

Staff Report 48

PROPOSED ACTION:

Discussion and possible action on state legislation relevant to the California State Lands Commission, including a briefing on SB 54 (Allen, Chapter 75, Statutes of 2022), which requires all packaging in California to be recyclable or compostable by 2032, among other things, and a briefing on other key ocean protection legislation, including AB 1832 (L. Rivas).

DISCUSSION:

The Legislature must adjourn by midnight on August 31. Bills that are passed before August 31 must be signed or vetoed by September 30 or they become law without the Governor's signature. On August 11, the Senate and Assembly Appropriations committees dispensed with 814 bills, passing 612 bills to their respective floors and holding 202 bills, and that is in addition to the roughly 360 measures that were already on the two floors. The Appropriation committees passed three bills that are significant for the Commission: AB 2257 (Boerner Horvath), SB 1065 (Eggman), and AB 353 (O'Donnell). Staff expects these bills to proceed to the Governor's desk for a signature or veto. Additional information about these bills is on page 4 of this staff report under "Key legislation involving the Commission."

Several significant policy and budget items remain in flux but are expected to resolve before the August 31 adjournment deadline. These include a multi-billion-dollar climate package and potentially extending the operation of the State's last operating nuclear power plant, Diablo Canyon, by five to ten years. On August 11, the Governor's office provided legislators with a copy of the draft legislation to extend the operation of the power plant.

At the federal level, the recently signed Inflation Reduction Act will invest approximately \$369 billion over the next ten years in energy security, environmental justice, and climate change programs and is projected to lower carbon emissions by roughly 40 percent by 2030. As noted in the New York Times, "If enacted, it would be the most significant climate law ever put in place in the United States, investing hundreds of billions of dollars over 10 years in tax credits for manufacturing facilities for things like electric vehicles, wind turbines and solar panels, and \$30 billion for additional production tax credits to accelerate domestic manufacturing of solar panels, wind turbines, batteries, and critical minerals processing. The Act

would also impose a fee to penalize excessive emissions of methane, a greenhouse gas.”

Ocean Protection Legislation

The Pacific Ocean, the largest, deepest, and most polluted ocean in the world, hugs California's 840-mile shoreline. Most of the land underlying the Pacific Ocean in California from the shoreline to 3 miles offshore is state-owned land managed by the Commission, and that is in addition to millions of acres of land underlying rivers, streams, and lakes that the Commission also manages on behalf of the State. These water bodies are drowning in plastic pollution. Plastics never truly degrade. Instead, they physically break down into smaller and smaller pieces. Plastics have been found in the digestive tracts of marine organisms and microplastics, plastics under 5 millimeters in size, have been found in drinking water and food. Many have heard of the Great Pacific Garbage Patch, a giant vortex of marine debris and plastics, mainly microplastics, that keeps accumulating because much of it is not biodegradable.

Plastic pollution is ubiquitous and rapidly increasing to unprecedented levels, and it is not just an oceans and waterways problem. It is an environmental health issue that is deeply intertwined with climate change. Most plastics are made of fossil fuels. Plastic is primarily landfilled, recycled, or incinerated—each of which produces greenhouse gas emissions and contributes to climate change. The latest Intergovernmental Plan on Climate Change Report found that a drastic reduction in the use of fossil fuels is key to limiting global warming. Leading climate activism is one of seven core strategic focus areas in the Commission's Strategic Plan. Reducing single use packaging and plastic use, and increasing recycling, goes hand-in-hand with leading climate activism and mitigating climate change.

The COVID-19 pandemic resulted in an influx of single use plastic packaging into homes and businesses, raising public awareness about the magnitude of the plastics problem. Yet despite the proliferation of plastics and the sheer quantity of them, recycling and reuse rates are paltry. In 2021, only five percent of postconsumer plastic waste in the United States was recycled, down from a high of 9.5 percent in 2014 when the United States exported millions of tons of plastic waste to China. In 2018, China enacted the National Sword Policy, severely restricting the amount of foreign waste, including plastics, China accepts. Now California landfills are filling up faster to accommodate the mountains of single use plastic materials. The goal of SB 54 is to drastically reduce single use plastics and actually reuse materials, using a producer responsibility model instead of a personal responsibility model that requires consumers to figure it out based on color coded bins.

With the above in mind, staff has been monitoring a package of plastic pollution reduction bills, and SB 54 (Allen) in particular. For context, single use plastic packaging is an issue the Legislature has been tackling for several years, but in a piecemeal way with a comprehensive solution remaining elusive. Commission staff

wanted to provide a more in depth briefing on SB 54 given the momentousness of the bill and the overarching plastic pollution crisis that is contributing to climate change and damaging the Pacific Ocean and California's waterways.

