California State Assembly

NATURAL RESOURCES

ISAAC G BRYAN
CHAIR

AGENDA

Monday, April 13, 2026
2:30 p.m. -- State Capitol, Room 437

BILLS HEARD IN SIGN-IN ORDER

** = Bills Proposed for Consent

1.	AB 1536	Addis	Offshore oil: pipeline safety.
2.	AB 1548	Pellerin	Conservation: the Monterey Bay Area Stewardship Authority.
3.	AB 1732	Alvarez	California Environmental Quality Act: exemption: housing development project: public higher education land use plan.
4.	AB 1740	Zbur	Coastal resources: coastal development permits: urban multimodal communities: bicycle facilities.
5.	AB 1812	Aguiar-Curry	Solid waste: compostable products.
6.	AB 1849	Papan	Decarbonized gaseous fuels.
7.	AB 1911	Rogers	Advertising: environmental marketing claims: carbon credits.
8.	**AB 1934	**Bennett**	State Fire Marshal: home hardening certification program implementation plan.
9.	AB 2075	Bennett	Forestry: safety requirements: fire equipment: internal combustion engines.
10.	**AB 2100	**Connolly**	Organic waste: manure management: interagency task force: project approval.
11.	AB 2152	Mark González	California Environmental Quality Act: exemption: fire stations.
12.	AB 2216	Aguiar-Curry	Sacramento-San Joaquin Delta Conservancy.
13.	**AB 2312	**Ávila Farías**	State property: tidelands transfer: City of Martinez: leases.
14.	AB 2334	Bennett	Solid waste: methane reduction: working group.
15.	AB 2481	Soria	Beverage containers: recycling: glass: quality incentive payments.
16.	AB 2552	Ávila Farías	California Environmental Quality Act: transportation impact mitigation.(Urgency)
17.	AB 2569	Hart	California Environmental Quality Act: natural hazards and adverse environmental conditions.
18.	**AB 2627	**Hart**	California Rangeland, Grazing Land, and Grassland Protection Program.
~~19.~~	~~AB 2647~~	~~Calderon~~	~~Energy: nuclear facilities: advanced nuclear reactors.~~ **PULLED**

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 1536 (Addis) – As Amended April 6, 2026

SUBJECT: Offshore oil

SUMMARY: Requires a public hearing on any requested exemption from the State Fire Marshal's (SFM) hazardous liquid pipeline safety regulations; requires additional environmental review for approved regulation exemptions; establishes new safety requirements for pipelines that have spilled specified amounts of oil; establishes new leak detection and response plan requirements for oil pipelines; and, creates geographical restrictions on where specified oil pipelines can operate.

EXISTING LAW:

1) Requires, pursuant to Governor Newsom's direction, the Air Resources Board (ARB) to evaluate how to phase out oil extraction by 2045 through the climate change scoping plan, the state's comprehensive, multi-year regulatory and programmatic plan to achieve required reductions in greenhouse gas emissions. (Executive Order N-79-20)

2) Provides the State Lands Commission (SLC) exclusive jurisdiction over all ungranted tidelands and submerged lands owned by the state, and of the beds of navigable rivers, streams, lakes, bays, estuaries, inlets, and straits, including tidelands and submerged lands or any interest therein, whether within or beyond the boundaries of the state as established by law, which have been or may be acquired by the state. (Public Resources Code (PRC) 6301)

3) Pursuant to the Elder California Pipeline Safety Act of 1981 (Government Code (GC) 51010 - 51019.1):

    a) Requires the SFM to exercise safety regulatory jurisdiction over intrastate pipelines used for the transportation of hazardous or highly volatile liquid substances.

    b) Requires the SFM to promulgate regulations as necessary to implement these testing requirements.

    c) Requires any new or replacement pipeline near environmentally and ecologically sensitive areas in the coastal zone to use best available technology, including, but not limited to, the installation of leak detection technology, automatic shutoff systems, or remote controlled sectionalized block valves, or any combination of these technologies, based on a risk analysis conducted by the operator, to reduce the amount of oil released in an oil spill to protect state waters and wildlife.

4) Pursuant to SB 1137 (Gonzalez), Chapter 365, Statutes of 2022 (PRC 3280-3291):

    d) Requires operators with a production facility or well with a wellhead in a health protection zone to develop a leak detection and response plan to be submitted to the Division of Geologic Energy Management (CalGEM) in the Department of Conservation

no later than July 1, 2028, and fully implemented by operators by July 1, 2030. Establishes requirements for the leak detection and response plan.

e) Defines "health protection zone" as the area within 3,200 feet of a sensitive receptor.

5) Establishes the California Environmental Quality Act (CEQA) to provide a process to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided, and provides specified exemptions for wildfire risk reduction projects. (PRC 21000 *et seq*.)

THIS BILL:

1) Authorizes the SFM to exempt an application of regulation to any pipeline or portion thereof when it is determined that the risk to public safety is slight and the probability of the injury or damage is remote.

2) Requires an application to be subject to a 60-day public comment period and, upon request of any interested person, considered at a public hearing.

3) Requires the SFM to provide public notice of the application that specifies the period during which comments will be received and the date, time, and place of any public hearing on the application.

4) Requires notification of exemptions to be publicly available.

5) Requires that a project that has received a regulatory exemption be subject to CEQA.

6) Requires an independent expert to conduct a risk analysis to prevent and reduce the amount of a potential oil spill.

7) Requires the SFM to require permanent abandonment of a pipeline if the best available technology is not achievable for a pipeline because of operational aspects, pipeline or regional conditions, or other factors.

8) Requires the SFM to suspend the operations of any pipeline that is not in compliance with requirements of GC 51013.1 (see Existing Law (3) (c)) by January 1, 2027.

9) Prohibits idled, inactive, or out-of-service hazardous liquid pipelines under the jurisdiction of the SFM from being reactivated or operated unless all of the following conditions are met:

   a) The incident spill volume was less than 10,000 gallons;

   b) All repairs to the pipeline have been completed;

   c) The pipeline has been retrofitted with the best available technology to prevent future spills from occurring and reduce the amount of hazardous liquid released;

   d) The SFM has certified that both of the following apply to the pipeline:

      i) It underwent all required integrity assessments and testing; and,

ii) It is in compliance with all applicable pipeline integrity standards and reporting requirements.

e) The SFM holds at least one public hearing in the affected county or counties on any proposed postspill pipeline operation or reactivation; and,

f) The operator has complied with any other conditions the SFM has determined will ensure public safety and environmental protection.

10) Requires, for any idled, inactive, or out-of-service pipeline that has spilled 10,000 gallons or more of hazardous liquid, the operator to permanently abandon the pipeline in accordance with Federal Regulations by July 1, 2027, or within six months of the pipeline's most recent incident, and requires the operator to restore the site to its natural condition no later than one year following permanent abandonment.

11) Authorizes the SFM to extend the deadline for permanent abandonment and the deadline for restoration for no more than one additional year, and make exemptions as necessary to comply with a court order.

12) Requires an operator seeking approval for a new well, a production facility, and a pipeline in the coastal zone and under the SFM's jurisdiction to submit a leak detection and response plan and obtain approval from CalGEM prior to obtaining approval for the new well, production facility, or pipeline.

13) Requires the leak detection and response plan submitted for a new well or production facility to meet or exceed the requirements established by SB 1137 and its implementing regulations, except that the leak detection and response plan shall be submitted and approved prior to obtaining approval for the new well or production facility, and requires the operator to implement the approved leak detection and response plan, with best available technology, when the new well or production facility commences operation.

14) Requires the leak detection and response plan for a pipeline under the jurisdiction of the SFM to meet or exceed federal regulations (Title 49 Code of Federal Regulations 195.452) to the extent not in conflict with federal law. Requires the leak detection and response plan to include both an internal computational method for leak detection and an external or sensory method for leak detection.

15) Requires an operator seeking approval for a new well, production facility, or covered pipeline in the coastal zone to comply with the leak detection requirements no later than July 1, 2027.

16) Authorizes the California Coastal Commission (Commission) to adopt regulatory standards for leak detection and repair provided those standards are more protective than the standards promulgated by federal regulation.

17) Prohibits any intrastate oil pipeline that has spilled 10,000 gallons or more of oil cumulatively since its construction from operating within a half-mile of a state park, a designated ecological reserve, or wildlife area of California.

18) Provides that no reimbursement is required by this act pursuant to the California Constitution.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement**:

> As President Trump moves to restart oil drilling off our state's coastline, Californians are in the direct line of fire of any environmental accidents that may occur. Our local economy and way of life depend on the health of our coastline. AB 1539 protects California's coastline by strengthening pipeline safety requirements and mandating that pipelines that spill 10,000 gallons or more are abandoned and decommissioned.

2) **Offshore oil drilling.** SLC established a moratorium on new offshore oil and gas leases after the 1969 oil spill in Santa Barbara, yet the leases issued before 1969 continue operations. In general, lease terms provide for the leases to remain in effect as long as oil and gas production continues in paying or commercial quantities. When production ceases, a lease is quitclaimed back to SLC once the infrastructure has been removed and the lease terms satisfied.

   The federal government imposed a moratorium on new leases in federal waters off California in 1984. In January of 2025, President Biden blocked drilling for oil in more than 625 million acres of U.S. ocean — the entire East Coast and West Coast, the eastern Gulf of Mexico, and a portion of the Bering Sea. President Biden's action prohibited new leases in the identified regions. Courts have found that the federal Offshore Continental Shelf Lands Act allows a president to protect waters indefinitely and doesn't include any explicit provision for *removing* that protection.

3) **Trump Administration's proposal for offshore oil drilling**. President Trump signed an executive order on the first day of his second term reversing President Biden's ban on future offshore oil drilling off both U.S. coasts. A federal court subsequently struck down President Biden's order to withdraw federal waters from oil development. In November 2025, the Trump Administration announced new oil drilling off the California and Florida coasts for the first time in decades, and proposed six offshore lease sales between 2027 and 2030 in areas along the California coast.

   As a result of the conflict in Iran and the closure of the Straight of Hormuz, oil prices have skyrocketed, at one point topping $110 per barrel. In early March, to buffer increasing gas prices, Trump signed an executive order invoking the Defense Production Act (DPA) to override state regulators to increase domestic supply of crude oil into the California market by approximately 17%.

   A Center for Biological Diversity analysis[i] predicts that the federal Administration's latest offshore drilling plan could result in up to 886 oil spills off California, releasing roughly 1.9 million gallons of oil on our coast.

4) **Tug-o-war over jurisdiction.** Sable Offshore Corporation (Sable) has been endeavoring to restart the Santa Ynez Unit oil and gas operation off the coast of Santa Barbara County since 2015. The Santa Ynez Unit includes three offshore platforms in federal waters connected to shore by offshore pipelines, onshore pipelines, and the Las Flores Canyon Processing Facility. The onshore pipelines include pipelines identified as CA-324 and CA-325 (previously known as Lines 901 and 903), which were responsible for the 2015 Refugio oil spill. It is Sable's position that it is obligated to comply with the DPA order over existing California laws, regulations, and ongoing judgments in both state and federal courts.

   The SFM in October 2025 notified Sable of more repairs that were needed before the pipeline could be restarted safely. After a federal review requested by Sable, the federal Pipeline and Hazardous Materials Safety Administration (PHMSA) determined that when Sable acquired pipelines 901 and 903 and other assets comprising the Las Flores pipeline in 2024, that included acquisition of offshore pipelines that transport crude oil from the OCS to an onshore processing facility at Las Flores Canyon, which then transfers that oil to Pentland Station terminal in Kern County, thus subject to PHMSA and preempted by state regulation. Until now, those pipelines have been under SFM's jurisdiction as intrastate pipelines.

   On January 23, Attorney General (AG) Bonta filed a lawsuit against the Trump Administration challenging PHMSA's assertion that it has exclusive jurisdiction over the Las Flores Pipelines. The AG's petition for review challenges PHMSA's attempt to evade SFM regulation and approve Sable's restart plan and issue Sable an emergency permit to restart oil transport through the pipelines. The AG and the SFM allege that PHMSA's orders were arbitrary and capricious and violate the Administrative Procedure Act.

   Sable announced in March that it began selling oil after it restarted production and the pipeline was filled at a rate in excess of 50,000 barrels of oil per day.

5) **Pipeline regulations.** According to the SFM, California has more than 5,600 miles of hazardous liquid pipelines that transport crude oil, refined products (e.g., gasoline, diesel, jet fuel) and highly volatile liquids around the state from production facilities to refineries and ultimately to market. The SFM regulates safety of intrastate pipelines in compliance with federal laws and requires routine hydrostatic testing, inspection and maintenance, among other safety requirements. Current law allows the SFM to exempt the application of regulations to any pipeline when risk of injury is "remote." AB 1536 requires an application for a regulation exemption to be subject to a 60-day public comment period and, upon request of any interested person, considered at a public hearing. Further, the bill requires a project that has received an exemption from the hazardous liquid pipeline safety regulations to be subject to CEQA.

   The author states that that applying CEQA review to pipelines that are exempt from the SFM's safety regulations "is necessary because, despite twenty-three members of Congress and [more than]100 groups requesting public hearings from the California Department of Forestry and Fire Protection (CAL FIRE) regarding the state waivers issued for the Las Flores Pipeline System that was recently restarted, the [SFM] did not grant a hearing."

6) **Leak detection.** SB 1137 was enacted in 2022 to prohibit permits for most new oil and gas wells being drilled in setback zones ("health protection zones") – areas within 3,200 feet of a sensitive receptor, which includes schools, health care centers, businesses open to the public, and more. All operators with a production facility or well with a wellhead in a health

protection zone must develop a leak detection for target chemical constituents and detailed response plan.

This bill expands the leak detection and response plan requirements to operators seeking approval for a new well, production facility, or state-regulated pipeline in the coastal zone, notwithstanding proximity to a sensitive receptor. Operators in the coastal zone would be required to have their leak detection plans based on the best available technology, and approved before obtaining an approved notice of intention for the well, facility, pipeline.

SB 1137 requires the leak detection and response plan to identify the chemical constituents, such as methane and hydrogen sulfide, as well as potential toxics of highest concern in the region as identified by ARB or local air district. The intent under this bill is to require leak detection system to detect an *oil* leak, but the leak detection system referenced in SB 1137 is for air pollutants.

The bill may be better suited to refer to the leak detection systems covered as a best available technology under current law for any new or replacement pipeline near environmentally and ecologically sensitive areas in the coastal zone.

Lastly, the bill allows the Commission to adopt regulatory standards for leak detection and repair provided those standards are more protective than the standards promulgated by CalGEM. The Commission does not have the jurisdiction to adopt regulations more protective than the ARB and SWRCB's leak detection regulations, so this regulatory authority is misplaced.

7) **Penalizing bad actors**. The 2021 Huntington Beach, 2015 Refugio Beach, and 1969 Santa Barbara oil spills cumulatively resulted in the release of more than 4 million gallons of crude oil, which impacted more than 1,500 square miles of ocean waters, including marine protected areas, and closed fisheries. Oil or varying levels of tar balls from the spills traversed approximately 200 miles of beaches; at least 4,300 birds were killed.

   AB 1536 prohibits idled, inactive, or out-of-service hazardous liquid pipelines have reported a spill from being reactivated unless the incident spill volume was less than 10,000 gallons, all repairs to the pipeline have been completed, and the pipeline has been retrofitted with the best available technology to prevent future spills. For any idled, inactive, or out-of-service pipeline that has spilled more than 10,000 gallons or more of hazardous liquid, the bill requires the operator to permanently abandon the pipeline in accordance with federal regulations by July 1, 2027, or within six months of the pipeline's most recent incident.

   Sable contends that "the Santa Ynez Pipeline System is not—and has never been—"idled, inactive, or out-of-service" as used by AB 1536. PHMSA has confirmed that, under PHMSA's regulations, the Santa Ynez Pipeline System is an "active" pipeline." Sable further argues that Santa Ynez Pipeline System is an interstate pipeline facility subject to PHMSA's federal regulatory oversight and, "AB 1536 would not affect Sable's ongoing and active operation of the Santa Ynez Pipeline System that is delivering needed energy resources for California's residents."

8) **Protection areas.** This bill prohibits any intrastate oil pipeline that has spilled 10,000 gallons or more of oil cumulatively since its construction from operating a half mile of a state-park, a designated ecological reserve, or a wildlife area.

The state has more than 280 state parks covering 1.4 million acres; about 230,175 acres across ~135 ecological reserves of protected areas for wildlife and habitat conservation; and, the Department of Fish and Wildlife (CDFW) manages more than 1.1 million acres of wildlife habitat, which includes 110 officially designated wildlife areas.

There are 48 state-regulated (intrastate) pipelines in California that have each spilled more than 10,000 gallons cumulatively, but it's unknown how many of those pipelines or miles of pipeline this prohibition will cover. If the coverage is substantial, it could have meaningful impacts on the state's energy conveyance.

An environmental coalition sign-on letter with more than 30 organizations writes in support that "AB 1536 protects California's multibillion-dollar coastal economy. Over 150 million visitors enjoy California's coastline every year. Nearly 600,000 jobs and over $42 billion in GDP rely on clean beaches and a healthy ocean. According to a 2024 National Atmospheric Administration report, coastal tourism and recreation produced 47% of GDP and 67% of the employment for California's marine economy. (By comparison, offshore mineral resources produced only 5% of GDP and 1% of employment.) The coastal tourism and recreation sector, their employees, and their clients must be protected from the threat of another oil spill that would devastate their homes, businesses, and livelihoods."

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

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

    a) Require the SFM to coordinate with the Office of Spill Prevention and Response, when appropriate, on a public hearing related to any proposed postspill pipeline operation or reactivation.

    b) Clarify that idled, inactive, or out-of-service pipelines shall comply with the SFM's safety regulations in additional to applicable federal regulations.

    c) Clarify the pipeline leak detection requirements apply to <u>oil</u> leaks.

    d) Strike PRC 3239 (d) authorizing the Commission to adopt regulations on leak detection.

    e) Amend PRC 5012.3 to provide cross references to define ecological reserve and wildlife area.

11) **Related legislation**:

    a) AB 1448 (Hart) requires the pipelines onshore or offshore to be certified by the SFM as meeting specified safety conditions. Language from this bill was included in SB 237.

    b) SB 237 (Grayson), Chapter 118, Stutes of 2025, requires additional hydrostatic testing on offshore oil pipelines, among other things.

REGISTERED SUPPORT / OPPOSITION:

Support

350 Bay Area Action
350 Humboldt
Azul
California Interfaith Power and Light
Center for Biological Diversity
Center for Environmental Health
Clean and Healthy California
Clean Water Action
Cleanearth4kids.org
Climate Action California
Climate First: Replacing Oil & Gas (CFROG)
Clue-sb Environmental Justice Group
Environmental Action Committee of West Marin
Environmental Defense Center
Environmental Protection Information Center
Facts: Families Advocating for Chemical & Toxics Safety
Food and Water Watch
Fossil Free California Votes
Friends Committee on Legislation of California
Get Oil Out!
Los Padres Forest Watch
Monterey Bay Aquarium
Ocean Conservation Research
Oceana
San Francisco Bay Physicians for Social Responsibility
Sandiego350
Santa Barbara County Action Network
Santa Cruz Climate Action Network
Save Our Shores
Sierra Club California
Sierra Club Santa Barbara Group
Stand.earth
Sunflower Alliance
Surfrider Foundation
Wildcoast

Opposition

California Independent Petroleum Association
Sable Offshore Corp.

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

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[i] Oil Spill Projections for 2026-2031 Offshore Leasing Program.xlsx

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 1548 (Pellerin) – As Amended April 6, 2026

SUBJECT: Conservation: the Monterey Bay Area Stewardship Authority

SUMMARY: Establishes the Monterey Bay Area Stewardship Authority (Authority), a regional entity with jurisdiction extending throughout the Monterey Bay region, as defined.

EXISTING LAW:

1) Establishes the Natural Resources Agency, which oversees six state departments, 11 conservancies, 17 boards and commissions, three councils, and one urban park in Los Angeles that consists of two museums. (Government Code (GC) 12805)

2) Establishes the San Francisco Bay Restoration Authority as a regional entity to generate and allocate resources for the protection and enhancement of tidal wetlands and other wildlife habitat in and surrounding the San Francisco Bay. (GC 66700 – 66706)

3) Establishes the Salton Sea Authority as the joint powers authority comprised of the County of Imperial, the County of Riverside, the Imperial Irrigation District, the Coachella Valley Water District, and the Torres Martinez Desert Cahuilla Indian Tribe. (Fish and Game Code 2941 (d))

4) Establishes the Tahoe Regional Planning Agency to maintain an equilibrium between the regions' natural endowment and its manmade environment, to preserve the scenic beauty and recreational opportunities of the region, and for the purpose of enhancing the efficiency and governmental effectiveness of the region, and grants the authority to adopt and enforce a regional plan of resource conservation and orderly development, to exercise effective environmental controls, and to perform other essential functions. (GC 67040)

5) Establishes the Sonoma County Regional Climate Protection Authority to perform coordination and implementation activities, within the boundaries of Sonoma County, to assist those agencies in meeting their greenhouse gas emission reduction goals as set forth in resolutions and adopted plans and develop, coordinate, and implement programs and policies to comply with the California Global Warming Solutions Act of 2006 [AB 32 (Núñez), Chapter 488, Statutes of 2006], and other federal or state mandates and programs designed to respond to greenhouse gas emissions and climate change. (Public Utilities Code 181000)

THIS BILL:

1) States that it is in the public interest to establish the Authority as a regional entity to raise and allocate public and private funds for purposes of restoring, enhancing, protecting, engaging in long term stewardship, and improving access for the public enjoyment of natural and working lands in the Monterey Bay region and along the region's shoreline.

2) Establishes the Authority as a regional entity with jurisdiction extending throughout the Monterey Bay region.

3) Exempts the jurisdiction of the Authority from the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

4) Establishes the purposes of the Authority are to raise and allocate public and private funds for purposes of restoring, enhancing, protecting, engaging in long term stewardship, and improving access for the enjoyment of natural and working lands in the Monterey Bay region and along the region's shoreline.

5) States the intent of the Legislature that the Authority complements existing and future efforts of communities, local governments, and state and federal entities.

6) Requires the Authority to be governed by a board that consists of nine specified voting members, as specified. Establishes processes for appointing public members and establishes board member term limits. Establishes procedures for the board to select a chair and vice chair.

7) Requires members of the board to be subject to the Political Reform Act of 1974.

8) Requires the board's first meeting to occur at a time and place in the Monterey Bay region after all nine initial board members are appointed. After its first meeting, requires the board to hold meetings at times and places determined by the board.

9) Requires meetings of the board to be subject to the Ralph M. Brown Act.

10) Requires, within 6 months of the board's first meeting, the board to convene a Monterey Bay Area Stewardship Advisory Committee (Advisory Committee) of no more than 12 members to assist and advise the board in carrying out its functions. Establishes the membership makeup of the Advisory Committee. Requires procedures for adopting per diem expenses.

11) Provides that the board is the legislative body of the authority and requires it to establish policies for the operation of the Authority. Requires the board to ensure that the Authority's policies, funding programs, and decision-making processes advance fair treatment and meaningful involvement of rural, agricultural, tribal, underserved, and disadvantaged communities, consistent with the meaning of environmental justice.

12) Authorizes the Authority to exercise, all powers, expressed or implied, that are necessary to carry out the intent and purposes of the bill, as specified.

13) Prohibits the Authority from acquiring or owning real property.

14) Establishes rules for calling for a special election for a ballot measure to generate revenues for the Authority.

15) Establishes the Authority as a district, as defined in Section 317 of the Elections Code.

16) Provides that the appropriations limit for the Authority shall be originally established based on receipts from the initial measure that would generate revenues for the Authority.

17) Establishes ballot measure procedures for the Authority and the impacted counties to follow for a special election, including transmission of results and reimbursement for election costs.

18) Authorizes the Authority to award grants to local governments, tribal entities, nonprofit organizations, and private entities, including, but not limited to, owners of agricultural land, for eligible projects on public and private lands within the Monterey Bay region.

