitan will be forced back into a patchwork of local regulations that could slow critical repairs and increase compliance costs. AB 580 eliminates the sunset date, entirely, allowing Metropolitan's authorization to be maintained in perpetuity.

4) **Double referral.** This bill is also referred to the Assembly Water, Parks and Wildlife Committee.

5) **Committee amendments**. While Metropolitan's surface mining is in compliance with SMARA and in good standing, to go from a 4-year authorization to permanent is a big leap. To maintain the Legislature's ability for continued oversight, *the committee may wish to consider* amending the bill to extend the sunset for 25-years in lieu of deleting it.

REGISTERED SUPPORT / OPPOSITION:

Support

Desert Water Agency
Garden Grove Chamber of Commerce
Harbor Association of Industry & Commerce
Harbor Association of Industry and Commerce
Metropolitan Water District of Southern California
Redondo Beach Chamber of Commerce
South Bay Association of Chambers of Commerce
Southern California Contractors Association

Opposition

None on file

Analysis Prepared by: Paige Brokaw / NAT. RES. /