SB 54 (Allen, Chapter 75, Statutes of 2022)

On June 30, Governor Newsom signed SB 54, establishing the Plastic Pollution Prevention and Packaging Producer Responsibility Act, imposing minimum content requirements for single-use packaging and food service ware and source reduction requirements for plastic single-use packaging and food service ware to be achieved through an extended producer responsibility program with oversight by CalRecycle. SB 54, the culmination of four years of work by Senator Allen and many others, puts California at the forefront in addressing the critical issue of single use plastics and plastic pollution. It has been heralded as the most ambitious and comprehensive plastic pollution producer responsibility legislation in the nation.

SB 54 requires packaging producers to take financial responsibility for the full lifecycle of their products through extended producer responsibility. The bill requires producers to reduce single-use plastic packaging and food ware by 25 percent, by both weight and unit, by 2032, and ensure that single-use plastic packaging and food ware sold, distributed, or imported after January 2032 are truly recyclable or compostable, and are being recycled at a 65 percent rate, also by 2032. (The first such requirement in the nation.) This means that producers will no longer be able to use plastic packaging materials that cannot meet a 65 percent recycling rate by 2032. This is made possible through producer investments in recycling infrastructure.

A producer responsibility organization is the mechanism by which producers will comply with the mandates. SB 54 requires CalRecycle to develop a needs assessment, in coordination with the producer responsibility organization and local jurisdictions, to determine what infrastructure and education and outreach is necessary to meet the recycling and composting mandates. A diverse advisory board appointed by CalRecycle will review and provide feedback on the needs assessment, and CalRecycle has veto authority over the needs assessment.

SB 54 defines recycling as maintaining materials in the circular economy, excluding incineration, combustion, or other plastics to fuel technologies to meet required recycling rates; prohibits investments in these harmful, non-circular technologies; and bans expanded polystyrene food ware by January 2025 unless the industry can demonstrate a 25 percent recycling rate for the prior year as determined by CalRecycle. This means that polystyrene food ware will be banned beginning in January 2025 unless it is being recycled at a 25 percent rate.

SB 54 requires producers and plastic manufacturers to pay \$500 million a year for ten years (\$5 billion total), starting in 2027, in environmental mitigation funds to monitor and reduce the environmental impacts of plastics on terrestrial, aquatic, and marine life and human health, including to restore, recover, and protect the

natural environment. This makes California the first state in the nation to have a producer funded mitigation fund for projects and programs that clean up plastic pollution and benefit the natural environment. At least 50 percent of the funding must benefit residents living in a disadvantaged or low-income community or rural area. SB 54 also requires producers to reduce at least 10 percent of their total single-use plastic packaging and food ware by eliminating it from the market without replacing it with another material, and requires that implementing regulations, infrastructure, or investments avoid disproportionately harming disadvantaged, low-income, and rural communities.

One of the things that is significant about SB 54 is that environmental groups and the business community, two groups traditionally at odds, came together and compromised to create one of, if not the strongest, plastic pollution prevention and recycling laws in the nation. Oceana, the Ocean Conservancy, the Monterey Bay Aquarium, the Nature Conservancy, and the National Stewardship Action Council, organizations deeply concerned about the impact that single use plastic packaging is having on California's oceans and communities, were integral to the bill's passage. Local governments, waste haulers, manufacturers, industry, and a group of key legislative staff also devoted hundreds of hours to making the bill successful.

Key Legislation involving the Commission

Below is a list of key bills that the Commission has adopted a position on or affect the Commission and following that is a list and description of the dozens of bills Commission staff is tracking.

[AB 1832](#) (Luz Rivas), the California Seabed Mining Prevention Act, would prohibit the Commission or a local trustee of granted public trust lands from issuing a lease or permit to extract or remove hard minerals from state waters subject to tidal influence, with certain exceptions. The bill, co-sponsored by the Monterey Bay Aquarium, the Surfrider Foundation, and Lieutenant Governor Eleni Kounalakis, is intended to proactively safeguard thousands of miles of seafloor and habitat. The Commission adopted a support position on AB 1832 at its April meeting. AB 1832 is on the Senate floor.

[SB 953](#) (Min) would have required the Commission to terminate all remaining offshore oil and gas leases under its jurisdiction by December 31, 2023. In October 2021, an underwater pipeline operated by Amplify Energy Corp ruptured, spilling nearly 25,000 gallons of oil into the Pacific Ocean and causing beach closures, damaging the environment, and harming the regional and state coastal economies. The spill triggered an outcry from elected officials, environmental groups, and others to end offshore oil and gas development. At a rally after the spill, Senator Min promised to introduce legislation to end all offshore drilling off the coast of California. Four months later, he introduced SB 953. In May, the Senate Appropriations Committee held SB 953 on its Suspense File.