19) Requires an eligible project to do one or more of the following:

    a) Restore, protect, enhance, or maintain natural, working, or open space lands, including, but not limited to, rangelands, farms, wetlands, riparian corridors, forests, coastal habitats, and watersheds, to improve ecological function, soil health, water quality, and regional climate resilience.

    b) Implement nature-based or working-lands practices that contribute to greenhouse gas reduction, biodiversity protection, or water and soil resilience, including, but not limited to, riparian, stream, and floodplain restoration, soil health, carbon sequestration, and groundwater recharge, beneficial fire, vegetation, or grazing management that supports wildfire risk reduction and ecosystem health, and habitat connectivity.

    c) Support voluntary and collaborative conservation and land management partnerships among tribes, agricultural landowners, conservation organizations, local governments, the state, and the federal government, including, but not limited to, efforts that support sustain long-term coordination, shared planning, and stewardship, strengthen cultural and ecological stewardship, sustain working lands, and advance the region's ecological and economic resilience.

    d) Support long term stewardship, facilitated access, monitoring, and maintenance necessary to sustain ecological, agricultural, or community benefits, including community education, outreach, or training that strengthens long term stewardship outcomes.

20) Requires the Authority, when awarding grants, to give priority to projects that, to the greatest extent possible, do all of the following:

    a) Demonstrate measurable benefits to climate resilience, biodiversity, water resilience, agricultural viability, equitable outdoor access, and ancestral land return and access, including projects that expand community participation or reduce barriers to engagement in planning and stewardship.

    b) Demonstrate that rural, agricultural, tribal, underserved, or disadvantaged communities were meaningfully engaged in project design, development, and implementation, and that the project delivers measurable benefits to those communities.

    c) Support the growth of the region's stewardship workforce, including training, apprenticeships, internships, tribal youth stewardship programs, agricultural and land management career pathways, and other efforts that build local capacity for long term land and water stewardship, restoration, and climate resilience.

21) Requires the Authority to consult with the Advisory Committee when developing grant evaluation procedures and funding recommendations.

22) Authorizes grants to be used to support all phases of eligible projects, including project design, planning, permitting, construction, implementation, operations, monitoring,

maintenance, reporting, administrative requirements, and stewardship, except to the extent that the source of funding for the grant prohibits use of its funding for such use.

23) Prohibits the board from awarding a grant for a project on private lands unless it first determines that the project will provide a long-term public benefit consistent with the purposes of this bill.

24) Requires the board to provide for regular audits of the Authority's accounts and records, maintain accounting records, and report accounting transactions in accordance with generally accepted accounting principles.

25) Requires the board to provide for annual financial reports and make them available to the public.

26) Requires the Authority to be funded through the sources specified any other lawful source.

27) Finds and declares that this is a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique need to establish the Monterey Bay Area Stewardship Authority for purposes of restoring, enhancing, protecting, engaging in long term stewardship, and improving access to natural and working lands in the Counties of Monterey, San Benito, and Santa Cruz.

28) Requires, if the Commission on State Mandates determines that this bill contains costs mandated by the state, reimbursement to local agencies and school districts for those costs to be made.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement**:

> There is a unique interconnectedness between Santa Cruz, Monterey and San Benito Counties. We share lands, waterways, mountains and valleys. This region represents one of California's most ecologically and culturally significant landscapes. Increasing climate pressures including wildfire risk, coastal erosion, drought, flooding, and watershed degradation are impacting the viability of many of our iconic beaches, wildlife, redwood forests, coastlines, open spaces and rivers. The health of the region's landscapes, farms, forests, wetlands, and coastlines are closely tied to the region's economic and community well-being.
>
> Despite these shared challenges, local governments and community organizations often lack the resources and capacity to compete for and manage the growing number of state and federal climate resilience funding opportunities.
>
> AB 1548 establishes the Monterey Bay Area Stewardship Authority to help the region work together to attract new resources, strengthen coordination, and support long-term stewardship of the lands and waters that sustain local communities and the Central Coast economy.

2) **Monterey Bay region**. The Monterey Bay region covers an area of 3.1 million acres and represents one of California's most ecologically and culturally significant landscapes. The Monterey Bay region is home to biodiversity and vital habitats that support native species such as California condors, steelhead, salmon, endemic plants, and critical wildlife corridors and nesting sites.

   The Monterey Bay region is shaped by rivers, floodplains, and some of the state's largest wetland systems, including the Elkhorn Slough National Estuarine Research Reserve and the Watsonville Slough Ecological Reserve. The region's major rivers include the San Lorenzo River, which drains from the Santa Cruz Mountains; the Pajaro River, which directly links the region; and the Salinas and Carmel Rivers. These waterways, along with the surrounding mountains, valleys, and wetlands of the Santa Cruz Mountains, the Gabilan Range, the Diablo Range, and the Santa Lucia Range, support one of the world's most diverse and productive agricultural economies, where farmers and ranchers manage millions of acres and play a key role in land stewardship and connectivity that benefits both the region's economy and ecological health. The preservation of agricultural lands in active production is vital to the region's resilience and long-term prosperity.

3) **Existing authorities**. The state has 11 dedicated regional conservancies across the state, but none have jurisdiction covering the Monterey Bay region.

   The Association of Monterey Bay Area Governments (AMBAG) was organized in 1968 for the purpose of regional collaboration and problem solving. The AMBAG region includes Monterey, San Benito and Santa Cruz Counties. AMBAG serves as both a federally designated Metropolitan Planning Organization (MPO) and a Council of Governments (COG). Among its many duties, AMBAG manages the region's transportation demand model and prepares regional housing, population and employment forecast that are utilized in a variety of regional plans.

   In 2016, AMBAG coordinated a Sustainable Communities Strategy Implementation Toolkits with examples of projects and best practices to help achieve regional and local sustainability goals and emission reduction targets through efforts to provide housing, jobs, and services in proximity to one another and to better link them by transit and safe and convenient bicycle and pedestrian access. The goals of the Authority in this bill align with the efforts of AMBAG, but have a far wider scope for the region.

   Over the past several decades, according to the author, the region has made meaningful progress protecting land and restoring key landscapes through the work of land trusts, resource conservation districts, local governments, special districts, and state and federal agencies. These partners have the tools and capacity to acquire land and implement conservation projects.

   What the region has consistently identified as a challenge is the long-term stewardship of those lands once projects are completed. Climate impacts such as drought, wildfire, flooding, and habitat loss are increasing the complexity and cost of managing landscapes over time. Ongoing management, restoration, monitoring, and workforce capacity require stable and flexible funding that is not consistently available through existing state or federal funding cycles.

4) **Monterey Bay Regional Authority.** The 2024 *Monterey Bay Natural and Working Lands Climate Mitigation and Resilience Study*, conducted by AMBAG, identified land stewardship and management strategies across the region that could significantly reduce emissions while strengthening climate resilience. The study also found that maintaining and managing the region's natural and working lands will require sustained regional investment and coordination across jurisdictions. Similarly, the state's Regional Investment Initiative under the Labor and Workforce Development Agency identified natural and working lands as a key sector of the economy and as essential sectors to invest in.

   AB 1548 responds to this gap by establishing a regional mechanism to secure and coordinate long-term stewardship funding and to support coordinated investment at the scale the landscape requires

   The bill's findings and declarations state that the region's natural and working lands are critical to community well-being and climate resilience. However, access to these public benefits is uneven. Rural, agricultural, and indigenous communities across the region have faced longstanding environmental injustices, including contaminated drinking water, pesticide exposure, air pollution, and underinvestment in infrastructure and green spaces. These communities also continue to experience disproportionate climate impacts, including water insecurity, extreme heat, and flooding, alongside limited access to climate adaptation strategies and long-term conservation resources.

   The Monterey Bay region seeks to establish regional mechanisms to enable coordination among governmental, tribal, and nongovernmental entities to generate and allocate resources for open space protection, habitat restoration, and the long-term maintenance and stewardship of recreational lands, private working lands, floodplain and watershed lands, and to secure opportunities for the improvement of these lands and waters. These efforts are intended to address longstanding gaps in access to climate adaptation resources, infrastructure, and green space, particularly for rural and indigenous communities. A regional authority can help overcome these barriers by expanding and aligning resources, strengthening partnerships, and supporting coordinated implementation strategies.

   The Authority is intended to function primarily as a regional funding and coordination entity. While the Authority will be vested with powers and duties comparable to a state conservancy, unlike many conservancies, the Authority is not intended to acquire or own real property. Instead, it will award grants and support projects carried out by local governments, tribes, nonprofit organizations, agricultural landowners, and conservation partners. According to the author's office, this structure allows the Authority to complement the many entities already working in the region by helping sustain the long-term stewardship of lands and waters once they are protected or restored.

   Another key distinction between the Authority and a state conservancy is how funding can be generated. Conservancies generally rely on legislative appropriations and statewide bond funding. By contrast, the Authority will provide the region with a mechanism to place a funding measure before voters and generate dedicated regional funding if approved. This structure allows the region to secure more stable and flexible resources for long-term stewardship.

In that sense, the model for the Authority is closer to the San Francisco Bay Restoration Authority, which was created to address a regionally identified funding gap and works alongside the Coastal Conservancy rather than replacing it.

5) **Working lands.** Working lands include lands used for farming, grazing, or the production of forest products, and collectively cover roughly half of the Monterey region. Grazing dominates most of those lands (~80% of working lands are rangeland). Timber production represents 3% of the working lands (307,000 acres) according to a US Forest Service inventory, and accounts for several hundred local jobs. Agricultural production covers 12-17% of the lands across the region and, according to the Monterey Farm Bureau, produces more than 150 crops and contributes an estimated impact greater than $11.7 billion on the local economy.

   Big Creek Lumber Company expresses concern that the structural farmwork of the Authority presents unintended risks to timber operations and the broader regional timber supply chain. They specifically note concern about the Authority funding land acquisitions through the use of eminent domain; potential for future taxes or fees being levied on working lands to support the Authority's budget; and, maintaining working lands as working lands to prevent acreage remove from production.

   To provide greater consistency with the bill's findings and declarations about working lands being critical to the region, the bill could protect these lands from unnecessary taxes and land acquisitions.

6) **Double referral**. This bill is also referred to the Assembly Local Government Committee.

7) **Committee amendments**. The *committee may wish to consider* amending the bill to prohibit the use of eminent domain for land acquisition and qualify consideration of Authority-levied assessments on working lands.

REGISTERED SUPPORT / OPPOSITION:

Support

350 Bay Area Action
Amah Mutsun Land Trust
Audubon California
Big Sur Land Trust
California Marine Sanctuary Foundation
California Outdoor Recreation Partnership
Ecology Action
Elkhorn Slough Foundation
Esselen Tribe of Monterey County
Green Foothills
Land Trust of Santa Cruz County
Peninsula Open Space Trust
Protect San Benito
R.e.a.c.h. San Benito Parks Foundation
Regional Water Management Foundation
Resource Conservation District of Santa Cruz County

San Benito Agricultural Land Trust
San Benito Resource Conservation District
Santa Clara Valley Bird Alliance
Santa Cruz Mountains Trail Stewardship
Save Our Shores
Sempervirens Fund
The Climate Center
Trout Unlimited
Trust for Public Land
Ventana Wilderness Alliance
Wildlife Conservation Network

Opposition

Big Creek Lumber Company
California Forestry Association

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

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 1732 (Alvarez) – As Introduced February 5, 2026 *As proposed to be amended*

SUBJECT: California Environmental Quality Act: exemption: housing development project: public higher education land use plan

SUMMARY: Adds public university and college housing projects (for students, faculty, and staff) to an existing California Environmental Quality Act (CEQA) exemption for affordable housing projects, while revising tribal consultation requirements and extending the sunset until 2037.

EXISTING LAW, CEQA:

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. (Public Resources Code (PRC) 21000 *et seq*.)

2) Exempts an affordable housing project that satisfies several requirements, including:

    a) The project meets specified labor standards, including that all construction workers are paid the prevailing wage, and the labor standards can be enforced by the Labor Commissioner, an underpaid worker, or a joint labor-management committee;

    b) The project is located on parcels that meet any of the following:

        i) In a city where the city boundaries include some portion of either an urbanized area or urban cluster;

        ii) In an unincorporated area, and the legal parcel or parcels are wholly within the boundaries of an urbanized area or urban cluster;

        iii) Within one-half mile walking distance to either a high-quality transit corridor or a major transit stop;

        iv) In a very low vehicle travel area, as defined; or

        v) Within two miles for rural areas, and one mile for all other areas, of six or more specified amenities.

3) Requires the affordable housing project to meet all of the following requirements:

    a) The affordable housing project is subject to a recorded California Tax Credit Allocation Committee (TCAC) regulatory agreement for at least 55 years upon completion of construction;

b) The affordable housing project site can be adequately served by existing utilities or extensions; and

c) A public agency confirms all of the following:

i) The project is not built on environmentally sensitive or hazardous land, as specified;

ii) For a vacant site, the project site does not contain tribal cultural resources that could be affected by the development which cannot be mitigated, as specified;

iii) The site has tested for hazardous substances, and any hazardous substances must be remediated, as specified; and

iv) For a project site where multifamily housing is not a permitted use, all of the following are met:

(1) None of the housing is located within 500 feet of a freeway;

(2) None of the housing is located within 3,200 feet of a facility that actively extracts or refines oil or natural gas; and

(3) The project site is not within a very high fire hazard severity zone.

4) Requires the lead agency to file a notice of exemption with the Office of Planning and Research and the relevant county clerk.

5) Sunsets January 1, 2033

(PRC 21080.40)

THIS BILL:

1) Adds public university and college housing projects to the exemption above, with revisions including not requiring the TCAC deed restriction for these projects and updating tribal consultation requirements to apply to all development sites, requiring appropriate notice to affected tribes to facilitate consultation, and clarifying that the lead agency may impose conditions to avoid or mitigate impacts to tribal cultural resources.

2) Defines “public university or public college housing project” as one or more housing facilities to be occupied by students, faculty, or staff of one or more campuses of the University of California, California State University, or California Community Colleges, including dining, academic, student support service spaces, and other necessary and usual attendant and related facilities and equipment.

3) Extends sunset from 2033 to 2037.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Background**. Since 1978, CEQA has included statutory exemptions for housing projects. There are now at least 15 distinct CEQA exemptions for housing projects. Three are specific to projects with an affordable housing fraction, the rest are available to affordable and market-rate projects alike. Each exemption includes a range of conditions, including requirements for prior planning-level review, as well as limitations on the location and characteristics of the site. These conditions are intended to guard against the approval of projects with significant environmental impacts that go undisclosed and unmitigated – endangering workers, residents and the greater environment. The majority of residential projects are approved via exemption or negative declaration under CEQA, or through ministerial permits where CEQA does not apply.

   The CEQA Guidelines have included categorical exemptions for housing projects for decades, allowing projects with no significant environmental impacts to proceed to approval without environmental review. These exemptions are well-known and widely used for small housing projects of one to six units, as well larger housing projects in incorporated areas, on infill sites up to five acres, with no limit on the number of units.

   These existing exemptions can include university-sponsored projects, as well as private projects to house university students, faculty and staff. Public universities also periodically adopt planning-level EIRs, which can serve as the basis for streamlined review of subsequent housing projects.

2) **Author's statement**:

   California's public colleges and universities are among the finest higher education institutions in the world. They are also at the frontlines of the student housing crisis, yet they are uniquely disadvantaged by a legal technicality that prevents them from accessing the same CEQA streamlining available to private higher education institutions and other housing developers.

   AB 1732 closes this gap. By extending the infill exemption framework to housing projects consistent with public higher education land use plans, we can accelerate the construction of the affordable student housing that our students urgently need, without sacrificing environmental protections or labor standards.

   UC, CSU and CCC Campus housing projects are some of the most environmentally friendly buildings and located in already dense areas, often around transit options. In fact, several public higher education land use plans explicitly reference campus housing as a Vehicle Miles Traveled-reduction strategy.

   At a time when housing insecurity affects students and employees across California's public higher education system, it is difficult to justify maintaining procedural barriers that private developers and private colleges are not required to overcome.

3) **How are impacts on tribal cultural resources identified, mitigated or avoided in an exemption**? Existing CEQA requirements to consider tribal cultural resources are predicated not only on conducting consultation with tribes that are traditionally and culturally affiliated with a project site, but also having a CEQA review process and environmental document

(e.g., mitigated negative declaration or EIR) that can consider and adopt measures to avoid or mitigate impacts identified via the consultation.

These mechanisms don't exist with an exemption. The exemption process doesn't provide the time or process that would accommodate legitimate tribal consultation, or any means to adopt and enforce avoidance or mitigation measures if impacts on tribal cultural resources are identified. With an exemption, the affected tribe(s) may not find out about the project until a notice of exemption is filed, at which point, it's too late.

To the extent tribal cultural resources are intended to be considered in an exemption, it calls for a different approach. One approach, added to the SB 35 process by AB 168 (Aguiar-Curry), Chapter 166, Statutes of 2020, is a detailed custom consultation process. Another approach used in several prior exemption bills, is requiring the lead agency to find there are no significant impacts on tribal cultural resources, based on the principle that if there are impacts, the project shouldn't be exempt.

This bill revises tribal consultation requirements for its exemption to incorporate the established CEQA procedures, require notification of the affected tribe(s), and clearly authorize the lead agency to require measures to mitigate or avoid impacts to tribal cultural resources.

4) **Double referral**. This bill has been double-referred to the Housing and Community Development Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Student Homes Coalition (co-sponsor)
University of California Student Association (co-sponsor)
21st Century Alliance
Abundant Housing LA
ASUCD Housing and Transportation Advocacy Committee
California College Democrats
California School Employees Association
California YIMBY
Chris Ricci - Modesto City Councilmember
City of Gilroy Council Member Zach Hilton
City of Monterey Park
College Democrats at UC Irvine
Davis College Democrats
GenerationUp
Santa Monica Community College District
Student Homes At SJSU
Student Homes At UCLA
Student Homes At UCSB
Student Homes At UCSD
UCLA Undergraduate Student Association Council
University of California Office of the President

Urban Studies Student Association
Youthbridge Housing

Opposition

None on file

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

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 1740 (Zbur) – As Amended April 6, 2026

SUBJECT: Coastal resources: coastal development permits: urban multimodal communities: bicycle facilities

SUMMARY: Authorizes cities to self-designate as urban multimodal communities, and provides urban multimodal communities broad exemptions from coastal development permit (CDP) requirements under the Coastal Act, including parking modifications, bike lanes, mass transit, housing, outdoor dining, and temporary events, as specified.

EXISTING LAW:

1) Pursuant to the California Coastal Act (Public Resources Code (PRC) 30000 *et seq*.):

   a) Declares that it is a basic goal of the state to maximize public access to and along the coast and to maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners. (PRC 30001.5 (c))

   b) Requires, consistent with the California Constitution, maximum access to be conspicuously posted, and recreational opportunities to be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. (PRC 30210)

   c) Provides that lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. (PRC 30213)

   d) Requires any person wishing to perform or undertake any development in the coastal zone, in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, to obtain a CDP. (PRC 30600)

   e) Requires all temporary development associated with holding the 2028 Olympic Games and Paralympic Games to be considered temporary events that are exempt from the requirement for a CDP. (PRC 30612 (b)(1))

   f) Requires each local government lying, in whole or in part, within the coastal zone to prepare a local coastal plan (LCP) for that portion of the coastal zone within its jurisdiction. (PRC 30500)

   g) Defines "development" to mean, among other things, the placement or erection of any solid material or structure on land or in water. "Structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. (PRC 30106)

   h) Provides that the location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service,

(2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development. (PRC 30252)

i) Requires all new development to, among other things, minimize energy consumption and vehicle miles traveled (VMT). (PRC 30253 (e))

j) Provides for LCPs to be amended by the local government and that the amendment does not take effect until certified by the Coastal Commission (Commission). Authorizes the executive director of the Commission 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, is consistent with specified policies of the Coastal Act, and meets the specified criteria. (PRC 30514)

k) Requires, by July 1, 2026, the Commission, in coordination with the Department of Housing and Community Development (HCD), to develop and provide guidance for local governments to facilitate the preparation of amendments to a LCP to clarify and simplify the permitting process for accessory dwelling units and junior accessory dwelling units within the coastal zone. (PRC 30500.5)

l) Requires by July 1, 2027, the Commission, in consultation with HCD, to identify infill areas within at least three local jurisdictions that currently do not have a certified LCP, wherein development of a residential housing project comprised entirely of units, excluding managers' units, that are deed-restricted for persons of very low-, low-, or moderate-income shall be categorically excluded from the requirement to obtain a CDP. (PRC 30610.05)

m) Exempts specified emergency work projects from CDP requirements. (PRC 30600 (e))

n) Further provides that the following projects do not require a CDP, among others (PRC 30610):

   i) Improvements to existing single-family residences, as provided;

   ii) Improvements to any structure other than a single-family residence or a public works facility, as provided;

   iii) Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of those repair or maintenance activities, as provided;

   iv) The replacement of any structure, other than a public works facility, destroyed by a disaster up to 110% of the structure's footprint;

v) A temporary event which does not have any significant adverse impact upon coastal resources within the meaning of guidelines adopted by the Commission.

2) Requires each transportation planning agency to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system, including, but not limited to, mass transportation, highway, railroad, maritime, bicycle, pedestrian, goods movement, and aviation facilities and services. Requires each transportation planning agency to consider and incorporate, as appropriate, the transportation plans of cities, counties, districts, private organizations, and state and federal agencies. (Government Code (GC) 65080 (a))

3) Finds that it is necessary to have one agency at the state level that is responsible for developing state land use policies, coordinating planning of all state agencies, and assisting and monitoring local and regional planning. Recognizes the Office of Land Use and Climate Innovation (LUCI), in the office of the Governor, as the most appropriate state agency to carry out this statewide land use planning function. (GC 65035)

4) Pursuant to the Housing Accountability Act (GC 65589.5):

   a) Defines "housing development project" as residential units, mixed-use developments consisting of residential and nonresidential uses that meet specified conditions, transitional housing or supportive housing, and farmworker housing. (GC 65589.5 (h)(2))

   b) Requires a housing development project to be subject only to the ordinances, policies, and standards adopted and in effect when a preliminary application including all of the required information was submitted. Provides that this does not prohibit a housing development project from being subject to ordinances, policies, and standards adopted after the preliminary application was submitted pursuant to Section 65941.1 in the specified circumstances. Staes that "ordinances, policies, and standards" includes general plan, community plan, specific plan, zoning, design review standards and criteria, subdivision standards and criteria, and any other rules, regulations, requirements, and policies of a local agency, including those relating to development impact fees, capacity or connection fees or charges, permit or processing fees, and other exactions. (GC 65589.5 (o))

THIS BILL:

1) States the intent of the Legislature to modernize coastal zone governance by recognizing and empowering these urbanized, transit-oriented communities to administer specified operational and management activities and minor improvement projects without the need for individual coastal development permits, while otherwise preserving the California Coastal Commission's authority over activities that constitute physical development and pose potential impacts to coastal resources.

2) States the intent of the Legislature to advance the purposes of the Coastal Act by aligning its implementation with contemporary transportation systems, climate imperatives, housing needs, and economic realities, ensuring that California's coast remains accessible, resilient, and equitably enjoyed by all residents and visitors. State it is not the intent of the Legislature that the act adding this section diminish environmental protections, reduce public access to

the coast, or limit the California Coastal Commission's jurisdiction over development that would adversely affect coastal resources.

3) For purposes of this bill, specifies that a city qualifies as an urban multimodal community if it meets all of the following:

   a) Has at least one high-quality transit corridor or transit priority area in the city that has stops or stations located within the coastal access zone;
   b) Has adopted plans that include targets to reduce greenhouse gas emissions, and fatal and severe injury crashes, including a climate action and local road safety plan; and,
   c) Maintains Class I, Class II, or Class IV bicycle facilities, as described in Chapter 1000 of the 7th edition of the Highway Design Manual by the Department of Transportation, in the coastal access zone.

4) Authorizes a city that meets the aforementioned criteria to designate itself as an urban multimodal community by submitting documentation demonstrating compliance with the criteria to the LUCI. Requires the city to post that documentation on the city's internet website and notify the Commission of the city's submission.

5) Authorizes, within 30 days of submission, LUCI to review the submitted documentation solely for completeness and consistency with the criteria.

6) Requires, if LUCI determines that the submitted documentation is incomplete or does not demonstrate compliance, LUCI to notify both the city and the Commission within the 30-day review period and identify the specific deficiencies.

7) Requires, if LUCI determines that the submitted documentation demonstrates compliance, LUCI to notify the city within the 30-day review period of the approval of the city's designation as an urban multimodal community.

8) Provides that if LUCI does not provide written notice of approval or deficiencies within the 30-day review period, the city's designation as an urban multimodal community is deemed approved.

9) Requires, to maintain a city's designation as an urban multimodal community, a city to recertify itself as an urban multimodal community every five years from the date of approval by updating and resubmitting the requisite documentation.

10) Requires a city's status as an urban multimodal community to be considered one of the city's ordinances, policies, and standards for purposes of GC 65589.5 (o).

11) Notwithstanding any provision of an existing certified LCP or certified land use plan, exempts the following activities and types of development within an urban multimodal community from the permit requirements of the Coastal Act and does not require an amendment to a certified LCP or LUP:

   a) A local government and public agency establishing, altering, eliminating, or otherwise managing regulations and requirements related to parking, including, but not limited to, all of the following:

i) Addition or removal of parking spaces by public or private entities;
ii) Establishing maximum and minimum parking ratios;
iii) Determination of onstreet and offstreet parking rates; and,
iv) Management of pricing structures, payment methods, payment access and revenue control systems, parking meters, time limits, and residential preferential parking zones.
v) Provides that projects in (i)-(iv) do not apply to a local government or public agency establishing, altering, eliminating, or otherwise managing regulations and requirements related to parking occurring between the sea and the first public road paralleling the sea within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance.
vi) Notwithstanding subparagraph (v), provides that a local government or public agency making roadway or public right-of-way improvements that support pedestrians, bicyclists, or public transit, including, but not limited to, altering the use of portions of the roadway or public right-of-way, and adding bicycle lanes, bus lanes, day lighting zones, curb extensions, sidewalk expansions and improvements, pedestrian signals, transit priority infrastructure, and vision-zero focused improvements. Provides that the improvements made pursuant projects listed under (a) may result in the removal of parking spaces.
vii) Prohibits a local government from approving a project in (i)-(iv) unless the local government makes a written finding based on substantial evidence that the improvement will not reduce public access to the shoreline.
viii) Notwithstanding subparagraph (v), a local government or public agency installing accessible walkways consistent with requirements under the federal Americans with Disabilities Act, pay stations, signage, and electric vehicle chargers in public facilities.
ix) Notwithstanding subparagraph (v), a local government may increase parking rates without limitation until rates reach $10 per day, adjusted annually for inflation based on the California Consumer Price Index (CPI) from the effective date of this bill. Authorizes, when parking rates exceed $10 per day, as adjusted pursuant to the CPI, a local government to increase parking rates pursuant to this paragraph by not more than the annual change in the CPI.

b) A person hosting short-term or recurring community events that do not permanently alter land use or access, including the addition of structures for temporary events that promote visitor-serving commercial, cultural, or recreational activities, and are not located on, or within a 100-foot radius of, a wetland, or on, or within 100 feet of, an environmentally sensitive habitat area.

i) Prohibits a local government from approving an event unless the local government makes a written finding based on substantial evidence that the temporary event will not unduly obstruct public access to the shoreline within the vicinity of the event, and that the event does not prevent the traversing of the shoreline.
ii) Allows a temporary event to only be permitted for a maximum of 10 days if the event occurs between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of the beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance.

iii) Allows a local government to only permit temporary events constituting a total 10 days per month in the area described in (ii).

c) A person making interior or exterior renovations, changes of use, or intensifications of use of existing buildings, subject to all of the following:

i) If located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greatest distance, the project shall not expand the existing building footprint.
ii) If located outside the area, the project may expand the building footprint by up to an additional 50 percent of the existing footprint.
iii) A project shall not be located on or within 100 feet of a wetland, or on, or within 100 feet of, an environmentally sensitive habitat area.

d) Any aspect of a housing development project, as defined in Section 65589.5 of the Government Code, allowable under state and local law, including any permits, approvals, or public improvements required for the housing development project, if the housing development project meets all of the following conditions:

i) The project site is located within an area where multiunit housing is an allowed use in the local government's general plan land use element, specific plan, or zoning ordinance;
ii) The project is a housing development project, as defined in GC 65589.5 (h), excluding a single family dwelling with an accessory dwelling unit; and,
iii) The project is not located in the following areas:
(1) Between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance;
(2) On, or within a 100-foot radius of, a wetland; and,
(3) On, or within 100 feet of, an environmentally sensitive habitat area.

e) Outdoor dining that is otherwise permitted.

12) Requires, in a city, or an unincorporated area of a county, with multiple certified LCPs, each LCP segment to separately and independently meet the urban multimodal community criteria.

13) Authorizes, in a city with multiple LCP segments, an individual LCP to individually qualify and be certified as an urban multimodal community if the individual LCP meets the criteria, provided that the activities exempted occur only within the geographic areas that satisfy those criteria.

14) Authorizes a county to designate an individual LCP segment as an urban multimodal community if all of the following are met:

a) The individual LCP segment is located in an unincorporated area of the county that is an urbanized area or an urban cluster, as designated by the United States Census Bureau;

b) The individual LCP segment meets the urban multimodal community criteria, and the activities exempted occur only within the segment that meets those criteria; and,
c) The county follows the designated process when designating the individual LCP segment as an urban multimodal community.

15) Provides that a city or county's adopted climate action plan and local road safety plan is be deemed to satisfy the designated requirements if those plans apply to the LCP segment.

16) Notwithstanding any other provision in the Coastal Act, exempts the installation of Class I, Class II, or Class IV bicycle facilities, as described in Chapter 1000 of the 7th edition of the Highway Design Manual by the Department of Transportation, including associated roadway reconfiguration and relocation of onstreet parking, within the right-of-way of a state highway, if the project does not eliminate existing public coastal accessways, from CDP requirements.

17) Provides that specified projects are subject to approval and regulation by the local government in accordance with applicable state and local laws and do not require review or approval by the Commission.

18) Provides that the provisions of this bill do not limit the applicability of other exemptions from the permitting requirements of the Coastal Act.

19) Defines the following terms:

a) "Coastal access zone" as the "Coastal zone" as defined by Section 30103 and the area within one-quarter mile of the coastal zone.
b) "High-quality transit corridor" has the same meaning as defined in subdivision (b) of Section 21155.
c) "Local coastal program segment" as a discrete geographic area within a local government's coastal zone jurisdiction that has been designated by the Commission as a LCP segment pursuant to PRC 30511, as identified on the Commission's official local coastal program status maps or charts as those maps or charts exist on the effective date of this bill, whether or not the LCP for that segment has been certified.
d) "Outdoor dining" as the service or consumption of food or beverages by patrons in any area that is outside the fully enclosed interior of a building, including, but not limited to, patios, courtyards, decks, terraces, sidewalks, curbside parking lanes, parklets, and similar open-air outdoor seating areas.
e) "Temporary events" means events lasting 12 months or less, and includes "motion picture productions" as defined in Labor Code 9151 (h).
f) "Transit priority area" has the same meaning as defined in PRC 21099.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement**:

AB 1740 modernizes the coastal act to support local jurisdictions' climate action, transit and housing strategies by reforming the way the Coastal Act advances

public access to the coast in highly urbanized transit-rich communities. In particular, the bill embraces smart climate strategies by incentivizing and supporting investments in transit, bike lanes and pedestrian transportation, rather than imposing unnecessary parking and road improvements. It does this by recognizing and empowering certain urbanized transit-rich communities to have the ability to approve housing, bike and pedestrian improvements, outdoor dining and certain building renovations and certain other minor projects without the need for individual coastal development permits. The bill would only apply to areas without protected coastal resources, such as wetlands, environmentally sensitive habitat areas or coastal bluffs.

This bill only applies to a small fraction of the coastal zone, mainly urban built-out areas with transit service, and will preserve the California Coastal Commission's authority and ability to protect beaches and coastal resources from activities that threaten sensitive habitats. By returning control over a limited but important set of permitting activities to local governments, this bill will alleviate an unnecessary regulatory burden, improve local flexibility, and reduce costs and uncertainty for city government, individuals, and businesses. In areas that are urbanized, intensively developed, and void of sensitive ecological resources and habitats, Coastal Commission oversight merely adds cost and significant delay- and diverts Commission staff resources from their crucial role of protecting our beaches and sensitive habitats.

2) **Active transportation.** Active transportation is the use of non-vehicular modes of transportation, including bicycling, walking, skateboarding, etc. Providing greater access to safe modes of active transit improve local air quality through reduced VMT, give greater opportunities for physical activity, enhance public health benefits, and provide a broad spectrum opportunities for greater transit options. In 2017, the Department of Transportation (Caltrans) published the first-ever statewide plan for active modes of transportation, *Toward an Active California - State Bicycle and Pedestrian Plan*, with the following vision statement, "By 2040, people in California of all ages, abilities, and incomes can safely, conveniently, and comfortably walk and bicycle for their transportation needs." All California cities and counties are required to include complete streets policies as part of any substantial revision to the circulation element of their general plans. The complete streets policy requires that roadways are planned, designed, and operated for the safety of all people, including people biking and walking.

3) **Smart growth in the coastal zone**. The Coastal Commission's *Smart Growth Planning and Permitting in the Coastal Zone*[i] (April 2024) memorandum is intended to provide an overview of what smart growth means in the Coastal Act context and discuss how Commission and local government staff can apply smart growth principles to meet land use planning and coastal resource protection requirements in the Coastal Act.

Under the Coastal Act, new development (with the exception of hazardous industrial development) is required to be located within or in close proximity to existing developed areas with adequate public services to accommodate the new development or, if that is not feasible, in other areas with adequate public services and where it will not have significant adverse effects on coastal resources. Further, the Coastal Act specifically states that new development should maintain and enhance public access to the coast by facilitating public

transit services, providing commercial facilities in residential and other areas, providing non-automobile circulation options, providing adequate parking or access via public transit, assuring the potential for public transit with new high-density uses, and providing sufficient recreational facilities to not overload nearby coastal recreation areas.

4) **Urban Multimodal Communities.** The bill provides that a city can be designated an urban multimodal community if it meets three criteria: 1) it has at least one high-quality transit corridor or transit priority area in the city that has stops or stations located within the coastal access zone; 2) it has adopted plans that include targets to reduce GHGs, and fatal and severe injury crashes, including a climate action and local road safety plan; and, 3) it maintains Class I, Class II, or Class IV bicycle facilities, as defined, in the coastal zone.

   The bill authorizes – but does not require – LUCI to review the submitted documentation for designation as an urban multimodal community and provides that if LUCI does not provide written notice of approval or deficiencies within the 30-day review period, the city's designation as UMC is deemed approved.

   Without any backstop for review, this bill allows a city to self-certify its designation and afford Coastal Act exemptions for a multitude of transportation-related projects, housing and redevelopment projects, temporary events, and more.

5) **Coastal Act jurisdiction**. The Commission administers the Coastal Act and regulates proposed development along the coast and in nearby areas in the coastal zone. Generally, any development activity in the coastal zone requires a CDP from the Commission or local government with a certified LCP. In the jurisdictions with certified LCPs, local governments issue CDPs with detailed planning and design standards. About 88% of the coastal zone is governed by a certified LCP. There are 14 jurisdictions (out of 15 counties and 61 cities) without LCPs – also known as "uncertified" jurisdictions – where the Commission is still the permitting authority for CDPs. Additionally, permitting decisions made by a local government with an approved LCP can be appealed directly to the Commission under specified circumstances. In reviewing the permit, the Commission generally must defer to those standards outlined in the LCP.

   Jurisdictions with LCPs are empowered to control what to permit and how to permit coastal development. Some, but not all, CDPs approved by local governments are appealable to the Commission. Generally, projects can be appealed only if they are located between the ocean and the nearest public road, within 300 feet of a coastal bluff or within 100 feet of a wetland. Only a small fraction of appealable projects are actually appealed, as noted below.

6) **Permit timelines**. Like all other public agencies, the Commission and local governments with LCPs are subject to the Permit Streamlining Act (GC 65957). Once it receives an initial application, the Commission/local government has 30 days to notify the applicant of any additional materials needed to complete the application. There is no timeline for when the applicant must respond or provide the requested information, but when the Commission does, it has another 30 days to review it to determine whether it is complete. If not, the 30-day cycle starts again. Once the application is complete, the Commission is required to take a final action within 180 days. That time limit may be extended one time for up to 90 days upon the mutual consent of the agency and the applicant. If an agency fails to approve or disapprove the permit within the time limits specified, the permit is subject to being deemed approved.

According to the *California Coastal Commission Key Metrics Report 2025*, the average turnaround time for completed application to final hearing was 47 days. Last year, the Commission denied only one project, which involved a proposal to reconfigure public boat moorings for small vessels in Newport Beach Harbor. Of the 1,290 locally issued CDPs, ~3.5% were appealed to the Commission. Of those 44 appeals, 29 were dismissed for raising no substantial issue, and the remaining 15 were approved with conditions.

Table 5. Locally issued CDPs by appeals status in 2025

Total	Not appealable	Appealable	Appealed
1290	767	523	44

Self-designation for the CDP exemptions offered under the bill undermines the work that went into and the value of existing jurisdiction's approved LCPs. Additionally, requiring local jurisdictions to submit documentation to LUCI to be approved as urban multimodal communities is misplaced state jurisdiction. The Commission should be the arbiter of any new designation under the Coastal Act.

7) **Proposed CDP exemptions.** This bill would exempt designated urban multimodal communities from CDP requirements for projects related to parking infrastructure, active transportation improvements, structure renovations, community events, qualified housing developments, and bike lanes.

- **Bike lanes.** Encroachments into the Pacific Coast Highway 1 (PCH) in Malibu could support both bike lanes (and parking) if they were removed, according the CalTrans *Pacific Coast Highway Master Plan Feasibility Study, State Route 1, City of Malibu* (June 2025)**.**

  In eastern Malibu, PCH is a 4-lane highway with two lanes in each direction. For example, shoulder parking is present along the southern (ocean-facing) side of PCH, which is frequently used by visitors accessing the beach. Parking is free, which contributes to a high turnover rate and significant demand for these spaces. The shoulder width on the mountain side varies and is sometimes obstructed by residential encroachments, limiting the continuous availability of the shoulder for emergency stop or bicyclists. In more residential areas, shoulder width becomes narrower and is frequently obstructed by adjacent property improvements, reducing the space available for continuous public parking.

  Bike and bus lanes can be more creatively accommodated by better analyzing current land use over exempting critical coastal zone to development without Coastal Act oversight.

  It is also worth noting that the Legislature has recently taken action to streamline bike lane development in the coastal zone. SB 689 (Blakespear), Chapter 445, Statutes of 2024, provides that an application by a local government to convert an existing motorized vehicle travel lane into a dedicated bicycle lane, dedicated transit lane, or a pedestrian

walkway does not require a traffic study for the processing of either a CDP or an amendment to an LCP.

- **Parking.** One of the main tenets of the Coastal Act is to protect coastal access to all Californians, and the Coastal Act has been interpreted to consider parking costs and parking restrictions (including paid parking/parking meters) as relevant to coastal access. Further, parking fees and meters can be treated as "development" because they affect access. Under the Coastal Act, "development" includes not just physical structures but also changes that affect public access to coastal waters. PRC 30211 expressly states that "Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization...." This has been interpreted to include user access fees or restrictions such as parking fees and regulations near the coast (e.g., user fees, timing restrictions, or parking-only zones) because they can influence the intensity or ease of access to the shoreline. Charging for parking — and steadily increasing costs — can make it harder for some groups (especially lower-income visitors) to access the coast, and that these impacts are considered as part of Coastal Act public access policies.

  This bill exempts an urban multimodal community from CDP requirements for establishing, altering, eliminating parking requirements, including the addition or removal of parking spaces, establishment of maximum and minimum parking ratios, determination of onstreet and offstreet parking rates, and management of pricing structures, payment methods, payment access and revenue control systems, parking meters, time limits, and residential preferential parking zones.

  California Coastal Protection Network argues that the bill would allow for immediate, statewide removal of thousands of public parking spaces with no mandatory replacement, representing a significant loss of coastal access used by thousands if not millions of visitors annually. In many areas, such as Malibu and Sonoma, this is the only available parking for visitors from inland areas.

  Without consideration of the public access requirements under the Coastal Act, or consideration of the needs of visitors who may have no other option but to drive, these provisions can be seen as a violation of the Coastal Act.

- **Structure renovations**. Under current law, a CDP is not required for the replacement of any structure destroyed by a disaster up to 110% of its existing footprint. (PRC 30610) The demolition and reconstruction of a single-family residence is not considered "new development" for providing public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10%. (PRC 30212)

  The Commission generally considers a remodel as "redevelopment" requiring approval under the Coastal Act if it would result in replacement of 50% or more of major structural components (exterior walls, floor, roof structure or foundation) as they existed when the Coastal Act was enacted (January 1, 1977). This means that a single remodel that replaces 50% of the 1977-era major structure components would be "redevelopment" requiring a permit. Likewise, if a property owner replaced 25% of the 1977-era major

structural components, and then later proposed to replace another 25% of the major structural components, then that second proposal would reach the 50% threshold and require approval under the Coastal Act. Local jurisdictions generally carry forward this standard into their LCPs, and may include additional nuances.

This bill proposes to exempt interior or exterior renovations up to 50% if not within specified geographic proximity to the beach, and prohibits exemptions for renovations located on or within 100 feet of a wetland or environmentally sensitive habitat area.

- **Community events**. A person hosting short-term or recurring community events that do not permanently alter land use or access, including the addition of structures for temporary events that promote visitor-serving commercial, cultural, or recreational activities, and are not located on, or within a 100-foot radius of, a wetland, or on, or within, an environmentally sensitive habitat area.

  According to the author, this is intended to accommodate events for the 2026 Olympics. AB 149 (Committee on Budget), Chapter 160, Statutes of 2025, provides all temporary development for 2028 Olympic and Paralympic Games an exemption from the requirements to obtain a CDP until December 31, 2028. (PRC 30612.5)

  Further, the Coastal Act provides that a temporary event which does not have any significant adverse impact upon coastal resources does not need a CDP. The Commission's 1998 guidelines[ii] are still used by the Commission, and because they are not regulations or statute, afford ongoing flexibility. The challenge with the exemption under this bill is that it covers reoccurring seasonal events (e.g., exclusive summertime surf camps) that, while not permanent, could significantly limit access for the public non-profit groups during the most popular season for visiting the coast.

- **Outdoor dining.** This bill exempts outdoor dining that is otherwise permitted. This exemption would be irrespective of size or location, or restrictions to coastal access (e.g., blocking a sidewalk, limiting a coastal access path, replacing parking spots).

  During the COVID-19 pandemic, the Commission issued numerous CDP waivers for pandemic relief activities including for outdoor dining programs in existing coastal zone parking areas. Projects approved via CDP waiver included the use of public and private parking spaces or certain parklets for outdoor dining purposes so long as certain conditions – such as sidewalks remaining open – were met. The waivers are due to expire on July 1, 2026.

  It is unclear what the nexus of outdoor dining is to multimodality.

- **Housing**. Any aspect of a residential housing project, mixed-use housing development that meets specified conditions, transitional housing or supportive housing, and farmworker housing would be exempt.

  The Coastal Act continues to require the Commission to encourage housing opportunities for persons of low and moderate income. It further prohibits, in reviewing residential development applications for low- and moderate-income housing, the issuing local agency, or the Commission on appeal, from requiring measures that reduce residential

densities below the density sought by an applicant if the density sought is within the permitted density or range of density established by local zoning plus the additional permitted density. As of 2019, the Commission had approved more than 90% of all development applications, and has never denied a single affordable housing project in its history.

Last year, the Legislature approved SB 484 (Laird), Chapter 416, Statutes of 2025, to require the Commission, in consultation with HCD, by July 1, 2027, to identify infill areas within at least three local jurisdictions that do not have a certified LCPs for a categorical exclusion from CDP requirements. Before exempting more housing from the Coastal Act, the author may wish to see how that novel approach advances in the coastal jurisdictions for which infill projects are identified and developed.

8) **Value of the Coastal Act.** The Coastal Act, through CDPs, provides unique protections to the coastal zone that are separate and distinct from the California Environmental Quality Act or other environmental regulations. The Coastal Act includes consideration of the prevention of sprawling development, protection of views to and along the ocean and scenic coastal areas, and maintenance and enhancement of public access to the coast. Further, all new development is required to minimize risk to life and property in areas of high geologic, flood, and fire hazard; assure geologic stability; minimize energy consumption and vehicle miles travelled; and, where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

   This year marks the 50th anniversary of the Coastal Act. In that time, the Coastal Act has been responsible for creating more than 2,500 public accessways to and along the coast; protecting 12,000 acres of open space and habitat; providing $30 million to local governments to plan for sea level rise; and, many more things.

   Finally, it's worth noting that the National Park Service is currently conducting a congressionally mandated study[iii] to designate coastal areas from Will Rogers State Beach south to Torrance Beach along the Santa Monica Bay coastline as part of the national park system. While only Congress or the president has authority to designate new units of the national park system, about one in four studies result in an actual park. If designated, lands directly managed by the Park Service would be 'protected in perpetuity.' This study sends a strong signal from the current presidential administration how special this area of the coastal zone is to protect.

9) **Double referral**. This bill is also referred to the Assembly Housing and Community Development Committee.

10) **Committee amendments.** The *committee may wish to consider* amending the bill to limit it to author's district by providing the proposed exemptions exclusively for the City of Santa Monica, and sunset the exemptions in 2034.

11) **Related legislation.**

   AB 1470 (Haney, 2025) proposed exempting all outdoor dining of undetermined size and location to be from CDP permitting requirements. The bill was ultimately amended to

remove the Coastal Act exemption for outdoor dining and held on the Senate Appropriations suspense file.

SB 484 (Laird), Chapter 416, Statutes of 2025, requires the Commission, in consultation with HCD, by July 1, 2027, to identify infill areas within at least three local jurisdictions that do not have a certified LCP a categorical exclusion from the CDP requirement

REGISTERED SUPPORT / OPPOSITION:

Support

AARP
Abundant Housing LA
Abundant Housing Pasadena
Abundant Housing Sunset
Ahla Koreatown
Alhambra Urbanists
Bay Area Council
Burbank Abundant Housing
Cal Chamber
California Attractions and Parks Association
California Building Industry Association
California Council for Affordable Housing
California Downtown Association
California Mobility and Parking Association
California Restaurant Association
California Travel Association
California Yimby
Circulate San Diego
City of Santa Monica
City of Culver City
City of Long Beach
Climate Resolve
Downtown Santa Monica
Dtla 4 All
Eastside Housing for All
Fieldstead and Company, INC.
Glendale Yimby
Greenbelt Alliance
Housing Action Coalition
Independent Hospitality Coalition
Los Angeles Cleantech Incubator
Los Angeles County
Los Angeles County Business Federation
Mayor Todd Gloria, City of San Diego
Midpen Housing Corporation
Move LA
Office of City Councilwoman Traci Park, Council District 11, City of Los Angeles
Santa Monica Chamber of Commerce
Santa Monica Forward
Spur
Streets for All
Urban Environmentalists, Los Angeles
Venice Chamber of Commerce
Westside Council of Chambers of Commerce
Westside for Everyone

Opposition

Amigos De Bolsa Chica
Audubon California
Azul
Ballona Wetlands Institute
Black Surfers Collective
Black.surfers
California Coastal Protection Network
California Coastkeeper Alliance
Citizens Preserving Venice
City Surf Project
Cleanearth4kids.org
Coalition for a Beautiful Los Angeles
Coastal Lands Action Network
Defend Ballona Wetlands
Endangered Habitats League
Environmental Action Committee of West Marin
Environmental Center of San Diego
Escondido Neighbors United
Friends of Harbors, Beaches and Parks
Friends of Los Penasquitos Canyon Preserve
Friends of Sunset Park
Green Foothills
Humboldt Waterkeeper

Inland Empire Waterkeeper
National Parks Conservation Association
Newport Mooring Association
Ocean Defenders Alliance
Orange County Coastkeeper
Outdoor Outreach
Paddle for Peace
Planning and Conservation League
Queer Surf
Resource Renewal Institute
Salted Roots
Save Our Shores
Sea and Sage Audubon Society
Socal 350 Climate Action
Surf Justice Collective
Surfrider Foundation
Surfrider Foundation Los Angeles Chapter
Tubb Canyon Desert Conservancy
Wildcoast

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

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[i] Smart Growth Guidance_April 2024.pdf
[ii] Regulation of Temporary Events in the Coastal Zone, Memorandum to Planning Directors of Coastal Cities and Counties
[iii] Public Law 117-328

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 1812 (Aguiar-Curry) – As Amended March 23, 2026

SUBJECT: Solid waste: compostable products: regulations

SUMMARY: Prohibits, on and after January 1, 2027, a person from selling or offering for sale a product that is labeled with the term "compostable" or "home compostable" that is made wholly or partially of plastic. Updates and revises the requirements for labeling products "compostable" or "home compostable."