[AB 2109](#) (Bennett and Bloom) would make it unlawful to use bait, lure, or chum to attract a white shark or to place bait, lure, or chum into the water when a white shark is visible or known to be present except if the activity is authorized by a permit issued by the California Department of Fish and Wildlife for scientific, educational, or propagation purposes. The Commission adopted a support position on AB 2109 at its April meeting. AB 2109 is on the Senate floor.

[AB 2257](#) (Boerner-Horvath), sponsored by Commission Chair, and California State Controller Betty Yee, this bill would direct the Commission to develop a study that quantifies the fiscal impact of a voluntary lease relinquishment of the remaining lease interests in the State's 11 actively producing offshore oil and gas leases. The Commission adopted a support position on AB 2257 at its February meeting, and the 2022-23 budget appropriates \$1 million to the Commission for the study. AB 2257 is on the Senate floor.

[AB 353](#) (O'Donnell) would remove the \$300 million cap in the Oil Trust Fund, resuming deposits from the state's share of Long Beach oil operation revenues until the Fund reaches a balance that will cover the state's abandonment liabilities. The Commission adopted a support position on AB 353 at its February meeting. AB 353 is on the Senate floor.

[SB 1065](#) (Eggman) would establish an abandoned and derelict commercial vessel program within the California Natural Resources Agency and require the Commission to administer the program. The bill would ban vessels at risk of becoming derelict from occupying state waters and authorize state peace officers and fish and game wardens to remove or seize these vessels and fine the owners. SB 1065 is on the Assembly floor.

[SB 1078](#) (Allen) would create a sea level rise revolving loan program applicable to communities disproportionately impacted by climate change. The bill requires the Ocean Protection Council to develop a Sea Level Rise Revolving Loan Pilot Program that would provide low-interest loans to local jurisdictions to purchase vulnerable coastal property located in low-income communities, communities of color, tribal communities, and other disproportionately affected communities and populations who bear the brunt of impacts from climate change. SB 1078, like last year's bill (SB 83, Allen, vetoed) includes the Commission as one of the agencies the Ocean Protection Council must coordinate with when determining eligibility criteria for vulnerable properties to qualify for funding under the loan program. SB 1078 is on the Assembly floor.

[AB 2607](#) (Ting) enables the City of San Francisco to acquire land to build a new firefighter training facility that would replace an existing training facility that will become unavailable in 2025. The bill would authorize the Commission to convey

certain land to the City of San Francisco free of the Public Trust and Burton Act trust requirements—subject to the Commission making certain findings. AB 2607 was enrolled on August 9. Once the bill is presented to the Governor, he has 12 days to act on it, and if signed into law, it goes into effect immediately because it contains an Urgency Clause.

TRACKED BILLS

AQUACULTURE

[AB 303 \(RIVAS, ROBERT D\)](#) **AQUACULTURE: MARICULTURE PRODUCTION AND RESTORATION: PILOT PROGRAM.**

Status: Assembly – died in the Natural Resources Committee

Summary: This bill would have required the Department of Fish and Wildlife to create a mariculture production and restoration pilot program. The bill would have required the Department to establish a process to designate tracts for shellfish and seaweed mariculture production and restoration as part of that, and authorize applicants with a proposed shellfish, seaweed, or shellfish and seaweed mariculture production and restoration project to apply for a lease of any pilot program tract, or a portion thereof. The bill would have required the State Lands Commission or the Fish and Game Commission, or both, to approve, deny, or return for revision a lease application within 4 months.

BLUE CARBON

[AB 2593 \(BOERNER HORVATH D\)](#) **COASTAL RESOURCES: COASTAL DEVELOPMENT PERMITS: BLUE CARBON DEMONSTRATION PROJECTS.**

Status: Senate Appropriations Committee – held under submission

Summary: This bill would have required the Coastal Commission to require applicants with a public project seeking a coastal development permit to, where feasible, build or contribute to a blue carbon project.

CARBON CAPTURE AND SEQUESTRATION

AB 2649 (GARCIA, CRISTINA D) NATURAL CARBON SEQUESTRATION AND RESILIENCE ACT OF 2022.

Status: Senate Appropriations Committee – held under submission

Summary: This bill would have declared it state policy to remove 60,000,000 metric tons of carbon dioxide equivalent annually by 2030 and 75,000,000 metric tons by 2035 through carbon sequestration programs on natural, working, and urban lands. The bill would have required the Air Resources Board to include this natural carbon removal goal in its scoping plan and would have required the Natural Resources Agency to establish natural carbon sequestration pathways to guide specified agencies in the implementation of sequestration programs to achieve this goal.