EXISTING LAW:

1) Until January 1, 2026, prohibits the sale or offering for sale a product that is labeled with the term "compostable" or "home compostable" unless the product meets specified standards. (Public Resources Code (PRC) 42357)

2) On and after January 1, 2026, requires products that are labeled "compostable" or "home compostable" unless it satisfies all of the following:

    a) Is an allowable agricultural input under the requirements of the United States Department of Agriculture (USDA) National Organic Program (NOP);

    b) Does not have a total organic fluorine concentration of greater than 100 parts per million, as specified;

    c) Is labeled in a manner that distinguishes the product from a noncompostable product upon reasonable inspection by consumers and to help enable efficient processing by solid waste facilities; and,

    d) Is designed to be associated with the recovery of desirable organic waste. (PRC 42357)

3) Authorizes the Department of Resources Recycling and Recovery (CalRecycle) to grant an extension for up to five years to the requirement that compostable products be an allowable organic input under the requirements of the NOP if the product has, or will soon be, included as allowed on the National List of Allowed and Prohibited Substances or the product or substance has, or will soon be, included as an allowable organic input for compost. (PRC 42357)

4) Requires compostable bags, as specified, to be readily and easily identifiable from other plastic bags in a manner that is consistent with the Federal Trade Commission (FTC) Guides for the Use of Environmental Marketing Claims (Green Guides), as specified. (PRC 42357.5)

5) Defines "ASTM standard specification" as either the ASTM standard specification for labeling of plastics designed to be aerobically composted in municipal or industrial facilities (D6400), as published in 2019 or the ASTM standard specification for labeling of end items that incorporate plastics and polymers as coatings or additives with paper and other

substrates designed to be aerobically composted in municipal or industrial facilities (D6868), as published in 2019. (PRC 42356)

6) Defines "product" as including, but not limited to, a consumer product; a package or packaging component; a bag, sack, wrap, or other thin plastic sheet film product; and, a food or beverage container or container component. (PRC 42356)

7) Requires CalRecycle to review the ASTM standards specified in PRC 42356 if they are revised, and, if the new standard is more stringent and more protective of public health, public safety, and the environment, to adopt the new standard, as specified. (PRC 42356.1)

8) Authorizes CalRecycle to adopt an existing standard other than the prescribed ASTM standard specifications if the standard meets specified requirements. (PRC 42356.2)

9) Requires CalRecycle to adopt regulations to establish a process and develop criteria for determining the types of food service packaging that are reusable, recyclable, or compostable. (PRC 42370.2)

THIS BILL:

1) Repeals the requirement that precheckout compostable bags must meet the standards set by PRC 42357.5.

2) Repeals PRC 42356.1, which requires CalRecycle to review revisions to ASTM standards and authorizes it to adopt revised standards.

3) Revises the requirement for CalRecycle to adopt a standard other than the prescribed ASTM standards if the standard is adopted or developed by a standard-setting organization recognized by CalRecycle. Authorizes CalRecycle to adopt a standard for compostable fiber products.

4) Revises the requirements for labeling products with the terms "compostable" or "home compostable" to remove references to the ASTM specifications and instead limits those labels to products that meet the OK compost HOME certification or a different standard adopted by CalRecycle.

5) Specifies that a fiber product that is demonstrated to not incorporate any plastics of polymers, including, but not limited to, through lamination, extrusion, or mixing, is not required to comply with specified labeling requirements, unless CalRecycle has adopted or approved a standard relevant to compostable fiber products.

6) Prohibits, on and after January 1, 2027, a person from selling or offering for sale a product that is labeled with the term "compostable" or "home compostable" that is made wholly or partially of plastic.

7) Repeals PRC 42357.5, which establishes labeling requirements for compostable plastic bags.

8) Requires CalRecycle to consider whether food service packaging meets the requirements for compostable products that meet the ASTM standard for "End Items that Incorporate Plastics and Polymers as Coatings or Additives with Paper and Other Substrates Designed Aerobically Composted in Municipal or Industrial Facilities," as specified.

9) States legislative findings and declarations relating to the scale and value of California's composting programs.

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. The Air Resources Board (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 short-lived climate pollutant (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 20% of edible food that would otherwise be sent to landfills is redirected to feed people by 2025.

   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. Composting operations in California range from large-scale commercial operations to onsite agricultural composting activities to backyards. 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 chipped or mulched and applied to agricultural land for beneficial use, known as land application.

2) **SB 54**. SB 54 (Allen), Chapter 75, Statutes of 2022, requires the development of a circular economy program for packaging and plastic foodware in the state. The law requires that producers meet ambitious recycling, composting, and source reduction targets through the creation of a producer responsibility organization, and to achieve specified source reduction requirements for plastic covered materials. The recycling and compostability requirements increase from 30% by 2028 to 65% by 2032, and source reduction requirements increase from 10% by 2027 to 25% by 2032.

3) **Determining compostability**. Compostable plastics are plastics that are designed to decompose under certain conditions. They can be fossil-fuel based or based on various "bio" materials, but essentially all compostable plastics include some amount of synthetic additives or include some percentage of fossil-based polymers. Prior to the state adopting standards in 2004, plastic with misleading claims of biodegradability and compostability were widely marketed to consumers, even though the material did not break down as claimed.

Compostable materials are generally not recyclable and are instead a contaminant when mixed with recyclable plastic waste. Since 2004, the Legislature has enacted numerous bills that attempt to prevent misleading environmental marketing claims and ensure that the materials we use can be properly managed, including banning the use of terms like "biodegradable" for plastic products and requiring plastics labeled "compostable" to meet widely accepted standards for compostability.

ASTM is an international standards organization that develops and publishes consensus-based technical standards. ASTM standards include two for compostable plastics. For plastics designed to be composted in industrial compost facilities (D6400) and for paper and other products coated in plastic or other polymers designed to be composted in industrial compost facilities (D6868). The standards are intended to provide consistency and clarity for consumers and producers who want to ensure that their products are compostable; however, the standards are imperfect. Composting technology has advanced significantly since their adoption, and material is processed more quickly, so many compostable items, like utensils, often have to be removed from the finished compost and landfilled. Composting is designed to manage organic waste, like yard clippings and leaves, and is not an ideal management option for plastic waste.

In recognition of the issues with the current ASTM standards, SB 1335 (Allen), Chapter 610, Statutes of 2018, which establishes reuse, recycling, and compost requirements for food packaging used in state facilities, also required CalRecycle to adopt regulations to create standards for those terms. For composability, CalRecycle regulations require that the packaging must meet the ASTM standards D6400-19 or D6868-19, demonstrate 90% biodegradation within 60 days, and comply with related statutory requirements to be labeled "compostable" in the state.

Pursuant to AB 1201 (Ting), Chapter 504, Statutes of 2021, the sale of offering for sale any product in the state that is labeled "compostable" or "home compostable" is prohibited unless it meets specified requirements, including that, beginning January 1, 2026, the product is an allowable organic input under the NOP. This law additionally granted the director of CalRecycle the authority to issue an extension on this requirement for up to five years if the director determines that the product or substance is, or will soon be, an allowable organic input for compost. Last year, industry groups representing the compostable plastics industry requested that CalRecycle issue such an extension, which was granted by the director until June 30, 2027.

4) **Federal standards**. Unfair or deceptive acts or practices in or affecting commerce are illegal under federal law. The Federal Trade Commission (FTC) publishes the Green Guides to explain how the law applies to environmental labeling, advertising, and marketing, including the use of labels such as "degradable," "biodegradable," or "compostable."

   The USDA's NOP requirements prohibit compostable plastic as a feedstock for compost that can be used on organic crops. In 2023, the Biodegradable Products Institute petitioned to revise the regulations to allow their use under the NOP. After a multi-year review of the petition and the associated science, the National Organics Standards Board unanimously rejected the petition in January of this year, finding that "synthetic compostable materials" do not meet necessity, environmental and human health, and sustainable agriculture criteria for

the inclusion. However, the action did leave the possibility open for future consideration of individual materials for narrowly-defined uses (e.g., collection bags, produce stickers, etc.).

5) **Where do they go?** Consumers should have confidence that the items they sort into their compost and recycling bins are composted or recycled. However, few composters in the state accept compostable plastics for composting. Instead, these items are generally screened out and landfilled to avoid contaminating the finished compost. When items labeled compostable end up in the recycling bin, they act as a contaminant in the recycling system and are also landfilled.

6) **Markets**. As noted above, the state generates massive quantities of organic waste, of which a substantial portion is managed by the state's composters. The compost they produce is widely used in agriculture, landscaping, and other beneficial uses, but because of the quantities of organic waste that need to be managed, supply outpaces demand. The state's composters actively pursue markets, and many local organics programs give away the finished compost for free to the communities they serve. For this reason, composters have an incentive to produce high-quality compost that is marketable to the state's vibrant agricultural industry, which uses approximately two-thirds of the state's compost. In order to do this, many composters work to maintain their organic eligibility. Even for those composters that don't produce organic compost, compostable plastic items that end up in feedstock are often indistinguishable from conventional plastic. Rather than trying to sort compostable plastic from conventional plastic, most composters simply screen out all plastic prior to composting.

   According to the California Farm Bureau, compost is used as a soil conditioner, "sustainably improving the physical, chemical, and biological health of the soil, which leads to stronger crops and higher yields." Compost reduces the need for synthetic fertilizers and both reduces water use and improves water retention in the soil. Farmers rely on the NOP label to ensure "quality and purity" of the compost they purchase. According to the Marin Carbon Project, the use of compost is a "triple win." It increases carbon sequestration in the soil, mitigates emissions, and enhances the land's resilience to extreme weather, such as flooding and drought.

7) **Author's statement**:

   > AB 1812 clarifies which products can be labeled as compostable to make sure that California's composters can produce high-quality compost and that California's farmers and vibrant agricultural community have access to affordable compost. Farmers purchase two-thirds of California's compost, making them critical to a viable compost market. Many farmers and growers undergo lengthy and expensive processes to attain and keep their certification as organic farming operations. This certification relies on the federal National Organics Program (NOP) standard, which prohibits any plastic materials or residues in compost feedstocks. Composters adhering to this standard are prohibited from accepting bioplastics. Even without this standard, breaking down the best-performing compostable plastics would require extending processing timelines, lowering temperatures below food safety thresholds, and producing lower-quality compost that few farmers can use. Removing contaminants accounts for over 20% of composting costs—expenses ultimately passed on to ratepayers and local

governments. This bill will keep California's compost stream clean to reduce costs for communities, produce compost that works for farmers, and help California meet its organic waste diversion goals.

REGISTERED SUPPORT / OPPOSITION:

Support

A Voice for Choice Advocacy
Abreu Vineyards
Agromin
Association of Compost Producers
Breast Cancer Prevention Partners
California Association of Winegrape Growers
California Compost Coalition
California Farm Bureau Federation
California Product Stewardship Council
California State Association of Counties (CSAC)
City of San Leandro
Colusa County Farm Bureau
Community Alliance With Family Farmers
CR&R Environmental
Doffo Wines, LLC
League of California Cities
Marin Sanitary Service
Monterey County Farm Bureau
Napa County Farm Bureau
Napa Recycling & Waste Services
Northbay Brokerage
Northern Recycling, LLC
Organic Farming Association
People, Food and Land Foundation
Recology
Regen Monterey
Republic Services
Resource Recovery Coalition of California
Rural County Representatives of California (RCRC)
Sonoma County Farm Bureau
South Bayside Waste Management Authority
Stopwaste
The Last Plastic Straw
Waste Connections, Inc.
Waste Management
Zero Waste San Diego
Zero Waste Sonoma

Opposition

American Chemistry Council
American Institute for Packaging and Environment (AMERIPEN)
Amy's Kitchen
Atlantic Packaging
Biobag Americas Inc.
Biodegradable Products Institute
Black Bear Composting
California Manufacturers & Technology Association
California Restaurant Association
California Retailers Association
Californians Against Waste
CJ Biomaterials
Consumer Brands Association
Earth Matter
Futamura
Heritage Plastics Inc.
Household and Commercial Products Association
Ingevity
Kaneka Americas Holding, Inc.
Minima Technology Co.
Natur-tec
New Wincup Holdings, Inc.
Novamont North America, Inc.
Repurpose, Inc.
Reynolds Consumer Products
Sway Innovation Co
Tommy's Compost Service
Totalenergies Carbion
Veteran Compost

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

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 1849 (Papan) – As Amended April 6, 2026

SUBJECT: Decarbonized gaseous fuels

SUMMARY: Requires the Air Resources Board (ARB) to assess the amount of "decarbonized gaseous fuels" that will be needed to decarbonize hard-to-electrify sectors and maintain reliability in the electricity sector.

EXISTING LAW:

1) Requires, pursuant to the California Global Warming Solutions Act [AB 32 (Núñez), Chapter 488, Statutes of 2006], ARB to adopt a statewide greenhouse gas (GHG) emissions limit and to adopt rules and regulations to achieve maximum technologically feasible and cost-effective GHG emission reductions. (Health and Safety Code (HSC) 38500 *et seq*.)

2) Declares the policy of the state to achieve net zero GHG emissions as soon as possible, but no later than 2045, and to achieve and maintain net negative GHG emissions thereafter. (HSC 38562.2)

3) Requires ARB to prepare and approve a scoping plan at least once every five years for achieving the maximum technologically feasible and cost-effective reductions in GHG emissions from sources or categories of sources of GHGs. (HSC 38561)

4) Requires ARB to evaluate, consider, and report on various issues related the potential role of hydrogen in meeting state "decarbonization" goals by June 1, 2024. (HSC 38561.8)

5) Pursuant to Executive Order S-01-07, established a statewide goal to reduce the carbon intensity (CI) of California's transportation fuels and directed ARB to consider adopting a low carbon fuel standard (LCFS) to implement this goal. In 2009, ARB adopted the LCFS as a regulation. The LCFS attributes CI values to a variety of fuels based on direct and indirect GHG emissions. The LCFS permits producers of certain low CI fuels to opt in to LCFS regulation for the purpose of generating credits, which can be banked and used for compliance, sold to regulated parties, and purchased and retired by regulated parties. In addition, LCFS credits can be exported to other GHG emission reduction programs. (17 CCR 95840 *et seq*.)

6) Establishes a policy requiring renewable energy resources and zero-carbon electric generating facilities to supply 100% of electricity procured to serve California customers by 2045, and directs the Public Utilities Commission, California Energy Commission, and ARB to incorporate this policy into all relevant planning and programs. (PUC 454.53)

THIS BILL:

1) Requires ARB to assess the amount of "decarbonized gaseous fuels" that will be needed to decarbonize hard-to-electrify sectors and maintain reliability in the electricity sector.

2) Requires this assessment to include:

   a) Need for, and economic viability of, decarbonized gaseous fuels in each hard-to-electrify sector.

   b) Need for, and cost associated with, decarbonized gaseous fuels for electricity reliability and resilience.

   c) Policies and incentives to accelerate the production and use of decarbonized gaseous fuels.

   d) Opportunities for, and economic viability of, using agricultural and forest residues to help decarbonize hard-to-electrify sectors.

3) Requires ARB to consider:

   a) Whether the policies are consistent with the carbon reductions in the 2022 and 2027 scoping plans identified as necessary to decarbonize hard-to-electrify end uses and to maintain electrical reliability.

   b) Recognize the compliance obligations of entities that are regulated pursuant to the Cap-and-Invest Program.

   c) How to incentivize the increased production and use of decarbonized gas instate.

   d) How to maximize the benefits of decarbonized gas production and use, including, but not limited to, opportunities to mitigate wildfire, reduce pile burning of forest and agricultural residues, reduce landfill waste, use renewable energy that may otherwise be curtailed, and create jobs and economic development in the state.

   e) Policies to ensure that decarbonized gases are displacing fossil fuel use.

   f) The cost implications and economic impacts of using alternatives to fossil gas for both impacted businesses and end-use consumers.

4) Defines "hard-to-electrify sectors" as those sectors that cannot technically, economically, or practically convert to electricity due to their need for high heat, high energy density, or other operational factors, not including sectors that are regulated pursuant to the LCFS.

5) Requires ARB to post the assessment on its internet website.

6) Makes related findings.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement**:

   AB 1849 directs ARB to conduct an assessment of the need for decarbonized gaseous fuels and provide recommendations to help the state meet its climate targets for hard-to-

electrify sectors and electricity reliability. Hard-to-electrify industries, such as cement, glass, and steel manufacturing, along with the use of peaker plants for grid reliability, account for more than one-third of California's GHG emissions. Consistent with the 2022 Climate Change Scoping Plan, which recognized the need for decarbonized fuels in a carbon-free future, this bill advances that goal by determining how much decarbonized fuel each hard-to-electrify sector will require and by evaluating the policies and incentives needed to speed up deployment.

2) **Double referral**. This bill is double-referred to the Assembly Utilities and Energy Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Bioenergy Association of California (co-sponsor)
California Hydrogen Business Council (co-sponsor)
Anaergia
Bio-Tronic Energy-CA
Calgren
California Association of Sanitation Agencies
California Hydrogen Coalition
Clean Water SoCal
CR&R
Darling H2O Consulting
Earth Foundries
Golden State Natural Gas Systems
H-Cycle
Los Angeles County Sanitation Districts
Mainspring Energy
Mote
Northeast-Western Energy Systems
Resource Recovery Coalition of California
Sierra Energy
SoCalGas
Supply Chains for Good Enrolled Member, Standing Rock
TSS Consultants
USA Water and Power
Vespene Energy
Yosemite Clean Energy

Opposition

1000 Grandmothers for Future Generations
350 Bay Area Action
California Environmental Justice Coalition
California Nurses for Environmental Health & Justice
Californians Against Waste (unless amended)
Center for Biological Diversity
Center for Community Action and Environmental Justice

Center on Race, Poverty & the Environment
Climate Action California
Climate Communications Coalition
Earthjustice
Food & Water Watch
Forests Forever
Fossil Free California
Leadership Council for Justice and Accountability
Los Padres Forestwatch
Mount Shasta Bioregional Ecology Center
San Diego 350
San Francisco Bay Physicians for Social Responsibility
Santa Cruz Climate Action Network
Sequoia Forestkeeper
Sierra Club California
Sonoma County Climate Activist Network
Sunflower Alliance
Valley Improvement Project

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

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 1911 (Rogers) – As Introduced February 12, 2026

SUBJECT: Advertising: environmental marketing claims: carbon credits

SUMMARY: Establishes an affirmative defense against claims brought under the Environmental Advertising Law if the environmental marketing claim in question is based on the voluntary use of a carbon credit issued by a carbon crediting program meeting specified standards.

EXISTING LAW:

1) The California Global Warming Solutions Act requires the Air Resources Board (ARB) to adopt a statewide greenhouse gas (GHG) emissions limit equivalent to 1990 levels by 2020, to ensure that statewide GHG emissions are reduced to at least 40% below the 2020 statewide limit no later than December 31, 2030, and declares the policy of the state to achieve net zero greenhouse gas emissions by 2045. Requires ARB, among other things, to:

   a) Adopt rules and regulations to achieve maximum technologically feasible and cost-effective GHG emission reductions;

   b) Ensure any direct regulation or market-based compliance mechanism achieves GHG reductions that are real, permanent, quantifiable, verifiable, and enforceable by ARB;

   c) Limit offsets used in the cap and invest regulation; and,

   d) Adopt methodologies for the quantification of voluntary GHG emission reductions.

   (Health and Safety Code (HSC) 38500 *et seq.*)

2) Requires disclosure of specified information by sellers and buyers of voluntary carbon offsets, as well as by entities making claims regarding the achievement of net zero emissions, carbon neutrality, or GHG reductions based on carbon offsets, and subjects violators to a civil penalty up to $2,500 per day for each violation. (HSC 44475 *et seq.*)

3) Establishes the Unfair Competition Law, which defines "unfair competition" to mean and include any unlawful, unfair or fraudulent business act or practice and unfair, deceptive, untrue, or misleading advertising and any act prohibited by the False Advertising Law. Provides for a civil penalty up to $2,500 for each violation. (Business and Professions Code (BPC) 17200 *et seq.*)

4) Prohibits a person from making an untruthful, deceptive, or misleading environmental marketing claim, whether explicit or implied. Defines "environmental marketing claim" to include any claim contained in the "Guides for the Use of Environmental Marketing Claims" published by the Federal Trade Commission (FTC), and provides that it is a defense to any suit or complaint brought under this section that the person's environmental marketing claims conform to the standards or are consistent with the examples contained in the FTC Guides, with specified exceptions for recycling claims. (BPC 17580.5)

THIS BILL:

1) Establishes an affirmative defense against claims brought under the BPC 17580.5 if the environmental marketing claim in question is based on the voluntary use of a carbon credit issued by a carbon crediting program meeting one of the following standards:

   a) An offset project registry approved by ARB pursuant to its cap and invest regulation.

   b) A program approved by the International Civil Aviation Organization to supply credits for use in the Carbon Offsetting Reduction Scheme for International Aviation (CORSIA).

   c) A program that meets criteria intended to fit the Integrity Council for Voluntary Carbon Markets (ICVCM), including:

      i) Adopts clear methodologies and protocols with transparent development processes that accommodate public input, and publicly discloses all approved quantification methodologies.

      ii) Defines and publicly discloses the level at which activities are allowed, for example project based, program of activities, and eligibility criteria for each type of credited activity.

      iii) Establishes and publicly discloses procedures for how carbon credits are discounted, issued, retired or canceled, and the length of the crediting period.

      iv) Has mechanisms and procedures to do all of the following:

         (1) Track units in a publicly accessible registry.

         (2) Individually identify units through serial numbers or other unique identifiers.

         (3) Provide a secure registry.

         (4) Clearly identify unit holders.

      v) Has in place program-level requirements for robust independent third-party validation and verification of mitigation activities.

      vi) Has and discloses an effective program governance structure that ensures transparency, accountability, and continuous improvement and the overall quality of carbon credits, and has a program governance structure that meets all of the following criteria:

         (1) It has a board comprising independent board members who assume a fiduciary responsibility for the organization and operate according to robust bylaws and have established processes for addressing conflicts of interest.

         (2) It publishes an annual report containing the organization's revenues, expenses, and net assets.

(3) It has robust anti-money laundering processes in place and follows practices consistent with robust antibribery and anticorruption guidance and regulation.

vii) Publicly discloses in an electronic format accessible to nonspecialized audiences all of the following:

(1) What information is captured and made available to different stakeholders.

(2) Local stakeholder consultation requirements.

(3) Public grievance and consultation provisions and requirements, and how they are considered.

viii) Has clear guidance, tools, and compliance procedures to ensure mitigation activities conform with or go beyond widely established industry best practices on social and environmental safeguards while delivering positive sustainable development impacts.

ix) Provides information on how it addresses double counting and double issuance and double claiming in the context of evolving national and international regimes for carbon credit markets and tracking.

x) Has provisions that ensure the mitigation activity shall be permanent or, where there is a risk of reversal, have measures in place to address those risks or compensate for reversals.

2) Requires ARB to publish and maintain a list of carbon crediting programs that satisfy the requirements above.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Background**. Individuals and corporations purchase carbon offsets to compensate for the GHG emissions they create or contribute to. As more people purchase these reductions to compensate for their carbon footprint, questions arise as to what is being done to ensure that they are purchasing genuine carbon offsets. There is growing concern about the validity of emission reductions from projects sold and the potential for fraud. Despite the growth of the voluntary offset market in supporting advertising claims and even legal requirements, such as mitigation of GHG emissions under the California Environmental Quality Act, the market has remained fairly opaque, and is not regulated by ARB or any other state entity.

   AB 1305 (Gabriel), Chapter 365, Statutes of 2023, established new disclosure requirements for voluntary carbon offsets, applicable to both sellers and buyers of offsets, as well as marketing claims, subjecting violators to a civil penalty up to $2,500 per day.

   In addition, there are ongoing efforts to develop voluntary standards at both the federal and international level to improve integrity of offsets. This includes updating the FTC guidelines, which is likely going nowhere good under the current administration, as well the ICVCM, which seeks to establish a recognized global standard for offset integrity.

Meanwhile, corporations such as Apple and Delta Airlines have been sued in California and other jurisdictions, with plaintiffs alleging, in essence, that the companies' claims that their products and services are carbon neutral due to procurement of offsets, are fraudulent.

2) **Author's statement**:

> Voluntary carbon markets help channel private investments toward climate solutions. For these markets to succeed, businesses and consumers must have confidence that credited emissions reductions and removals are real, verifiable, and backed by strong standards. AB 1911 strengthens that trust by establishing clear guardrails that protect companies making good-faith environmental marketing claims when they rely on high-quality carbon credits.

3) **Cart before horse**? This bill validates marketing claims without also addressing the well-documented infirmities in voluntary carbon markets. A key difference between this bill and SB 1036 (Limon) is that SB 1036 put improving the integrity of voluntary offsets first, which provoked opponents of the bill to request the addition of an affirmative defense they could claim if they followed specified standards. In contrast, this bill puts the affirmative defense first, based on following existing standards, which are largely outside of the control of the state, and that have yet to prove to solve the problems with integrity of voluntary offsets.

   Indeed, some of the integrity problems, such as accounting for additionality, seem endemic to the voluntary offset enterprise because both sides of a voluntary offset transaction may have an incentive to cheat. This incentive is coupled with verification challenges, particularly for the vast majority of projects outside of California. A primary effect of this bill is to shield corporations making environmental marketing claims premised on offsets from greenwashing claims. Another potential effect will be to lessen the incentive to improve the integrity of voluntary offsets.

4) **Proposed amendments**. The author and the committee may wish to consider amending this bill to create a rebuttable presumption, rather than an affirmative defense, require compliance with the offset disclosure requirements established by AB 1305, sunset the bill in 2032, and make other technical amendments.

5) **Prior legislation**:

   SB 1036 (Limon) prohibits specified actions related to voluntary carbon offsets, including verifying, registering, marketing and selling, if the person knows or should know that the GHG reductions or GHG removal enhancements of the offset are unlikely to be quantifiable, real, and additional, as defined. SB 1036 was left in this committee in 2024.

   SB 390 (Limón) sought to establish standards and civil enforcement for offsets similar to SB 1036. SB 390 passed this committee in 2023, and passed the Legislature with no opposition and not a single no vote, but was ultimately vetoed by the governor, with the following message:

> This bill makes certain actions related to voluntary carbon offsets subject to the False Advertising Law, including with respect to offsets that a person knows, or should have known, do not durably reduce greenhouse gases in an amount equal to the "atmospheric lifetime" of carbon dioxide emissions.

> I support the author's intent to bring greater transparency to the verification, issuance, and sale of voluntary carbon offsets, and to address the problem of so-called "junk offsets." However, by imposing civil liability for even unintentional mistakes about offset quality, this bill could inadvertently capture well-intentioned sellers and verifiers of voluntary offsets, and risks creating significant turmoil in the market for carbon offsets, potentially even beyond California. I encourage the author to consider an alternative approach to ensuring voluntary carbon offset quality that avoids these unintended consequences.

AB 1305 (Gabriel), Chapter 365, Statutes of 2023, requires disclosure of specified information by sellers and buyers of voluntary carbon offsets, including entities making marketing claims, and subjects violators to a civil penalty up to $2,500 per day for each violation.

AB 2331 (Gabriel) was a "clean up" measure for AB 1305, clarifying that that a voluntary carbon offset does not include a renewable energy certificate (REC) or a low carbon fuel standard (LCFS) credit, and specifying that required disclosures must be posted by January 1, 2025. AB 2331 passed this committee in April 2024, and eventually passed the Assembly and Senate, but was parked by the author on concurrence due to unresolved issues.

6) **Double referral**. This bill has been double-referred to the Judiciary Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Conservation International Foundation (co-sponsor)
Environmental Defense Fund (co-sponsor)
American Carbon Registry
Anew Climate
Climate Action Reserve
Cool Effect
The Climate Trust

Opposition

None on file

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

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 1934 (Bennett) – As Amended March 25, 2026

SUBJECT: State Fire Marshal: home hardening certification program implementation plan

SUMMARY Requires the Office of the State Fire Marshal (SFM) to develop an implementation plan for a home hardening certification program.

EXISTING LAW:

1) Requires the OSFM to establish the Wildfire Mitigation Advisory Committee (Advisory Committee) to provide a public forum to solicit and consider public input on programs and activities pursuant to this article and to advise the Deputy Director of Community Wildfire Preparedness and Mitigation in developing and implementing programs and activities. (Public Resources Code (PRC) 4209.4)

2) Authorizes the OSFM to allow certification of contractors who conduct defensible space, home hardening, fuel reduction, roadside clearance, and other contracting activities for wildfire resiliency efforts and who have completed the training program. (Health and Safety Code 13159.5 (b))

3) Mandates in the California Building Standards Code strict, fire-resistant construction standards for new buildings, additions, and renovations in Wildland-Urban Interface (WUI) fire areas and requires ignition-resistant materials for roofs, eaves, exterior walls, and windows to protect structures from ember intrusion and radiant heat. (Chapter 7A of Part 2 California Code of Regulations Title 24)

4) Requires the Governor's Office of Emergency Services (CalOES) to enter into a joint powers agreement (JPA) with CAL FIRE develop and administer a comprehensive wildfire mitigation program (WMP) to (1) encourage cost-effective structure hardening and retrofitting that creates fire-resistant homes, businesses, and public buildings, and (2) vegetation management, the creation and maintenance of defensible space, and other fuel modification activities that provide neighborhood or communitywide benefits against wildfire. (Government Code (GC) 8654.4)

5) Requires the JPA to develop a scoping methodology to prioritize the provision of financial assistance to communities in eligible areas in very high fire hazard severity zones (VHFHSZs) in the local responsibility area (LRA) and in any FHSZs in the state responsibility area (SRA). (GC 8654.7)

6) Requires the SFM, in consultation with CAL FIRE and the Director of Housing and Community Development, to identify building retrofits and structure hardening measures eligible for financial assistance under the WMP that are both cost-effective and provide for appropriate site or structure fire risk reduction. (GC 8654.5)

THIS BILL:

1) Requires, on or before January 1, 2028, the Advisory Committee to develop an implementation plan for a home hardening certification program that identifies home hardening measures, including defensible space, that can be voluntarily implemented during renovation or property improvement projects, or both, to substantially reduce the risk of loss during a fire and bring existing building stock into alignment with the provisions adopted in the California Building Standards Code.

2) Requires the Advisory Committee to provide recommendations that include, but are not limited to, the following:

   a) The agency or entity that should manage and implement the implementation plan for the home hardening certification program;

   b) Identifying the qualifications necessary for individuals tasked with inspecting a home and confirming its compliance with the home hardening standards established in the implementation plan for the home hardening certification program;

   c) The length of time that a certification is valid; and,

   d) Implementation steps.

3) Requires, on or before January 1, 2028, the Advisory Committee to provide a report to the Assembly Committee on Emergency Management, Senate Committee on Emergency Management, Assembly Committee on Natural Resources, and Senate Committee on Natural Resources and Water on its findings and recommendations pursuant to this bill.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement**:

   > California's wildfire destruction has reached a tipping point. We must do more to ensure that homes are more incentivized to effectively fire harden their home. A trusted, state authorized, certification program creates the foundation we need to build a series of incentives designed to motivate homeowners to make this valuable investment in the survivability of their home. AB 1934 moves us towards an evidence-based approach. It directs the State Fire Marshal to develop a voluntary, home hardened certification program that we can then tie incentives to.

2) **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 wildfires in 2017-2018 concluded that the odds of a structure being destroyed by wildfire were roughly five times higher for noncompliant structures compared to compliant ones.

3) **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.

   According to comments from CAL FIRE Chief Berlant at the February 26 Budget Subcommittee #4 hearing, there are roughly five million homes in the WUI, and CAL FIRE analysis shows that 90% of those homes were built before today's building codes went into effect in 2008.

   Governor Newsom's Executive Order N-4-25 issued January 7, 2025, states that "efforts to rebuild should include measures to increase community resilience, harden homes, and ensure defensible space to build resilience to future wildfires, to the greatest extent practicable."

4) **Existing home hardening financing program**. CAL FIRE's Home Hardening Program (Program) was created pursuant to AB 38 (Wood), Chapter 391, Statutes of 2019, to assist low- and moderate-income residents in high fire risk areas by providing funding for safety improvements and defensible space. The Program is currently in the demonstration phase, being piloted in three select areas, Whitmore in Shasta County, Dulzura in San Diego County, and Kelseyville-Riviera in Lake County. New pilot communities are also being considered for Tuolumne and El Dorado Counties. The lessons learned working with these pilot communities are being used to refine the Program and build the Program framework before expanding to additional areas within demonstration counties, and ultimately across the state.

   The JPA established pursuant to AB 38 is required to report to the Legislature by July 1, 2028, regarding the implementation of the wildfire mitigation financial assistance program. Even if this Program is applied statewide, it is notably not a certification program.

5) **This bill**. AB 1934 is a reintroduction of AB 1143 (Bennett, 2025), which proposed requiring the Advisory Committee to develop a home hardening certification program that identifies home hardening measures, including defensible space, that can be implemented during renovation or property improvement projects, or both, to substantially reduce the risk of loss during a fire and bring existing building stock into alignment with provisions adopted in the California Building Code, as specified. AB 1934 would similarly require the creation of a home hardening certification program that identifies a combination of products, construction

assemblies, home hardening techniques, and defensible space measures. This bill also requires the SFM to convene an Advisory Committee to provide recommendations.

Governor Newsom vetoed AB 1143, noting the efforts being implemented under AB 38 (Wood), and said multiple measures intending to build on those efforts created a lack of harmony between these efforts, which, he cited, would result in conflicting outcomes and confusion for consumers, insurance companies, local governments, and emergency responders. He encouraged the Legislature to "revisit this important issue next year and work collaboratively to navigate the different approaches to setting hardening standards, including determining the responsible state entity."

The author's intent with AB 1934 is to establish a consistent framework that makes it easy for homeowners to know exactly what steps they need to take for their home to be considered hardened, based on the best science available. Currently, homeowners can only rely on private certifications; AB 1934 begins the work of establishing a statewide framework.

6) **Double referral**. This bill was heard in the Assembly Emergency Management Committee on March 23 and approved 6-0.

7) **Related legislation**:

AB 1960 (Bennett) Authorizes any group of residents to apply to CAL FIRE for identified cohesive fire community status, defined as a community that has reached 50% of homes certified by any home hardening certification program approved by the SFM on or before June 1, 2027. This bill is referred to the Assembly Emergency Management Committee.

AB 1964 (Bennett) Requires the SFM to, on or before January 1, 2030, compile a report concerning homes in moderate, high, and very high fire hazard severity zones in state and local responsibility areas and report to the Legislature. This bill is referred to the Assembly Emergency Management Committee.

AB 1971 (Bennett) Excludes from the definition of "newly constructed" and "new construction" the construction or reconstruction of home hardening retrofitting improvements, which the bill would define as the installation specified building materials and the establishment of defensible space, and requires the property owner to receive a home hardening certification. This bill is referred to the Assembly Revenue and Taxation Committee.

AB 1986 (Bennett) Requires, upon request for a premium quote for residential property insurance, an insurer to provide a premium quote for the residential property that includes the price of insurance if the property is certified as "hardened" by a home hardening certification program established or approved by the SFM and a premium quote for the residential property in its current state. This bill is referred to the Assembly Insurance Committee.

SB 1076 (Pérez) Prohibits, on and after January 1, 2028, an admitted insurer that offers or sells residential property insurance in this state from reducing to offer, sell, or renew a policy of residential property insurance for an applicant or insured whose property meets minimum home hardening and wildfire mitigation standards, as established by the Insurance Commissioner by regulation. This bill has been referred to the Senate Insurance Committee.

AB 1143 (Bennett, 2025) Requires, on or before January 1, 2027, the SFM's Wildfire Mitigation Advisory Committee to develop a home hardening certification program that identifies home hardening measures, including defensible space, that can be implemented during renovation or property improvement projects, or both, to substantially reduce the risk of loss during a fire and bring existing building stock into alignment with state building standards for wildland-urban interface areas. This bill was vetoed.

SB 541 (Cabaldon), Chapter 767, Statutes of 2025 Eliminated the sunset date on the statewide program to allow qualified entities to support and augment CAL FIRE in its defensible space and home hardening assessment; added nonprofit entities focused on wildfire resiliency and contractors who conduct specified wildfire resiliency activities to the list of qualified entities; and, authorized qualified entities to additionally assess compliance with defensible space requirements applicable to local responsibility areas.

REGISTERED SUPPORT / OPPOSITION:

Support

California Professional Firefighters
California State Association of Counties
Consumer Watchdog
Contra Costa County
Elevate California
James Hardie
League of California Cities
Matador Fire
Orange County Fire Authority
Rural County Representatives of California
Sierra Club

Opposition

None on file

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

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 2075 (Bennett) – As Introduced February 18, 2026

SUBJECT: Forestry: safety requirements: fire equipment: internal combustion engines

SUMMARY: Revises and recasts current requirements for where to maintain fire prevention tools during specified operations.

EXISTING LAW:

1) Prohibits, during any time of the year when burning permits are required in a designated area, a person from using or operating motor, engine, boiler, stationary equipment, welding equipment, cutting torches, tarpots, or grinding devices from which a spark, fire, or flame may originate, which is located on or near any forest-covered land, brush-covered land, or grass-covered land, without doing both of the following (Public Resources Code (PRC) 4427):

    a) First clearing away all flammable material, including snags, from the area around such operation for a distance of 10 feet.

    b) Maintaining one serviceable round point shovel with an overall length of not less than 46 inches and one backpack pump water-type fire extinguisher fully equipped and ready for use at the immediate area during the operation.

2) Prohibits a person, except any member of an emergency crew or the driver or owner of any service vehicle owned or operated by or for, or operated under contract with, a publicly or privately owned utility, which is used in the construction, operation, removal, or repair of the property or facilities of such utility when engaged in emergency operations, from using or operating any vehicle, machine, tool or equipment powered by an internal combustion engine operated on hydrocarbon fuels, in any industrial operation located on or near any forest, brush, or grass-covered land between April 1 and December 1 of any year, or at any other time when ground litter and vegetation will sustain combustion permitting the spread of fire, without providing and maintaining, for firefighting purposes only, suitable and serviceable tools in the amounts, manner and prescribed location. (PRC 4428)

3) Prohibits, during any time of the year when burning permits are required in an a designated area, a person, copartnership, firm, corporation or company, from using or operating in such area any steam-operated engine, machine equipment, mill or industrial plant, located on or near forest-covered land or brush-covered land, without providing one adequate force pump or water under pressure equivalent to a pump, and not less than 200 feet of hose not less than one inch in diameter for each steam-operated engine or equipment. The pump or water pressure required in this section shall be capable of applying a minimum of 40 pounds pressure at the nozzle on 200 feet of hose, such nozzle to be one-fourth inch or larger in diameter. If two steam-operated engines or steam equipment are customarily operated within 100 feet of each other, only one engine or piece of equipment need be equipped with pump and hose. (PRC 4430)

4) Prohibits, during any time of the year when burning permits are required in a designated area, a person from using or operating or causing to be operated in the area any portable saw, auger, drill, tamper, or other portable tool powered by a gasoline-fueled internal combustion engine on or near any forest-covered land, brush-covered land, or grass-covered land, within 25 feet of any flammable material, without providing and maintaining at the immediate locations of use or operation of the saw or tool, for firefighting purposes one serviceable round point shovel, with an overall length of not less than 46 inches, or one serviceable fire extinguisher. Requires the Director of Forestry and Fire Protection (CAL FIRE) to, by administrative regulation, specify the type and size of fire extinguisher necessary to provide at least minimum assurance of controlling fire caused by use of portable power tools under various climatic and fuel conditions. (PRC 4431)

5) Prohibits a person from using, operating or allowing to be used or operated, any internal combustion engine which uses hydrocarbon fuels on any forest-covered land, brush-covered land, or grass-covered land unless the engine is equipped with a spark arrester, in effective working order or the engine is constructed, equipped, and maintained for the prevention of fire. (PRC 4442)

6) Prohibits a person from selling, offering for sale, leasing, or renting to any person any internal combustion engine subject to PRC 4442 or 4443, and not subject to Health and Safety Code (HSC) 13005, unless the person provides a written notice to the purchaser or bailee, at the time of sale or at the time of entering into the lease or rental contract, stating that it is a violation of PRC 4442 or 4443 to use or operate the engine on any forest-covered, brush-covered, or grass-covered land unless the engine is equipped with a spark arrester, as defined in PRC 4442, maintained in effective working order or the engine is constructed, equipped, and maintained for the prevention of fire pursuant to PRC 4443. (PRC 4442.5)

7) Prohibits a person from selling, offering for sale, leasing, or renting to a person any equipment that is powered by an internal combustion engine subject to PRC 4442 or 4443, and not subject to HSC 13005, unless that equipment has a permanent warning label attached that is in plain view to the operator that states, "WARNING—Operation of This Equipment May Create Sparks That Can Start Fires Around Dry Vegetation. A Spark Arrestor May be Required. The Operator Should Contact Local Fire Agencies For Laws or Regulations Relating to Fire Prevention Requirements." (PRC 4442.6)

8) Prohibits a person from using, operating, or causing to be operated on any forest-covered land, brush-covered land, or grass-covered land any handheld portable, multiposition, internal-combustion engine manufactured after June 30, 1978, which is operated on hydrocarbon fuels, unless it is constructed and equipped and maintained for the prevention of fire. Requires the Board of Forestry (Board), by regulation, specify standards for construction, equipment, and maintenance of such engines for the prevention of fire and shall specify a uniform method of testing to be used by engine and equipment manufacturers, governmental agencies, and equipment users. The regulations shall include specification of exhaust system standards for carbon particle retention or destruction, exposed surface temperature, gas temperature, flammable debris accumulation, durability, and serviceability. (PRC 4443)

THIS BILL:

1) Revises the conditions under which a person is prohibited from using or operating any motor, engine, boiler, stationary equipment, welding equipment, cutting torches, tarpots, or grinding devices from which a spark, fire, or flame may originate without additionally maintaining at least one backpack pump-type fire extinguisher fully equipped and ready for use, and a sufficient number of serviceable round point shovels with an overall length of not less than 46 inches so that each person at the operation can be equipped to fight fire, within the operating area. Prohibits the required fire tools from being, at any time, farther than 25 feet from the point of operation of the power saw or tool.

2) Provides that these requirements apply to a person working away from the motorized vehicle whether or not she/he was at any time a passenger of the motorized vehicle.

3) Exempts from the aforementioned requirements a person operating a motorized vehicle to work on, clear, or grade any land in or near any forest-covered land, brush-covered land, or grass-covered land, during any time of the year when burning permits are required in an area.

4) Requires a person operating a motorized vehicle to work on, clear, or grade any land in or near any forest-covered land, brush-covered land, or grass-covered land, during any time of the year when burning permits are required in an area to have in or affixed to the motor vehicle and ready for immediate use one serviceable round point shovel with an overall length of not less than 46 inches and one fully equipped fire extinguisher.

5) Defines "person" as a natural person, partnership, firm, association, corporation, limited liability company, or other legal entity for purposes of PRC 4428, 4430, 4431, 4442, 4442.5, 4442.6, and 4443.

6) Provides that no reimbursement is required by this bill pursuant to California Constitution.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement**:

> With climate change increasing the frequency and intensity of wildfires, California needs clarity regarding who to hold accountable when an accidental fire breaks out during an outdoor operation. AB 2075 clarifies fire safety standards during operations on or near any forest, brush, or grass-covered land and ensures companies performing such activities clearly know what they can be held liable for in the event a fire occurs. This bill is a commonsense measure to protect workers and guarantee justice for fire victims.

2) **Firefighting tool box.** Internal combustion engine-powered equipment, whether fueled by gasoline, diesel, propane, natural gas, or other fuels, can act as ignition sources. Without proper precautions, industrial machinery can quickly turn a small spark into a large, uncontrollable wildfire. Current law prohibits a person from using internal combustion engine-powered equipment on an industrial operation located on or near any forest, brush, or grass-covered land between April 1 and December 1 of any year, or at any other time when

ground litter and vegetation will sustain combustion permitting the spread of fire, without providing and maintaining, for firefighting purposes only, suitable and serviceable tools in the specified amounts, manner and location.

Current law requires the availability of a sealed box of tools onsite of an industrial operation to be accessible in the event of fire onsite. The fire toolbox is required to contain one backpack pump-type fire extinguisher filled with water, two axes, two McLeod fire tools, and a sufficient number of shovels so that each employee at the operation can be equipped to fight fire. These requirements were enacted in 1971 and have not been updated since.

3) **Examples of worksite fire**. In October of 2024 in Ventura County, a tractor driver was clearing dry vegetation to prepare for cattle grazing when an accidental fire caused by an engine failure erupted. The tractor driver, who was contracted by an agricultural company, immediately drove the tractor to a cleared area and called for help. The mandated fire extinguishing equipment was down a hill in the tractor driver's truck. As a result, the tractor driver could not immediately extinguish the fire. The tractor became engulfed in flame, and the blaze grew to 1.8 acres before it was extinguished by first responders.

   One week later, heated tire debris at the fire site became dislodged and dispersed during very high winds, acting as the catalyst to the Mountain Fire. This fire would go on to burn nearly 20,000 acres, damage 126 structures, and destroy another 243. According to the author's office, this fire may not have occurred if the required fire extinguishing equipment was attached to the tractor or within 25 feet of the initial fire, which may have enabled the fire to be extinguished before the tractor was engulfed.

   In the Ventura County District Attorney's investigation into criminal liability of the Mountain Fire, it was revealed that existing standard "ready for use" under PRC 4427 allows too much room for judgment error, and that uncertainty whether the company who contracted the tractor driver could be held criminally liable for fire safety non-compliance.

   Existing law is arguably vague concerning the required location of mandatory fire extinguishing equipment when individuals work open land at a time when burning permits are required. The uncertainty allows the required equipment to potentially be kept too far from worksites, thus increasing the risk of fire.

4) **Clarifying requirements.** This bill specifies the required placement of mandatory fire extinguishing equipment and standardizes the entity responsible for compliance across several statutes.

   The author's office states that statutory ambiguity also places responsibility for some violations on individuals, but not on the business entities who hire them, although business entities are best positioned to ensure compliance. Clarifications to these laws can make liability and personal responsibility clearer. This bill is also referred to the Assembly Judiciary Committee, which will further analyze this component of the bill.

5) **Getting it right**. Last year, this committee heard AB 1395 (Harabedian, 2025) to require a dedicated set of tools, including a sufficient number of fire extinguishers, to be located within the operating area on or near any forest, brush, or grass-covered land and accessible in the event of a fire, so that, when added to any other tools on the industrial operation, each

employee at the operation can be equipped to fight fire. At that time, the Associated California Loggers (ACL) expressed concern that AB 1395 was premature because meetings were "underway between the Association and CAL FIRE to work out administrative direction to inspectors and other personnel on enforcement of regulations derived from PRC 4228 that AB 1395 would amend. The meetings are specifically to address ambiguities in [current law]." AB 1395 was ultimately paused in hopes that those meetings could inform legislation to change the current statute.

CAL FIRE and ACL last met on this topic in late February. CAL FIRE and ACL both identified that the location of the required fire tools within an active operation is subjective due to neither the Forest Practice Rules nor the PRC defining the "operating area" or "point of operation." CAL FIRE and ACL have been discussing various distances to ensure compliance. Later this year, CAL FIRE and ACL plan to continue to discuss and evaluate proposed distances during field operations to test for different operating constraints. Additionally, the working group has been discussing how to best define terms such as "operating area." Once discussions and evaluations are complete, the reports from the evaluations will be reviewed and a recommendation will be made to the Board of Forestry and Fire Protection on how best to revise the Forest Practice Rules.

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

7) **Committee amendments.** The *committee may wish to consider* amending the bill to require:

   a) For timber operations on timberland conducted by a timber operator, as those terms are defined in PRC 4527, 4526, and 4526.5, respectively, the Board to define the terms "operating area" and "point accessible in the event of a fire" in the Forest Practice Rules.

   b) For timber operations on timberland conducted by a timber operator as those terms are defined in PRC 4527, 4526, and 4526.5, respectively, the Board to define the necessary number and types of tools needed in the fire toolbox.

8) **Related legislation**. AB 1395 (Harabedian, 2025) requires a dedicated set of tools, including a sufficient number of fire extinguishers, to be located within the operating area on or near any forest, brush, or grass-covered land and accessible in the event of a fire, so that, when added to any other tools on the industrial operation, each employee at the operation can be equipped to fight fire. This bill was held in the Assembly Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Ventura County District Attorney's Office

Opposition

None on file

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

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 2100 (Connolly) – As Amended March 25, 2026

SUBJECT: Organic waste: manure management: interagency task force: project approval

SUMMARY: Requires the California Department of Food and Agriculture (CDFA) to convene an interagency task force to evaluate the role of alternative manure management practices in achieving the state's greenhouse gas (GHG) reduction goals and to make findings and recommendations based on the evaluation. Authorizes the Air Resources Board (ARB) to incorporate the task force's findings and recommendations into updates to the Short-Lived Climate Pollutants Strategy (Strategy), the 2027 Scoping Plan Update (Scoping Plan), and other planning documents as appropriate.

EXISTING LAW:

1) Requires ARB, in consultation with CDFA, to adopt regulations to reduce methane emissions from livestock manure management operations and dairy manure management operations by up to 40% below the dairy and livestock sectors' 2013 levels by 2030. (Health and Safety Code (HSC) 39730.7)

2) Requires ARB, in consultation with CDFA, to analyze the progress the dairy and livestock sectors have made in achieving the state's methane reduction goals. Requires the analysis to determine if sufficient progress has been made to overcome technical and market barriers. If not, authorizes ARB, in consultation with CDFA and stakeholders, to reduce the methane reduction goal, as specified. (HSC 39730.7)

3) Requires ARB to approve and implement a comprehensive strategy to reduce emissions of short-lived climate pollutants (SLCP). Requires the Strategy to achieve a reduction in SLCP emissions by 40%, hydrofluorocarbon (HFC) gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030. (HSC 39730.5)

4) Requires the Strategy to include the goals of reducing methane emissions by 50% below 2014 levels by 2020 and 75% below 2014 levels by 2025. (HSC 39730.7)

5) Requires ARB to develop a Scoping Plan to achieve the maximum technologically feasible and cost-effective GHG emissions reductions. Requires the Scoping Plan to be developed in consultation with relevant state agencies. Requires the Scoping Plan to identify and make recommendations on direct emissions reduction measures, alternative compliance mechanisms, market-based compliance mechanisms, and potential monetary and non-monetary incentives for sources that ARB finds necessary or desirable to facilitate the achievement of the maximum feasible and cost-effective GHG emissions reductions. (HSC 38561)

6) Establishes the policy of the state to achieve net zero GHG emissions as soon as possible, but no later than 2045, and to achieve and maintain net negative GHG emissions thereafter and to ensure that by 2045, statewide anthropogenic GHG emissions are reduced to at least 85%

below the 2020 statewide GHG emissions limit. Requires ARB to ensure that the Scoping Plan identify and recommend measures to achieve these policy goals. (HSC 38562.2)

THIS BILL:

1) Requires CDFA to convene an interagency task force to evaluate the role of alternative manure management practices in achieving the goals identified in the Strategy and in related state mandates and to make findings and recommendations based on the evaluation.

2) Requires the task force to include representatives from the ARB, the State Water Resources Control Board (SWRCB), the Department of Resources Recycling and Recovery (CalRecycle), the Natural Resources Agency (NRA), and other stakeholders, including producers and dairy industry representatives.

3) Requires the task force to:

   a) Coordinate scenario modeling of alternative manure management practices [by] adoption within the dairy and livestock industry under different policy and funding conditions;

   b) Assess how alternative manure management practices can help the state meet groundwater sustainability plans, water quality plans, and nature-based climate solutions; and,

   c) Facilitate interagency data sharing, technical consultation, and identification of research needs, and advise the ARB on updates to its quantification methodology for the Alternative Manure Management Program, considering the most recent relevant data and research and impacts on equitable access.

4) Authorizes ARB to incorporate the task force's findings and recommendations into updates to the Strategy, the 2027 Scoping Plan Update, and other planning documents as appropriate.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Background**. SB 1383 (Lara), Chapter 395, Statutes of 2016, requires ARB to approve and implement the comprehensive SLCP strategy to achieve, from 2013 levels, a 40% reduction in methane, a 40% reduction in HFCs, and a 50% reduction in anthropogenic black carbon, by 2030. SB 1383 establishes specific procedures to regulate dairy sources of methane. Specifically, regulations to reduce methane emissions from dairy and livestock manure management operations are subject to the following conditions:

   - Reductions are limited to 40% below 2013 levels by 2030;
   - Requires emission reduction regulations to be implemented on or after 2024;
   - ARB must first complete specified steps, including stakeholder consultation, public meetings, and research;
   - ARB must determine the regulations are technologically feasible, economically feasible, cost-effective, and minimize and mitigate potential leakage;

- Requires ARB to analyze progress toward the targets and authorizes ARB to reduce the 40% by 2030 goal if the analysis determines that progress has not been made due to insufficient funding, technical or market barriers;

- Requires ARB and the Public Utilities Commission to establish energy infrastructure development and procurement policies for dairy biomethane projects, including directing gas utilities to implement at least five dairy biomethane pilot projects; and

- Enteric emission reductions shall be achieved only through incentive-based mechanisms until ARB determines that a cost-effective, considering the impact on animal productivity, scientifically proven means of reducing enteric emissions is available and that adoption of the enteric emissions reduction method would not damage animal health, public health, or consumer acceptance.

Animal agriculture in California generates more than 300 million pounds of manure every day. Dairy and livestock methane GHG emissions originate from two primary sources, manure management, and enteric fermentation. Manure methane emissions can be reduced through two primary methods – installation of an anaerobic digester and alternative manure management practices.

Dairies and livestock are responsible for over half of California's methane emissions. Improved dairy manure management offers significant, near-term potential to achieve reductions in the state's methane emissions, and potential dairy and livestock enteric emissions reduction technologies offer longer-term potential for additional GHG emission reductions.

CDFA convened the Manure Recycling and Innovative Products Task Force (MRIP) in 2021 to develop recommendations on how to capture and enhance the value of dairy manure while supporting healthy soils, protecting water quality, and reducing GHG emissions from agricultural sources. MRIP released its final report in December 2022, which focused on recommendations for strategies for manure management. Conventional strategies were considered to reduce and better use nitrogen surplus with technology and equipment already widely available in the commercial market. Compost strategies were considered to determine how the nitrogen surplus could be used by expanding composting of surplus manure and examining the permitting requirements and likely environmental outcomes of increasing dairy compost production, export, and use in non-dairy agriculture or other uses. Denitrification and treatment strategies were discussed to facilitate the removal or conversion of nitrogen in manure or manure effluent through physical, chemical, or biological processes that primarily convert reactive nitrogen to stable nitrogen gas. Finally, nitrogen capture was evaluated to help address nitrogen surplus on dairies by capturing an deconcentrating nutrients in a form that can be easily transported and sold for use as crop nutrients.

CDFA's Alternative Manure Management Program provided financial assistance for the implementation of non-digester manure management practices on dairy and livestock operations in California that reduce GHG emissions. Eligible practices include pasture-based management, alternative manure treatment and storage, solid separation, and conversion from flush to dry scrape manure collection. These practices are intended to provide accessible, cost-effective alternatives to anaerobic digestions that can be scaled to facilities of

different sizes, management styles, and locations. The program awarded $127 million in incentives in 2024 and 2025, but is currently closed due to lack of funding.

2) **This bill**. This bill is intended to foster alternative manure management practices in the state by improving interagency coordination and recommending program updates by establishing the task force and encouraging ARB to incorporate the task force's recommendations into its GHG emissions reduction efforts. The author may wish to with the affected state departments and stakeholders to determine whether a new task force is needed, or if the goals of the bill could be accomplished through the MRIP.

3) **Author's statement**:

> AB 2100 directs CDFA to convene an interagency taskforce to evaluate alternative manure management practices, identify research needs, recommend program updates, and improve coordination among the agencies that oversee related programs and regulations. This bill bridges that gap in demand by taking steps to improve state planning and support for alternative manure management strategies while addressing barriers to project approvals. Through this taskforce, the state can better understand and support multi-benefit manure management strategies that will help California reach important emission reduction targets and protect natural resources.

4) **Suggested amendment**. The *committee may wish to amend the bill* to correct a drafting error by inserting the word "for" after "practices" on page 5, line 18.

REGISTERED SUPPORT / OPPOSITION:

Support

A Voice for Choice Advocacy
American Farmland Trust
California Climate & Agriculture Network
California Dairy Campaign
California State Grange
Californians Against Waste
Gold Ridge Resource Conservation District
Marin Resource Conservation District
Sonoma County Farm Bureau
Straus Family Creamery
The Climate Center

Opposition

None on file

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

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 2152 (Mark González) – As Introduced February 18, 2026

SUBJECT: California Environmental Quality Act: exemption: fire stations

SUMMARY: Establishes a California Environmental Quality Act (CEQA) exemption for public agency fire station projects, provided the project is not located on specific sensitive sites and construction, rehabilitation, and maintenance work is covered by a project labor agreement.

EXISTING LAW, CEQA, 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. (Public Resources Code (PRC) 21000 *et seq*.)

THIS BILL:

1) Exempts public agency fire stations projects from CEQA, provided the project is not located in any of the following sites:

    a) Prime farmland, farmland of statewide importance, or unique farmland as designated by the Department of Conservation.

    b) Wetlands, as defined in Section 328.3 of Title 33 of the Code of Federal Regulations.

    c) A hazardous waste site that is included on any list compiled pursuant to Section 65962.5 of the Government Code.

    d) A floodplain, as mapped by the Federal Emergency Management Agency, unless the project includes adequate flood protection as determined by the lead agency.

    e) Within a delineated earthquake fault zone, as determined by the State Geologist, in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission.

    f) Lands identified for conservation in an adopted natural community conservation plan, a habitat conservation plan, or other adopted natural resource protection plan.

    g) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act, the California Endangered Species Act, or the Native Plant Protection Act.

    h) Lands under conservation easement.

2) Requires all construction, rehabilitation, and maintenance contracts in excess of $50,000 for the project are covered by a project labor agreement.

3) Requires the lead agency to determine, based upon substantial evidence in the record, that the project satisfies the criteria above.

4) Authorizes the lead agency may rely on publicly available maps and data from state or federal agencies, in lieu of preparing biological surveys, geotechnical studies, or other technical analyses.

5) Requires the lead agency to file a notice of exemption with the Office of Land Use and Climate Innovation.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement**:

> Across our state, localities struggle to construct new fire stations due to rising costs, procedural delays, and, at times, CEQA litigation. Los Angeles is a prime example of what could happen across this state. In *Tiara Group vs. City of Los Angeles*, a group of residents successfully delayed a fire station from being built for over 2 years – placing lives on the line and wasting nearly $2 million of valuable taxpayer dollars.
>
> With the International Association of Fire Fighters determining that LAFD needs 62 new Fire Stations and 4,000 additional Firefighters, and the last attempted fire station built in LAFD being sued twice under frivolous lawsuits, now is the time to ensure our fire departments across the state have the streamlined process they need to bolster fire infrastructure.

2) **Suggested amendments**. Rather than an unlimited, statewide and permanent CEQA exemption, *the author and the committee may wish to consider* amending this bill to provide CEQA process streamlining tailored to local fire station projects, including expedited the administrative process with concurrent preparation of the administrative record and expedited the judicial review process for projects that are challenged in court, with a 365 day deadline for the courts to resolve a lawsuit.

3) **Double referral**. This bill has been double-referred to the Emergency Management Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

California Professional Firefighters (co-sponsor)
United Firefighters of Los Angeles City (co-sponsor)
California Business Roundtable
City of Redondo Beach
State Building and Construction Trades Council

Opposition

Associated General Contractors, California Chapters
Defenders of Wildlife
Sonoma Land Trust
Western Electrical Contractors Association

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

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 2216 (Aguiar-Curry) – As Amended April 6, 2026

SUBJECT: Sacramento-San Joaquin Delta Conservancy

SUMMARY: Renames the Sacramento-San Joaquin Delta Conservancy Act to the Valley and Delta Conservancy Act, expands the Sacramento-San Joaquin Delta Conservancy's (Conservancy) geographical jurisdiction, and establishes the Valley Program (Program) under the administration of the Conservancy to support efforts that advance the environmental protection and the economic well-being of Valley residents.

EXISTING LAW, pursuant to the Sacramento-San Joaquin Delta Conservancy Act (Public Resources Code (PRC) 32300 – 32381):

1) Establishes the Conservancy in the Natural Resources Agency as a state agency to work in collaboration and cooperation with local governments and interested parties.

2) Requires the Conservancy to act as a primary state agency to implement ecosystem restoration in the Delta.

3) Requires the Conservancy to support efforts that advance environmental protection and the economic well-being of Delta residents

4) Requires the board of the Conservancy consist of 11 voting members and two nonvoting members, appointed or designated, as specified.

5) Requires 10 liaison advisers to serve in an advisory, nonvoting capacity.

6) Requires the board to establish and maintain a headquarters office within the Delta.

7) Requires the board to hold its regular meetings within the Delta or the City of Rio Vista.

8) Provides that the jurisdiction and activities of the Conservancy are limited to the Delta and Suisun Marsh, except for when the Conservancy makes all of the following findings to take or fund an action outside the Delta and Suisun Marsh:

    a) The project implements the ecosystem goals of the Delta Plan;

    b) The project is consistent with the requirements of any applicable state and federal permits;

    c) The conservancy has given notice to and reviewed any comments received from affected local jurisdictions and the Delta Protection Commission;

    d) The conservancy has given notice to and reviewed any comments received from any state conservancy where the project is located; and,

    e) The project will provide significant benefits to the Delta.

9) Establishes other powers, duties, and limitations.

THIS BILL:

1) Renames the Sacramento-San Joaquin Delta Conservancy Act to the Valley and Delta Conservancy Act.

2) Make changes to the codified findings and declarations.

3) Renames the Sacramento-San Joaquin Delta Conservancy to the Valley and Delta Conservancy.

4) Increases the number of liaison advisers from 10 to 12 to include a designee of the Sierra Nevada Conservancy and a designee of the San Joaquin River Conservancy.

5) Requires the board to maintain a headquarters office, and authorizes the opening of satellite offices, within the areas under the Conservancy's jurisdiction or the counties that those areas are within, or in the City of Sacramento, in the number and location applicable to the Conservancy's work under the direction of the board to the extent that funding is available.

6) Requires the board to hold its regular meetings within areas under the Conservancy's jurisdiction and rotate the location of the meetings among the different counties within those areas.

7) Provides that funds can only be allocated for activities in the Valley if there is an appropriation by the Legislature for that purpose. Provides that funds that have already been appropriated to the Conservancy for activities in the Delta or the Suisun Marsh shall be used in compliance with the conditions of those appropriations and for activities only in those areas.

8) Updates the findings the Conservancy must make in order to take action outside of its jurisdiction in furtherance of the Conservancy's mission and role in implementing the Delta Plan and other relevant plans within the areas under the Conservancy's jurisdiction.

9) Establishes the Program under the administration of the Conservancy to support efforts that advance the environmental protection and the economic well-being of Valley residents. Requires the Program to support Conservancy activities in the Valley, which may include, but are not limited to, activities to do any of the following:

    a) Protect, enhance, and restore ecosystem function and habitat;

    b) Support on-farm activities that contribute to wildlife habitat and provide multiple conservation benefits;

    c) Protect and preserve Valley agriculture and natural and working lands;

    d) Provide increased opportunities for tourism and recreation in the Valley;

    e) Promote Valley legacy communities and economic vitality;

f) Advance workforce development;

g) Increase the resilience of the Valley to the effects of climate change and natural disasters such as floods, droughts, wildfires, and earthquakes;

h) Protect and improve water quality;

i) Assist the regional economy;

j) Identify priority projects and initiatives for which funding is needed;

k) Protect, conserve, and restore the region's physical, agricultural, cultural, historical, and living resources;

l) Assist local entities in the implementation of their habitat conservation plans and natural community conservation plans; and,

m) Promote environmental education.

10) Authorizes the Conservancy to engage in partnerships with tribal organizations.

11) Requires the Conservancy, when necessary and appropriate, to cooperate and consult with a resource conservation district that owns or operates facilities, including lands appurtenant to those facilities, where a grant is proposed to be expended or an interest in land is proposed to be acquire.

12) Authorizes the Conservancy to pay grantees at their full federally allocated cost allocation rate or other certified cost allocation rate when there is no conflict with any applicable laws.

13) Authorizes the Conservancy to make advance payments in accordance with policy set by the board to ensure that moneys are used properly and in accordance with grant agreement.

14) Authorizes the Conservancy to fund or award grants for plans and feasibility studies consistent with its strategic plan or the Delta Plan or other relevant plans within the areas under the Conservancy's jurisdiction.

15) Authorizes the Conservancy to provide grants and loans to tribal organizations.

16) For purposes of the Act, defines "other relevant plans" include, but not be limited to the Delta Protection Commission's Land Use and Resource Management Plan; the Delta Protection Commission's Economic Sustainability Plan for the Sacramento-San Joaquin Delta; the Delta Stewardship Council's Delta Adapts: Creating a Climate Resilient Future Sacramento-San Joaquin Delta Climate Change Adaptation Plan; the Delta Stewardship Council's Delta Levees Investment Strategy; the Natural and Working Lands Climate Smart Strategy; California's Nature-Based Solutions Climate Targets; any community action plans for legacy communities or relevant local plans; and, updates and plan transitions for all of the plans listed above.

17) Makes technical, nonsubstantive changes to current law.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement**:

> The Sacramento-San Joaquin Delta is a uniquely biodiverse region that provides habitat for over 750 species, supplies drinking water for 27 million Californians, and contains more than 6 million acres of prime agricultural land. Since its creation in 2010, the Delta Conservancy has awarded more than $130 million in state and federal funding for critical projects that provide tangible benefits to all Californians. The Delta Conservancy has helped fund the wetland rehabilitation, carbon capture, and the expansion of habitat-friendly agriculture, and it plays a key role in protecting the Delta ecosystem and its vibrant economy. This bill expands the Delta Conservancy's jurisdiction to help facilitate projects that benefit the Delta. By incorporating the entirety of Sacramento, San Joaquin, Solano, and Yolo counties into the covered territory, this bill will create a more comprehensive, watershed-focused approach to conservation.

2) **Sacramento-San Joaquin Delta**. The Delta encapsulates a 1,300 square mile area where the Sacramento and San Joaquin rivers converge just southwest of the state capitol in Sacramento to form a 700,000-acre estuary – the largest estuary on the west coast of the Americas.

   The Sacramento–San Joaquin Delta supplies clean drinking water to 25 million Californians and is home to 750 distinct species of plants and animals, including waterfowl and sandhill cranes, Chinook salmon, Central Valley steelhead, and green sturgeon.

   Pollution, invasive species, and destruction of most of the area's wetland and river habitat have put one of the world's largest water-delivery systems at high risk. Water-supply operations have even reversed the direction of rivers flowing out of the Delta, causing several native species to be on the verge of extinction.

   The Conservancy was created to support efforts that advance both environmental protection and the economic well-being of Delta residents in a complementary manner.

3) **Sacramento-San Joaquin Delta Conservancy**. The Conservancy was created by the Legislature in 2009 as a primary state agency in the implementation of ecosystem restoration in the Delta and collaborates and cooperates with local communities and other parties to preserve, protect, and restore the natural resources, economy, and agriculture of the Sacramento-San Joaquin Delta and Suisun Marsh.

   The Conservancy's *2025 Annual Report* (January 2026) notes that statewide strategies, including Delta Adapts and California's Nature-Based Solutions Climate Targets, recognize the significance of Delta subsidence and associated greenhouse gas emissions to California climate mitigation goals. In accordance with those strategies, the Conservancy set targets, including re-wetting 50,000 acres of deeply subsided, highly organic soils in the Delta by 2045.

4) **Expansion**. This bill renames the Conservancy the Valley and Delta Conservancy and expands the jurisdiction to reflect the evolving challenges facing the region, such as land fallowing, water scarcity, invasive species, destruction of habitat, and fire risks, and the state's evolving environmental protection goals, including 30x30 goals, nature-based climate solutions, and Outdoors for All.

   The Valley is surrounded by densely populated urban areas providing substantial opportunities for recreation, such as boating, camping, kayaking, fishing, hiking, birding, and hunting. The Trust for Public Land writes in support of the bill that expanding the Conservancy to include lands within Yolo, Sacramento, Solano, and San Joaquin Counties would help to facilitate increases access to nature for thousands of Californians, including underserved communities.

5) **State funding**. The Conservancy relies on state bond funding to support its work. Given the uncertainty of funding and that the funding in the Climate Bond is small compared to the Delta's needs, staff will pursue additional funding for Delta work. In 2025, the Conservancy continued to apply for grants, conduct outreach to other state agencies that may contract with the Conservancy, and build efficiencies into the system.

   The Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024, approved by the voters as Proposition 4 in November 2024, authorizes $10 billion in general obligation bonds to finance various climate resiliency projects, and includes a $29 million line-item appropriation for the Conservancy (PRC 93020 (4)).

   To prevent any challenges with the Proposition 4 allocation or other budget appropriations for the current Conservancy, the bill provides that funds can only be allocated for activities in the Valley if there is an appropriation by the Legislature for that purpose. Funds that have already been appropriated to the current Conservancy for activities in the Delta or the Suisun Marsh are required to be used in compliance with the conditions of those appropriations and for activities only in those areas.

6) **Double referral.** This bill was heard in the Assembly Water, Parks and Wildlife Committee on March 24 and approved 11-1.

REGISTERED SUPPORT / OPPOSITION:

Support

Audubon California
California Waterfowl
County of Yolo
Defenders of Wildlife
Grassland Water District
PAT Hume, Sacramento County Supervisor, District 5
Suisun Resource Conservation District
The Nature Conservancy
Trust for Public Land

Opposition

None on file

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

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 2312 (Ávila Farías) – As Amended April 6, 2026

SUBJECT: State property: tidelands transfer: City of Martinez: leases

SUMMARY: Extends the lease on the public trusted lands for the City of Martinez (City) from 49 years to 66 years.

EXISTING LAW:

1) Protects, pursuant to the common law doctrine of the public trust (Public Trust Doctrine), the public's right to use California's waterways for commerce, navigation, fishing, boating, natural habitat protection, and other water-oriented activities. (National Audubon Society v. Superior Court (1983) 33 Cal.3d 419)

2) Establishes the State Lands Commission (SLC) as the steward and manager of the state's public trust lands. (Public Resources Code 6009)

3) Establishes theCity as a trustee of sovereign tide and submerged lands granted by the Legislature all right, title, and interest of the state to four specified parcels of land in the Straits of Carquinez, to be held in trust for specified uses. (Chapter 815 of the Statutes of 1976 and Chapter 628, Statutes of 2014)

4) Recasts the three granted lands and adds a fourth parcel to the City pursuant to SB 1424 (Wolk), Chapter 628, Statutes of 2014.

5) Authorizes SLC, in recognition of deteriorated conditions at the Martinez Marina (Marina), until June 30, 2029, to relieve the trustee of its obligation to transmit gross revenues so the trustee can take action to address those conditions, including the dredging of sediment to restore adequate depth for launching, berthing, and safe navigation at the marina. (Chapter 628, Statutes of 2014 (d)(2))

THIS BILL:

1) States the intent of the Legislature that SLC, the City, and the parties to the City's exclusive negotiating agreement for the Marina and Waterfront Revitalization maintain dialogue and continue to work together to determine the appropriate lease term to spur the revitalization of some or all of the City's public trust lands to address the unique circumstances the Marina is facing while maintaining the public trust.

2) Extends the City's authorization to lease the trust lands, or any part of the trust lands, for limited periods, from 49 years to 66 years or, subject to SLC approval, for a term longer than 66 years if SLC finds that a longer lease term is in the best interests of the state, for purposes consistent with the trust upon which those lands are held, as specified.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement**:

> The Martinez Marina has far exceeded its useful life and currently faces dire and deteriorating conditions that are a drain on the city's limited budget and demand significant intervention. Revitalizing the Waterfront and Marina has been a top City and community priority for decades, and the City has now entered into an exclusive negotiating agreement with a private developer to realize a one-in-a-lifetime opportunity to rebuild and improve the infrastructure of the Marina and create a vibrant, accessible, sustainable, and community-serving Waterfront. This project will be funded with solely private capital. Unfortunately, current law's 49-year maximum lease term with SLC cannot support the needed private lending and investment. In lieu of seeking scarce public funding, AB 2312 simply allows for a longer lease term that will attract the required capital.

2) **Public Trust**. The foundational principle of the common law Public Trust Doctrine is that it is an affirmative duty of the state to protect the people's common heritage in navigable waters for their common use. The traditional uses allowed under the Public Trust Doctrine were described as water-related commerce, navigation, and fisheries. As a common law doctrine, the courts have significantly shaped the Public Trust Doctrine in a number of important ways. Courts have found that the public uses to which sovereign lands are subject are sufficiently flexible to encompass changing public needs. The courts have also found that preservation of these lands in their natural state, so that they may serve as ecological units for scientific study, as open space, and as environments that provide food and habitat for birds and marine life, are appropriate uses under the common law Public Trust Doctrine. Courts have also made clear that sovereign lands subject to the Public Trust Doctrine cannot be sold into private ownership.

   For more than 100 years, the Legislature has granted public trust lands to local governments so the lands can be managed locally for the benefit of the people of California. While these trust lands are managed locally, SLC has oversight authority to ensure those local trustees are complying with the Public Trust Doctrine and the applicable granting statutes.

3) **City trusted lands**. The City was initially granted certain sovereign lands in trust in 1851. The grant to the City was repealed and re-granted in 1976 and 2014. Chapter 628, Statutes of 2014 repealed the City's prior grants and provided the City with a new grant of sovereign tide and submerged lands that updated the grant statute and added an additional parcel that encompasses the Marina.

   The City must use the land for purposes consistent with the Public Trust Doctrine and, beginning in 2020, in conformance with a trust lands use plan approved by SLC.

   SB 1424 established a revenue-sharing agreement between the City and the state. This revenue sharing requires the City to transmit 20% of the annual revenue generated from its granted lands to SLC, of which 80% is deposited into the state's General Fund and 20% into the Kapiloff Land Bank. Recognizing the deteriorating conditions at the Marina, Chapter 628 allowed SLC to relieve the City of its revenue-sharing obligation until June 30, 2021. This

relief was intended to enable the City to address critical issues at the Marina, including dredging to restore adequate depth for vessel launching, berthing, and safe navigation.

AB 1686 (Grayson), Chapter 143, Statutes of 2023, subsequently extended SLC's authority to annually relieve the City from its revenue sharing requirement for another five years—from January 1, 2024, until June 30, 2029. This extension supports the City's efforts to restore the deteriorated Marina's condition through continued dredging and maintenance activities.

4) **Martinez Marina**. The City waterfront encompasses almost 80 acres of trust lands along the northern shoreline that are zoned for open space and recreational use. Included is the Marina, which has a range of facilities, including a harbormaster building, boat slips, a four-lane public launch ramp, a fishing pier, a guest dock, wastewater pump-out facilities, and a bait shop.

   Constructed in the 1960s, the facility has far exceeded its useful life. Studies on the Marina's marine structures and sedimentation confirm that it is in extremely poor condition, highlighting the urgent need for action to preserve access and functionality. Revitalizing the waterfront and Marina has been a top community priority for decades. With aging infrastructure, deteriorating facilities, limited resources, and a marina well beyond its useful life, the City has faced growing operational and financial pressures that necessitate a broader reimagining through a private-public partnership.

   In June 2024, the City's long-standing marina management partner, Almar Management, submitted a 60-day notice to terminate its contract after almost 20 years. Almar Management stated that the Marina has deteriorated beyond the point of viable maintenance or repair, making continued operation infeasible. The City, in partnership with F3 Marina, continues to address only key safety issues and minimally maintains the boat, pedestrian, and vehicular access in and around the Marina, but rising costs, infrastructure challenges, and storm damage have strained the City's limited financial resources.

   At the December 17th regular City Council meeting, the Martinez City Council unanimously approved an exclusive negotiating agreement (ENA) with Tucker Sadler Architects, a private developer, to revitalize the Martinez Waterfront and Marina. The agreement sets in motion a new phase of study and collaborative planning that will evaluate the project's feasibility, refine design concepts, and lay the groundwork for decisions on the future of the Waterfront and Marina.

   The project envisions new recreation amenities such as sport fields, a dog park, kite area, and public art installations, along with expanded open spaces featuring plazas, pedestrian pathways, marshland restoration, and stronger connections to downtown. Hospitality and community facilities, including hotels, restaurants, a community/event center, a new Martinez Yacht Club and Sea Scouts' facility, and an outdoor amphitheater, are also included. These project elements would complement new commercial and retail spaces and support boating, fishing, recreation, and other waterfront activities, and would be supported by upgraded infrastructure, including surface and underground parking, utilities, and lighting.

5) **Time is [not] on my side.** AB 2312 authorizes the City to lease the trust lands up to 66 years and, subject to SLC approval, for a longer term than 66 years if SLC finds that a longer lease term is in the best interests of the state.

   The author states that this project will be funded solely with private capital. Unfortunately, current law's 49-year maximum lease term cannot support the scale of investment required for this project to attract the needed lending and investment.

6) **Double referral.** This bill is also referred to the Assembly Local Government Committee.

7) **Related legislation**. AB 1686 (Grayson), Chapter 143, Statutes of 2023, Extends the sunset date, until June 30, 2039, of the authorization for SLC to relieve the City of its obligation to transmit gross revenues from the City to the state.

REGISTERED SUPPORT / OPPOSITION:

Support

Martinez; City of
Tucker Sadler Architects, INC.

Opposition

None on file

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

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 2334 (Bennett) – As Introduced February 19, 2026

SUBJECT: Solid waste: methane reduction: working group

SUMMARY: Requires the director of the Department of Resources Recycling and Recovery (CalRecycle) to establish a working group to study the need for and value of alternative methods of methane reduction, including potential carbon capture.

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 "engineered municipal solid waste (EMSW) conversion" as the conversion of solid waste through a process that meets all of the following requirements:

        i) The waste is beneficial and effective in that it replaces or supplements the use of fossil fuels;

        ii) The waste, resulting ash, and any other products of the conversion do not meet the criteria or guidelines for the identification of a hazardous waste, as specified;

        iii) The conversion is efficient and maximizes the net calorific value and burn rate of the waste;

        iv) The waste contains less than 25% moisture and less than 25% noncombustible waste;

        v) The waste is handled in compliance with the requirements for the handling of solid waste, as specified, and no more than a seven-day supply of the waste is stored at the facility at any one time;

        vi) No more than 500 tons per day of waste is converted at the facility;

        vii) The waste has an energy content equal to, or greater than, 5,000 BTU per pound; and,

        viii) The waste is mechanically processed at a transfer or processing station to reduce the fraction of chlorinated plastics and materials.

    b) Defines "recycle" or "recycling" as the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace. "Recycling" does not include transformation, as defined in Section 40201 or EMSW conversion. (PRC 40180)

c) 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 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)

d) 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)

e) Requires that CalRecycle and local jurisdictions promote waste management practices in the following order of priority:

i) Source reduction;

ii) Recycling and composting; and,

iii) Environmentally safe transformation and environmentally safe land disposal. (PRC 40051)

2) Pursuant to SB 54 (Allen), Chapter 75, Statutes of 2022, establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act (PRC 42040 *et seq*.), which:

a) Requires, by January 1, 2024, producers of covered material to form and join a producer responsibility organization (PRO), subject to specified requirements and CalRecycle approval, to carry out the requirements of the Act. Prohibits a producer of covered material from selling, offering for sale, importing, or distributing covered materials in the state unless the producer is approved to participate in the PRO.

b) Requires that all covered material offered for sale, distributed, or imported into the state on and after January 1, 2032, is recyclable in the state or eligible to be labeled "compostable," as specified.

c) Requires that all plastic covered material offered for sale, distributed, or imported into the state to meet the following recycling rates:
i) Not less than 30% of covered material on and after January 1, 2028;
ii) Not less than 40% of covered material on and after January 1, 2030; and,
iii) Not less than 65% of covered material on and after January 1, 2032.

d) Prohibits producers of expanded polystyrene (EPS) food service ware from selling, offering for sale, distributing, or importing into the state EPS food service ware unless the producer demonstrates to CalRecycle that all EPS meets the following recycling rates:
i) Not less than 25% on and after January 1, 2025;
ii) Not less than 30% on and after January 1, 2028;
iii) Not less than 50% on and after January 1, 2030; and,
iv) Not less than 65% on and after January 1, 2032 and annually thereafter.

e) Requires, by January 1, 2032, the PRO to develop and implement a plan to achieve 25% reduction by weight and 25% reduction by plastic component for covered material sold,

offered for sale, or distributed in the state, as prescribed, including interim targets of 10% by January 1, 2027, and 20% by January 1, 2030.

3) Requires the Air Resources Board (ARB), pursuant to SB 1383 (Lara), Chapter 395, Statutes of 2016, 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)

THIS BILL:

1) Requires the director of CalRecycle to establish a working group to study the need for and value of alternative methods of methane reduction in the event SB 54 and SB 1383 are implemented as planned.

2) Requires the working group to evaluate existing alternative waste disposal programs and their potential carbon capture components, including the Oslo, Norway program, and evaluate their applicability to the state.

3) Requires the working group to submit its findings and recommendations to the director on or before January 1, 2029.

4) Repeals the bill's provisions on January 1, 2030.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Solid waste in California**. For more than three decades, CalRecycle has been tasked with reducing disposal of municipal solid waste and promoting recycling in California. Under IWMA, the state has established a statewide 75% source reduction, recycling, and composting goal by 2020. Over the years the Legislature has enacted various laws intended to increase the amount of waste that is diverted from landfills. According to CalRecycle's *State of Disposal and Recycling in for Calendar Year 2024*, 44.7 million tons of material was disposed into landfills and 32.4 million tons of material was recycled, resulting in a statewide recycling rate of 42%. According to the report, California generates over 6 pounds of trash per person every day.

2) **Organic waste recycling**. An estimated 35 million tons of waste are disposed of in California's landfills annually. More than half of the materials landfilled in the state are organics. CalRecycle's 2021 waste characterization study found that 34% of disposed waste is organic waste. SB 1383 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.

3) **SB 54**. SB 54 created sweeping new minimum recycling requirements for single-use plastic packaging and food service ware (covered material), source reduction requirements for plastic covered material, and prohibits the sale or distribution of expanded polystyrene unless it meets accelerated recycling rates. SB 54 requires producers to comply with the bill's requirements through an expanded producer responsibility program. Under SB 54, covered material must meet specified recycling and source reduction requirements by 2027, which ramp up until all covered material must achieve and maintain a 65% recycling rate and a 25% source reduction requirement by 2032. This law additionally requires producers, through the producer responsibility organization, to pay $500 million per year for ten years (from 2027 to 2037) to be deposited into the California Plastic Pollution Mitigation Fund, which the bill established to fund various environmental and public health programs.

4) **Waste to energy**. Waste to energy (WTE) technologies are any waste treatment process that creates energy in the form of electricity or heat from solid waste. The most common type of WTE is incineration, which refers to the direct combustion of solid waste in the presence of oxygen between 750 and 1100ºC to generate heat, electricity, or combined heat and power. Newer technologies include gasification, which refers to the partial oxidation of waste between 800 and 1200ºC in the presence of a controlled amount of oxygen that produces synthetic gas for further combustion or conversion to chemical feedstock. Pyrolysis refers to the thermal degradation of waste between 300 and 1300ºC in the absence (or near absence) of oxygen that produces liquid fuel for further combustion or conversion to chemical feedstock.

   Incineration generates significant quantities of toxic air emissions as well as greenhouse gas (GHG) emissions. The United States Environmental Protection Agency estimated that in 2005 domestic incinerators emitted nearly 50,000 tons of nitrogen oxides, 4,600 tons of sulfur dioxide, 3,200 tons of hydrogen chloride, 780 tons of particulate matter, 15 tons of dioxins/furans, 5.5 tons of lead, 2.3 tons of mercury, and 0.2 tons of cadmium. According to the Intergovernmental Panel on Climate Change, incinerators generate approximately 0.7 to 1.2 metric tons of CO_2 for every metric ton of waste burned.

   Both gasification and pyrolysis have 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, greenhouse gas (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.

   In California, thermal 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).

WTE is widely used as a waste management technology in other parts of the world, including the European Union (EU). Unlike California, which has historically had ample land and poor air quality, the EU has more limited land availability and fewer concerns about air quality. For example, Norway had 18 incinerators as of 2022. The seven largest burn more than 100,000 tons of waste every year. Additionally, cement plants in Norway are also able to use waste as a fuel source. Once these facilities are in operation, they create long-term demand for sufficient quantities of solid waste to continue operation. Norway and Sweden, which both rely heavily on WTE facilities to manage solid waste, accept waste from other countries for incineration. In contrast, California's last two incinerators ceased operations in 2022 and 2024, after the Legislature ended local jurisdictions' ability to claim recycling credit for incinerated solid waste.

5) **Carbon capture and sequestration**. Carbon Capture and Storage (CCS, also referred to as carbon capture and sequestration) is the process of capturing CO_2 that is formed during combustion or industrial processes and putting it into long-term storage so that it is not emitted into the atmosphere. Once the CO_2 is captured, it may be compressed and chilled (depending on the storage situation), and transported to an appropriate storage site, usually by pipelines and/or ships and occasionally by trains or other vehicles. To store the CO_2, it is injected into deep, underground geological formations, such as former oil and gas reservoirs, deep saline formations, and coal beds.

   SB 905 (Caballero), Chapter 359, Statutes of 2022, requires ARB to establish a Carbon Capture, Removal, Utilization, and Storage Program to evaluate the efficacy, safety, and viability of carbon capture, utilization, or storage technologies and carbon dioxide removal (CDR) technologies and facilitate the capture and sequestration of CO_2 from those technologies, where appropriate. ARB is required, by January 1, 2025, to adopt regulations creating a unified state permitting application for approval of CCUS and CDR projects. The projects covered under SB 905 would include those that capture CO_2 from point sources or from the atmosphere and permanently store it in specialized geologic formations, typically half a mile or more underground. SB 905 prohibits the transfer of CO_2 via pipeline until the U.S. Department of Transportation's Pipelines and Hazardous Materials Safety Administration completes its rulemaking to update existing CO_2 pipeline safety requirements, making CCS or CDR projects that would require a pipeline to transfer CO_2 currently on hold in California.

   Climate Change 2022: Mitigation of Climate Change, a report by the International Panel on Climate Change, states "[t]he deployment of CDR to counterbalance hard-to-abate residual emissions is unavoidable if net zero CO_2 or GHG emissions are to be achieved." ARB's AB 32 Scoping Plan, the state's roadmap for reducing GHGs and achieving carbon neutrality, acknowledges that to achieve carbon neutrality, mechanical CDR will need to be deployed. Mechanical CDR includes direct air capture (DAC), a chemical scrubbing process that captures CO_2 through absorption or adsorption separation processes and mineral carbonation, which involves rapid mineralization of CO_2 at the Earth's surface.

6) **European Union (EU) goals and projects**. The EU has adopted a goal to achieve at least 50 million tonnes of CO_2 injection capacity by 2030, pursuant to the Net-Zero Industry Act. Member states are tasked with submitting an annual report detailing ongoing CCS projects

within their territories and corresponding needs for increased injection and storage capacities.

One project, Northern Lights, is the world's first cross-border CO_2 transport and storage facility. Located in Norway, the project includes transportation and permanent storage of CO_2 in a reservoir located in the North Sea. Phase 1 includes capacity to transport, inject, and store up to 1.5 million tonnes CO_2 per year; phase 2 is projected to increase capacity to more than 5 million tonnes per year. The project is working with a cement production facility and a waste incinerator to capture CO_2 generated by the facilities. Additional CCS facilities are planned in Holland and Denmark in coming years.

7) **This bill**. This bill is intended to encourage the working group created by CalRecycle to review CCS projects around the world and consider their applicability to California. In particular, the author seems to be interested in the potential to increase WTE facilities in California for the purpose of deploying CCS to capture the CO_2 generated by the facilities.

   CCS likely has a role in removing CO_2 generated by industrial facilities in California; however, the state does not have any active incinerators, nor does state waste policy encourage their use. Moreover, while CCS technologies may capture the CO_2 emitted by incinerators, they are not designed to capture the associated toxic air emissions. CCS projects should be focused on capturing CO_2 that is currently generated and unavoidable rather than creating new projects that generate CO_2 the purpose of deploying new CCS technologies.

8) **Author's statement**:

   > To ensure California is keeping up with emerging technologies in our efforts to address climate emissions, the experts at CalRecycle should be reviewing projects around the world to see if their work could help us reach our climate goals. In a recent visit to Oslo, I was able to see first hand the Northern Lights project and was curious if this type of technology could help us meet our climate goals. As landfills like Chiquita Canyon continue to burn unchecked, the status quo seems unsustainable and an examination of possible alternative options should be pursued.

9) **Suggested amendments**. In order to ensure that the efforts of the working group provide useful and actionable information for policymakers, *the committee may wish to amend the bill* to require the working group's evaluation to be consistent with the state's waste management hierarchy, pursuant to PRC 40051.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

1000 Grandmothers for Future Generations
7th Generation Advisors
Active San Gabriel Valley
Biofuelwatch
California Communities Against Toxics
Californians Against Waste
Center for Environmental Health
Clean Water Action
Cleanearth4kids.org
Climate Action California
East Yard Communities for Environmental Justice
Ecology Center
Facts Families Advocating for Chemical and Toxics Safety
Global Alliance for Incinerator Alternatives (GAIA)
San Francisco Bay Physicians for Social Responsibility
Story of Stuff
Sunflower Alliance
The Last Plastic Straw
The Law Offices of Lori R. Mendez
Valley Improvement Projects (VIP)
West Berkeley Alliance for Clean Air and Safe Jobs
Zero Waste Ithaca
Zero Waste San Diego
Zero Waste USA

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

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 2481 (Soria) – As Introduced February 20, 2026

SUBJECT: Beverage containers: recycling: glass: quality incentive payments

SUMMARY: Authorizes the Department of Resources Recycling and Recovery (CalRecycle) to use any remaining funds left for glass quality incentive payments at the end of the calendar year and following the biannual disbursement of quality incentive payments for glass beverage containers for additional entities, including, but not limited to, fiberglass insulation manufacturers located in-state that use glass cullet.

EXISTING LAW establishes the Beverage Container Recycling and Litter Reduction Act (Bottle Bill), which:

1) Requires beverage containers, as defined, sold in-state to have a California redemption value (CRV) of 5 cents for containers that hold fewer than 24 ounces and 10 cents for containers that hold 24 ounces or more. Requires beverage distributors to pay a redemption payment to CalRecycle for every beverage container sold in the state. Provides that these funds are continuously appropriated to CalRecycle for, among other things, the payment of refund values and processing payments. (Public Resources Code (PRC) 14500 *et seq.*)

2) Defines "beverage" as:

    a) Beer and other malt beverages;
    b) Wine and distilled spirit coolers;
    c) Carbonated water;
    d) Noncarbonated water;
    e) Carbonated soft drinks;
    f) Noncarbonated soft drinks and sports drinks;
    g) Noncarbonated fruit juice drinks that contain any percentage of fruit juice;
    h) Coffee and tea drinks;
    i) Carbonated fruit drinks;
    j) Vegetable juice;
    k) Wine and sparkling wine; and,
    l) Distilled spirits. (PRC 14505)

3) Defines "beverage container" as the individual, separate bottle, can, jar, carton, or other receptacle in which a beverage is sold, and which is constructed of metal, glass, plastic, or any other material, or any combination of these materials. Specifies that "beverage container" does not include cups or other similar open or loosely sealed receptacles. (PRC 14505)

4) Authorizes CalRecycle to pay a quality incentive payment to improve the quality and marketability of empty beverage containers collected for recycling in the state, including a quality incentive payment of up to $60 per ton for glass beverage containers that are:

a) Color-sorted and substantially free from contamination and used for the manufacturing of glass beverage containers in the state; or

b) Empty glass beverage containers that are either collected color sorted by curbside recycling programs or dropoff collection programs, or that are collected mixed color by curbside recycling programs or dropoff or collection programs and are subsequently color sorted by the collector or any other entity, as specified. (PRC 14549.1)

5) Authorizes CalRecycle to pay a market development payment to glass beverage container manufacturers who purchases recycled glass collected within the state for use in manufacturing new beverage containers in the state to develop markets for glass beverage containers. Specifies that the recycled glass must be collected, washed, processed, and used for manufacturing in the state. (PRC 14549.7)

6) Limits the glass market development payments to not more than $150 per ton, and requires CalRecycle to consider the following when establishing the payments:

a) The minimum funding level needed to encourage in-state washing and processing of empty glass beverage containers collected for recycling in the state;

b) The minimum funding level needed to encourage in-state manufacturing that utilizes empty glass beverage containers collected for recycling in the state; and,

c) The total amount of funds projected to be available for glass market development payments, and the desire to maintain the minimum funding level throughout the year. (PRC 14549.7)

7) Authorizes CalRecycle to allocate up to $60 million annually for glass market development payments through 2028. (PRC 14581(a)(13)(A))

8) Authorizes CalRecycle to allocate up to $20 million annually for glass market development payments in years 2029-2030. (PRC 14581(a)(13)(B))

FISCAL EFFECT: Unknown

COMMENTS:

1) **Bottle Bill.** The Bottle Bill was established in 1986 to be a self-funded program that encourages consumers to recycle beverage containers and to prevent littering. The program accomplishes this goal by requiring consumers to pay a deposit for each eligible container purchased. Then the program guarantees consumers repayment of that deposit, the CRV, for each eligible container returned to a certified recycler. Statute includes two main goals for the program: (1) reducing litter; and, (2) achieving a recycling rate of 80% for eligible containers. Containers recycled through the Bottle Bill's certified recycling centers also provides a consistent, clean, uncontaminated stream of recycled materials with minimal processing.

2) **Eligible beverage containers**. Only certain containers containing certain beverages are part of the CRV program. Most containers made from glass, plastic, aluminum, and bimetal (consisting of one or more metals) are included. Containers for wine, spirits, milk, fruit

juices over 46 ounces, vegetable juice over 16 ounces, and soy drinks have historically been excluded from the program. Container types that are cartons, pouches, and any container that holds 64 ounces or more have also historically been exempted. SB 1013 (Atkins), Chapter 610, Statutes of 2022, amended the program to include wine and distilled spirits, including those contained in boxes, bladders, pouches, or similar containers, beginning January 1, 2024. SB 353 (Dodd), Chapter 868, Statutes of 2023, further expands the program to include large juice containers beginning January 1, 2026.

3) **Ways to redeem containers**. Consumers have four potential options to redeem their empty beverage containers:

   - Return the container to a "convenience zone" recycling center located within ½-mile radius of a supermarket. These are generally small centers that only accept beverage containers and receive handling fees from the Beverage Container Recycling Fund (BCRF). During fiscal year (FY) 2019-20, convenience zone recyclers redeemed about 30% of beverage containers.

   - Return to a dealer that accepts them. In convenience zones without a convenience zone recycler, beverage dealers, primarily supermarkets, are required to either accept containers for redemption or pay CalRecycle an "in lieu" fee of $100 per day. Few stores accept beverage containers for redemption.

   - Return the container to an "old line" recycling center, which refers to a recycler that does not receive handling fees and usually accepts large quantities of materials, frequently by truckload from municipal or commercial waste collection services. Traditional recyclers collect a little more than half of all CRV containers (58%).

   - Consumers can also forfeit their CRV and "donate" their containers to residential curbside recycling collection. In the 2019-20 FY, curbside programs collected about 12% of CRV containers. Curbside programs keep the CRV on these containers.

4) **Funding.** Recent legislation, SB 1013 (Atkins), Chapter 610, Statutes of 2022, and SB 353 (Dodd), Chapter 868, Statutes of 2023, increased revenues in the BCRF by adding new container types to the Bottle Bill triggering an increase in unredeemed CRV funds. This increase is likely to be temporary and dissipate as consumers increase redemptions of the newer container types. In order to incentivize recycling increased glass containers from the addition of wine and distilled spirits, SB 1013 authorized up to $15 million annually for quality incentive payments for color-sorted glass beverage containers that are substantially free of contamination and that are used for the manufacturing of glass beverage containers in the state and $60 million annually for glass market development payments until January 1, 2028.

   The glass quality incentive payments are under-subscribed. Of the $15 million allocated for glass quality incentive payments, CalRecycle expended just under $8.4 million in 2024 and $5.7 million in 2023. According to the most recent report on the status of the BCRF, which was released last October and covers January through June 2024, the fund is operating at a modest surplus. However, as recycling rates for containers that were recently added, such as wine bottles, rise, the fund status may change. Prior Bottle Bill expansions have tended to result in increased revenues initially, and increased expenditures for CRV deposits further

out as recycling rates increase.

The Bottle Bill also establishes glass processing incentive grants for expanding glass cullet processing in the state, as specified; $4 million is available annually for this grant program. Another $4 million is available annually for grants to increase the recycling of empty glass beverage containers from restaurants and on-site retail establishments. An additional $1 million is available annually for grants to fund transportation costs for glass beverage containers.

5) **Glass disposal and recycling**. CalRecycle's most recent comprehensive waste characterization study was conducted in 2021 and found that glass makes up approximately 2.3% of California's waste stream. According to *What's in California's Landfills: Measuring Single-Use Packaging and Plastic Food Service Ware Disposal (2025)*, approximately 154,000 tons of glass bottles and jars are disposed in California's landfills, making up 0.39% of California's waste stream.

   In recent years, California has moved toward funding circular recycling to support the development of a circular economy. For example, SB 1013 limited the glass market development payments to bottle-to-bottle recycling in 2022. This bill would provide funding for "downcycling," or recycling materials into products that won't continue to be recycled in the future. This bill seeks to provide funding for other forms of in-state glass recycling, including the manufacture of fiberglass insulation, using the unexpended funds available for glass quality incentive payments.

6) **Author's statement**:

   California has the ambitious goal of achieving an 80% recycling rate for beverage containers sold in the state, and established Quality Incentive Payments (QIP) to help reach this goal. By paying entities that clean and sort recycled glass, the state helps cover the costly processing of recycled glass suitable for manufacturing new products. In 2022, SB 1013 (Atkins) increased the amount allocated for QIP from $10 million to $15 million annually, while at the same time restricting eligibility to only recycled glass used for beverage containers. This change has led to the unintended consequences of lower recycling rates, decreased support to glass processors, and rising costs in producing the fiberglass insulation necessary weatherizing new homes and bringing down heating and air conditioning costs, all while millions of dollars authorized for the QIP go unspent every year.

   AB 2481 fixes this problem by authorizing CalRecycle to make QIP payments for glass used for products besides beverage containers, but only using leftover funds after all QIP payments for glass used in beverage containers has been made. This simple, targeted solution maintains priority for the use of recycled glass in glass beverage containers without putting other significant end users of recycled glass in the state at an insurmountable disadvantage. Through this small change, AB 2481 ensures the efficient use of state funds to promote glass recycling and lowers the cost of producing fiberglass insulation for building critically needed new homes and bringing down electric bills in existing houses.

7) **Prior legislation**:

AB 899 (Ransom), Chapter 627, Statutes of 2025, raised the cap on glass market development payments from $50 to $150 per ton and authorized CalRecycle to expend up to $20 million annually for the payments through 2030. This bill also expanded the focus of these payments from glass wine bottles to all glass beverage containers and authorized CalRecycle to set different limits.

SB 353 (Dodd), Chapter 868, Statutes of 2023, added large fruit and vegetable juice containers to the Bottle Bill and extended the date by which beverage containers for large fruit and vegetable juice containers are required to comply with statutory postconsumer recycled content requirements until 2026. This bill also established certain extensions on labeling requirements for new containers added to the Bottle Bill. This bill authorized CalRecycle to use either the three month average or 12 month average for scrap material values when adjusting processing payments. Finally, this bill established a per-ton temporary payment to rural recyclers for glass until 2030.

SB 1013 (Atkins), Chapter 610, Statutes of 2022, among other things, added wine and distilled spirits to the Bottle Bill. This bill established various small grant programs to incentivize the recycling of beverage container glass in the state and clarified that glass quality incentive payments may be awarded for glass beverage containers that meet specified criteria. This bill also established a glass market development payment of up to $50 per ton for glass beverage container manufacturers who purchase recycled glass collected within the state for use in the manufacture of new beverage containers and appropriated up to $60 million annually for this program through 2028.

8) **Suggested amendment**. The *committee may wish to amend the bill* to make technical and clarifying changes to conform to the structure of the code section being amended.

REGISTERED SUPPORT / OPPOSITION:

Support

Californians Against Waste
Knauf Insulation
North American Insulation Manufacturers Association
Saint-Gobain North America

Opposition

None on file

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

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 2552 (Ávila Farías) – As Introduced February 20, 2026

SUBJECT: California Environmental Quality Act: transportation impact mitigation

SUMMARY: Provides that a contribution made to the Transit-Oriented Development Implementation Fund (TOD Fund), in the amount determined consistent with the Office of Land Use and Climate Innovation (LCI) guidance, is full and complete mitigation for that portion of a project's significant transportation impact and a legally sufficient mitigation measure under the California Environmental Quality Act (CEQA).

EXISTING LAW:

1) Requires lead agencies with the principal responsibility for carrying out or approving a proposed discretionary project to prepare a negative declaration (ND), mitigated negative declaration (MND), or environmental impact report (EIR) for this action, unless the project is exempt from CEQA. (Public Resources Code (PRC) 21000 *et seq.*)

2) Requires LCI to prepare and develop proposed guidelines for the implementation of CEQA by public agencies. Requires the guidelines to include objectives and criteria for the orderly evaluation of projects and the preparation of EIRs and NDs. Also requires the guidelines to include criteria for public agencies to follow in determining whether a proposed project may have a significant effect on the environment. (PRC 21083)

3) Requires OPR to prepare proposed revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts within transit priority areas (TPAs). Requires the criteria to promote the reduction of greenhouse gas (GHG) emissions, the development of multimodal transportation networks, and a diversity of land uses. (PRC 21099)

4) Authorizes OPR to adopt CEQA Guidelines establishing alternative metrics to traffic "levels of service" (LOS) for transportation impacts outside of TPAs. Authorizes the alternative metrics to include the retention of LOS, where appropriate and as determined by OPR. Pursuant to this authority, OPR revised the CEQA Guidelines to identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts and to apply VMT statewide. (PRC 21099)

5) Establishes the Transit-Oriented Development Implementation Program (TOD Program), to be administered by the Department of Housing and Community Development (HCD), to provide local assistance to developers for the purpose of developing higher density uses within close proximity to transit stations that will increase public transit ridership. The TOD Program provides gap financing for rental housing developments near transit that include affordable units as well as necessary infrastructure improvements. (Health and Safety Code 53560)

6) Establishes an in-lieu fee mechanism for VMT mitigation – permitting a project, which is under the jurisdiction of a regional transportation planning agency (RTPA) and has a VMT

mitigation requirement pursuant to CEQA, to satisfy its VMT mitigation requirement by contributing an unspecified amount per VMT to the TOD Fund, which would then be available, upon appropriation, to HCD to provide financing for transit-oriented rental housing developments located within the same county as the "donor" project. (PRC 21080.44)

THIS BILL:

1) Provides that a contribution made to the TOD Fund, in the amount determined consistent with the LCI guidance, is full and complete mitigation for that portion of a project's significant transportation impact and a legally sufficient mitigation measure under CEQA.

2) Makes related findings.

3) Is an urgency measure.

FISCAL EFFECT: Unknown

COMMENTS:

1) **From LOS to VMT**. Level of service (LOS) is a measure used by traffic engineers to determine the effectiveness of elements of transportation infrastructure. LOS measures the presence of traffic and how quickly cars can move through a street. LOS was used for decades to analyze transportation impacts under CEQA. However, several years ago LOS became regarded as outdated, based on concerns it neglects transit, pedestrian crossings, and bicycles. Critics contended that an over-reliance on LOS considerations by planners had led to widening intersections and roadways to move automobile traffic faster at the expense of other, less polluting modes of transportation.

   In response, SB 743 (Steinberg), Chapter 386, Statutes of 2013, required OPR to update the criteria for analyzing transportation impacts of projects to replace LOS in TPAs (areas within a one-half mile of a major transit stop). According to SB 743, "(n)ew methodologies under (CEQA) are needed for evaluating transportation impacts that are better able to promote the state's goals of reducing (GHG) emissions and traffic-related air pollution, promoting the development of multimodal transportation system, and providing clean, efficient access to destinations." Under SB 743, the criteria was required to promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. For areas outside of a TPA, OPR was authorized to adopt guidelines that would establish alternative metrics to LOS. Additionally, OPR could retain LOS as a part of those alternative metrics outside of a TPA, if and where OPR deemed appropriate.

   Pursuant to SB 743, OPR proposed changes to the CEQA Guidelines that identify VMT as the most appropriate metric to evaluate a project's transportation impacts and to apply VMT statewide. VMT measures the amount and distance of automobile travel attributable to a project. The Guidelines took effect July 2020 and agencies are now required to analyze the transportation impacts of a project using a VMT metric instead of LOS.

   According to OPR's *Technical Advisory on Evaluating Transportation Impacts in CEQA*, published in December 2018:

> The transportation sector has three major means of reducing GHG emissions: increasing vehicle efficiency, reducing fuel carbon content, and reducing the amount of vehicle travel. The California Air Resources Board (CARB) has provided a path forward for achieving these emission reductions from the transportation sector in its 2016 Mobile Source Strategy. CARB determined that it will not be possible to achieve the State's 2030 and post-2030 emission goals without reducing VMT growth. Further, in its 2018 Progress Report on California's Sustainable Communities and Climate Protection Act, CARB found that despite the State meetings its 2020 climate goals, 'emissions from statewide passenger vehicle travel per capita (have been) increasing and going in the wrong direction,' and 'California cannot meet its (long-term) climate goals without curbing growth in single-occupancy vehicle activity.' CARB also found that '(w)ith emissions from the transportation sector continuing to rise despite increases in fuel efficiency and decreases in the carbon content of fuel, California will not achieve the necessary (GHG) emissions reductions to meet mandates for 2030 and beyond without significant changes to how communities and transportation systems are planned, funded, and built.'
>
> Thus, to achieve the state's long-term climate goals, California needs to reduce per capita VMT. This can occur under CEQA through VMT mitigation. Half of California's GHG emissions come from the transportation sector, therefore, reducing VMT is an effective climate strategy, which can also result in co-benefits. Furthermore, without early VMT mitigation, the state may follow a path that meets GHG targets in the early years, but finds itself poorly positioned to meet more stringent targets later.

In addition to providing many examples of VMT-reduction measures, the technical advisory further addresses VMT-reduction programs and in-lieu fees:

> Notably, because VMT is largely a regional impact, regional VMT-reduction programs may be an appropriate form of mitigation. In lieu fees have been found to be valid mitigation where there is both a commitment to pay fees and evidence that mitigation will actually occur. (*Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 140-141; *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 727–728.) Fee programs are particularly useful to address cumulative impacts. (CEQA Guidelines, § 15130, subd. (a)(3) [a "project's incremental contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact"].) The mitigation program must undergo CEQA evaluation, either on the program as a whole, or the in-lieu fees or other mitigation must be evaluated on a project-specific basis. (*California Native Plant Society v. County of El Dorado* (2009) 170 Cal.App.4th 1026.) That CEQA evaluation could be part of a larger program, such as a regional transportation plan, analyzed in a Program EIR. (CEQA Guidelines, § 15168.)
>
> (https://lci.ca.gov/docs/20190122-743_Technical_Advisory.pdf)

2) **Author's statement**:

> Last year's budget trailer bill created a promising option under CEQA to mitigate a project's effect on Vehicle Miles Traveled, namely the ability to meet some or all of this obligation by contributing funds to HCD's Transit Oriented Development program to

build affordable housing near transit. However, projects that rely on this option may still face litigation arguing that the mitigation is inadequate, even when the contribution follows state guidance. AB 2552 increases legal certainty for the VMT mitigation bank concept by expressly stating that a contribution to the TOD Program, in an amount determined pursuant to state guidance, constitutes full and complete mitigation for the portion of a project's significant transportation impact addressed by that contribution, and is a legally sufficient mitigation measure under CEQA. This certainty will open to door to less expensive CEQA obligations and more affordable housing.

3) **Suggested amendments**. *The author and the committee may wish to consider* amending this bill to replace the current provisions with the following:

(b) (4) A lead agency for a land use project may require the applicant to contribute to the Transit-Oriented Development Implementation Fund only if (A) the cost of vehicle miles traveled reductions established by the office is equal to or lesser than other vehicle miles traveled mitigation measures required for the project by the lead agency or, (B) if the contribution is the only required mitigation measure, it is the least cost feasible mitigation, and (C) only after the department and office have validated reductions in vehicle miles traveled attributable to projects funded pursuant to this section by contributions from transportation projects.

4) **Double referral**. This bill has been double-referred to the Housing and Community Development Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

California Building Industry Association (sponsor)
American Council of Engineering Companies
Apartment Association of Greater Los Angeles
Building Industry Association of Fresno and Madera Counties
Building Industry Association of the Bay Area
Building Industry Association of Tulare/Kings County
Building Owners and Managers Association of California
California Association of Realtors
California Business Properties Association
California Business Roundtable
California Chamber of Commerce
California Council for Affordable Housing
California Hotel & Lodging Association
Carlsbad Chamber of Commerce
Central Valley Taxpayers Association
Downtown San Diego Partnership
Family Business Association of California
Home Builders Association of Kern County
Inland Empire Economic Partnership
NAIOP California
National Association of Royalty Owners - California
North State Building Industry Association

Orange County Business Council
Sacramento Metro Chamber of Commerce
San Diego Regional Chamber of Commerce
Simi Valley Chamber of Commerce
The Two Hundred for Homeownership

Opposition

Streets for All

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

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 2569 (Hart) – As Introduced February 20, 2026

SUBJECT: California Environmental Quality Act: natural hazards and adverse environmental conditions

SUMMARY: Expands the scope of the California Environmental Quality Act (CEQA) analysis to explicitly include consideration of significant effects that may result from locating a project near, or attracting people to, existing or reasonably foreseeable natural hazards or adverse environmental conditions, validating prior CEQA practice and invalidating a 2015 California Supreme Court decision.

EXISTING LAW, CEQA:

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. (Public Resources Code (PRC) 21000 *et seq*.)

2) Requires an EIR to include a detailed statement setting forth all of the following:

    a) All significant effects on the environment of the proposed project.

    b) In a separate section:

        i) Any significant effect on the environment that cannot be avoided if the project is implemented.

        ii) Any significant effect on the environment that would be irreversible if the project is implemented.

    c) Mitigation measures proposed to minimize significant effects on the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy.

    d) Alternatives to the proposed project.

    e) The growth-inducing impact of the proposed project.

    (PRC 21100)

3) Defines "environment" as the physical conditions that exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, or objects of historic or aesthetic significance. (PRC 21060.5)

4) Defines "significant effect on the environment" as a substantial, or potentially substantial, adverse change in the environment. (PRC 21068)

THIS BILL:

1) Requires an EIR also to include a detailed statement setting forth any significant effects that may result from locating the proposed project near, or attracting people to, existing or reasonably foreseeable natural hazards or adverse environmental conditions.

2) Revises the definition of "environment" to include the health and safety of people affected by the physical conditions at the location of a project.

3) Revises the definition of "significant effect on the environment" to include exposure of people, either directly or indirectly, to a substantial existing or reasonably foreseeable natural hazard or adverse condition of the environment.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Background**. 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 the project would not have 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, 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. If a lead agency approves a proposed project despite its significant environmental impacts, the EIR must contain a statement of overriding considerations explaining the economic, social, and other factors that support this decision. 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.

2) **Author's statement**:

   > Enacted in 1970, CEQA is the state's bedrock environmental law, ensuring that environmental impacts are considered before projects are approved. Current law, however, does not clearly require agencies to evaluate how hazards like wildfires, flooding, or extreme heat may impact people brought into a project. With worsening climate change and natural hazards, this lack of clarity has allowed developments to be approved without a full analysis and understanding of the risks to future residents. AB 2569 will clarify that human health and safety is a core part of environmental review and require agencies to assess when projects may expose people to natural hazards, helping prevent unsafe development and better protect communities.

3) **CEQA Guidelines have long required lead agencies to consider the effects of hazardous or adverse environmental conditions on a proposed project**. Section 15126.2 of the CEQA Guidelines details how to consider and discuss significant environmental impacts of a proposed project. 15126.2(s) states "(t)he EIR shall also analyze any significant environmental effects the project might cause or risk exacerbating by bringing development and people into the area affected. For example, the EIR should evaluate any potentially significant direct, indirect, or cumulative environmental impacts of locating development in areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas), including both short-term and long-term conditions, as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas."

   This "reverse-CEQA" analysis, considering impacts of the environment on the project, was used to evaluate and address problems caused by bringing people and new development to areas with poor air quality, incompatible land uses, or hazardous conditions such as heightened seismic activity. While not explicitly required by statute, this requirement in the Guidelines promoted common-sense planning and consideration of issues that would naturally come up throughout the environmental review process, such as the risk of flooding from sea-level rise and other impacts associated with climate change.

4) **But the courts have invalidated these provisions in the CEQA Guidelines**. A 2011 decision by the Second District Court of Appeal, *Ballona Wetlands Land Trust v. City of Los Angeles*, held that the requirement in Section 15126.2(a) is invalid. Finding that CEQA literally requires analysis of the project's significant impacts on the environment – and not the environment's impacts on the project – the court held that the effects of preexisting environmental hazards on the project and its users are not environmental impacts under CEQA. According to the court, to hold otherwise would be inconsistent with the statute's legislative purpose and statutory requirements.

   Then a 2015 decision by the California Supreme Court, *California Building Industry Association (CBIA) v. Bay Area Air Quality Management District*, held that CEQA generally did not require agencies to analyze the impacts of existing environmental conditions on future users or residents of a project. Instead, agencies were only required to evaluate how the project might exacerbate existing environmental hazards.

5) **Prior legislation**. AB 953 (Ammiano, 2013) was essentially the same as this bill, requiring an EIR to analyze significant environmental effects resulting from locating a proposed project near, or attracting people to, areas with substantial existing or reasonably foreseeable natural hazards or adverse environmental conditions. While AB 953 passed this committee on April 15, 2013, it was not taken up for a vote on the floor and eventually died on the inactive file.

REGISTERED SUPPORT / OPPOSITION:

Support

350 Bay Area Action
California Environmental Justice Alliance (CEJA) Action
California Environmental Voters
Center for Biological Diversity
Center on Race, Poverty & the Environment

Citizens Planning Association
Clean Water Action
Cleanearth4kids.org
Climate Action California
Committees for Land, Air, Water and Species
Communities for a Better Environment
Defenders of Wildlife
Earthjustice
Endangered Habitats League
Environmental Defense Center
Facts: Families Advocating for Chemical & Toxics Safety
Food and Water Watch
Friends of Mission Canyon
Friends of the River
Leadership Counsel Action
Mothers Out Front Silicon Valley
Natural Resources Defense Council
Physicians for Social Responsibility - San Francisco Bay
Planning and Conservation League
San Francisco Baykeeper
Sierra Club California
Smart Action for Growth & Equity - Santa Barbara

Opposition

Building Owners and Managers Association of California
California Apartment Assocation
California Association of Realtors
California Building Industry Association
California Business Properties Association
California Central Valley Flood Control Association
California Chamber of Commerce
California State Association of Counties
Desert Water Agency
El Dorado Irrigation District
League of California Cities
NAIOP of California
Rural County Representatives of California
Valley Ag Water Coalition
Water Replenishment District

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

Date of Hearing: April 13, 2026

ASSEMBLY COMMITTEE ON NATURAL RESOURCES
Isaac G. Bryan, Chair
AB 2627 (Hart) – As Introduced February 20, 2026

SUBJECT: California Rangeland, Grazing Land, and Grassland Protection Program

SUMMARY: Requires bond funding to be appropriated to the Wildlife Conservation Board (WCB) for conservation easement grants to accredited entities.

EXISTING LAW:

1) Establishes the WCB and requires the WCB to authorize the acquisition of real property, rights in real property, water, or water rights as may be necessary to carry out the purposes of the Wildlife Conservation Law of 1947. (Fish and Game Code 1320 *et seq*.)

2) Authorizes funds to be expended by WCB for the acquisition of conservation easements over qualified property. Authorizes WCB to make grants of funds to a state agency, local public agency, or nonprofit organization for the acquisition of conservation easements over qualified property. (Public Resources Code (PRC) 10334)

3) Establishes the California Rangeland, Grazing Land, and Grassland Protection Program to protect California's rangeland, grazing land, and grasslands through the use of conservation easements. (PRC 10331)

4) Authorizes, pursuant to the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 (Proposition 4), $870 million, upon appropriation by the Legislature, to be appropriated to WCB for grant programs to protect and enhance fish and wildlife resources and habitat and achieve the state's biodiversity, public access, and conservation goals. (PRC 93010)

THIS BILL:

1) For purposes of this bill, defines "eligible entity" as an entity that meets all of the following criteria:

   a) Has received accreditation from the Land Trust Accreditation Commission at the time of applying for a grant;

   b) Demonstrates the capacity to acquire a conservation easement within 18 months of the award of a grant; and,

   c) Demonstrates the financial capacity to comply with perpetual stewardship and monitoring requirements associated with accreditation, or is a tribe, band, nation, or other organized group or community eligible for special programs and services provided by the United States or the State of California to Native Americans because of their status as Native Americans.

2) Requires $90 million from Proposition 4 to be appropriated to WCB.

3) Requires WCB to award these funds as grants to eligible entities through the California Rangeland, Grazing Land, and Grassland Protection Program to acquire conservation easements on privately owned qualified property that supports food and fiber production and ecosystem services, including wildfire fuel reduction, groundwater recharge, wildlife habitat, and scenic open space.

4) Provides that a grant may include:

   a) Up to 100% of the appraised value of a conservation easement, as approved by the Department of General Services; or

   b) Up to $75,000 for applicant expenses related to processing the conservation easement.

5) Requires, on or before June 30, 2029, a grantee to expend the grant funds and record the conservation easement.

6) Authorizes WCB to partner with and receive funds from land trusts certified by the United States Department of Agriculture under the federal Agricultural Conservation Easement Program.

7) Requires priority to be given to projects that leverage federal or private funding, but does not require matching funds.

FISCAL EFFECT: Unknown

COMMENTS:

1) **Author's statement**:

   > Conservation easements are a critical, cost-effective tool to help California achieve its 30x30 goals. These easements protect working rangelands, while maintaining their economic viability and agricultural production. By incentivizing voluntary conservation on rangelands, the State can advance its climate goals, while delivering numerous public benefits. AB 2627 will help expand conservation on working lands, support wildfire fuel reduction, enhance groundwater recharge, protect wildlife habitat, and preserve open space.

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 in 2024, authorizes $870 million available to WCB for grant programs to protect and enhance fish and wildlife resources and habitat and achieve the state's biodiversity, public access, and conservation goals.

3) **California Rangeland, Grazing Land, and Grassland Protection Program**. California is home to 38 million acres of rangeland that provides open space, watersheds, carbon storage, food, fiber and habitat for diverse plants and wildlife. On average, approximately 50,000 acres of farmland and rangeland are lost per year; of that, 21,000 acres per year are lost to urbanization. According to a 2016 American Farmland Trust report on the status of farmland

across the nation, California is on track to lose 500,000 acres of rangeland and pastureland by 2040. Over the last two centuries, 75% of the state's native vegetation and more than 90% of wetlands have been altered, reducing biodiversity and ecological resilience. Conversion of rangeland to urban uses may increase greenhouse gas emissions up to 100-fold. The state's 2019 Draft *California 2030 Natural and Working Lands Climate Change Implementation Plan* notes that, to achieve conservation and carbon sequestration goals on rangelands, the 2030 goal includes increasing fivefold the acres of cultivated lands and rangelands under state-funded soil conservation practices.

According to the author, investing in rangeland conservation protects important ecosystem services or environmental benefits that all Californians depend upon. For example, conserving rangelands protects watersheds, as more than two-thirds of surface waters used for municipal and crop production in California are derived from rangeland watersheds.

4) **Land Trust Accreditation.** The Land Trust Accreditation Commission was established as an independent program of the Land Trust Alliance in 2006. Accreditation by the Land Trust Accreditation Commission affords entities automatic eligibility to hold easements with California's Sustainable Agricultural Land Conservation Program (supported by the state;s Greenhouse Gas Reduction Fund). Today there are 132 land trusts in California, 52 of which are accredited.

   In order to be eligible for a grant under this bill, an eligible entity needs to have received accreditation; demonstrate the capacity to acquire a conservation easement within 18 months of the award of a grant; and, demonstrate the financial capacity to comply with perpetual stewardship and monitoring requirements associated with accreditation, or is a tribe.

5) **Policy bill budgeting.** Appropriations for state funds are adopted through the annual State Budget Act. The Legislative Budget Committees are currently considering Proposition 4 allocations for the fiscal year 2026-27 Budget. The author may wish to work with the Assembly Appropriations and Budget Committees on proposed priorities for Proposition 4 funding for the Rangeland, Grazing Land, and Grassland Protection Program.

6) **Related legislation.** AB 1311 (Hart) proposed appropriating $400 million from Proposition 4 for the WCB to award grants to eligible entities to acquire conservation easements on qualified property that is privately owned and supports the production of food and fiber and ecosystem services, including, but not limited to, wildfire fuel reduction, groundwater recharge, wildlife habitat, and open vistas. This bill was held in the Assembly Appropriations Committee.

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

REGISTERED SUPPORT / OPPOSITION:

Support

American Farmland Trust
California Cattlemen's Association
California Farm Bureau Federation
California Rangeland Trust

Opposition

None on file

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