AB 2944 (PETRIE-NORRIS D) GREENHOUSE GASES: CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION.

Status: Senate Judiciary Committee

Summary: This bill would require the Air Resources Board to include an evaluation of how carbon capture technologies contribute to greenhouse gas emission reduction efforts in their annual report to the Legislature on climate change policies.

SB 905 (SKINNER D) DECARBONIZED CEMENT AND GEOLOGIC CARBON SEQUESTRATION DEMONSTRATION ACT.

Status: Assembly floor

Summary: This bill would require the Air Resources Board to fund 1 – 3 geologic carbon sequestration demonstration projects and develop guidelines and criteria for eligible projects. More broadly, this bill designates the Air Resources Board as the CEQA lead agency for geologic carbon sequestration projects and requires the Board to create a single permit process for these projects.

SB 1101 (CABALLERO D) CARBON SEQUESTRATION: PORE SPACE OWNERSHIP AND CARBON CAPTURE, UTILIZATION, AND STORAGE PROGRAM.

Status: Assembly floor

Summary: This bill would establish within the California Geological Survey the geologic Carbon Sequestration Group to provide independent expertise and regulatory guidance to the Air Resources Board and identify suitable locations of Class VI injection wells, appropriate subsurface monitoring to ensure geologic

sequestration of injected carbon dioxide, and hazards that may require suspending injections.

[SB 1399](#) ([WIECKOWSKI D](#)) **CARBON CAPTURE TECHNOLOGY DEMONSTRATION PROJECT GRANT PROGRAM.**

Status: Assembly floor

Summary: This bill would require the Energy Commission to establish the Carbon Capture Technology Demonstration Project Grant Program to deploy and commercialize carbon capture technologies that will improve the efficiency, effectiveness, cost, emissions reductions, and environmental performance of industrial facilities, natural gas electric generation facilities, and biomass electric generation facilities. The bill would require the Energy Commission to coordinate with specified entities, including the State Lands Commission, to establish program goals and objectives.

CEQA

[AB 1001](#) ([GARCIA, CRISTINA D](#)) **ENVIRONMENT: MITIGATION MEASURES FOR AIR QUALITY IMPACTS: ENVIRONMENTAL JUSTICE.**

Status: Senate Environmental Quality Committee

Summary: This bill would require mitigation measures identified in an environmental impact report or mitigated negative declaration to mitigate the adverse effects of a project on air quality of a disadvantaged community, to include measures to avoid, minimize, or otherwise mitigate for the adverse effects on that community. The bill would require mitigation measures to include measures conducted at the project site that avoid or minimize to less than significant the adverse effects on the air quality of a disadvantaged community or measures conducted in the affected disadvantaged community that directly mitigate those effects.

[SB 1136](#) ([PORTANTINO D](#)) **CALIFORNIA ENVIRONMENTAL QUALITY ACT: EXPEDITED ENVIRONMENTAL REVIEW: CLIMATE CHANGE REGULATIONS.**

Status: Assembly floor

Summary: This bill would expand a provision in existing law that requires certain public agencies, when they adopt a rule or regulation requiring the installation of pollution control equipment or a performance standard to treatment requirement, to perform an environmental analysis of the reasonably foreseeable methods of compliance, to also apply to the adoption of a rule or regulation requiring the reduction in greenhouse gases, criteria air pollutants, or toxic air contaminants. The bill would also require certain projects to meet specified labor requirements.

EQUITY AND ENVIRONMENTAL JUSTICE

AB 2296 (JONES-SAWYER D) TASK FORCE TO STUDY AND DEVELOP REPARATION PROPOSALS FOR AFRICAN AMERICANS.

Status: Senate floor

Summary: This bill would remove the terms of office for appointees to the Task Force to Study and Develop reparation proposals for African Americans, authorize the Task Force to elect officers and create advisory bodies and subcommittees, and require the Task Force to submit at least one report to the Legislature. The bill would also extend the task Force until July 2024.

AB 2419 (BRYAN D) ENVIRONMENTAL JUSTICE: FEDERAL INFRASTRUCTURE INVESTMENT AND JOBS ACT: JUSTICE40 OVERSIGHT COMMITTEE.

Status: Senate Appropriations Committee – held under submission

Summary: The federal Infrastructure Investment and Jobs Act provides additional federal funds to rebuild national infrastructure. Presidential Executive orders established the federal Justice40 Initiative with the goal that 40 percent of the federal benefits flow to disadvantaged communities and stating that Act implementation should prioritize investing public dollars equitably, including through the Justice40 Initiative. This bill would require a state agency administering federal funds under the federal Infrastructure Investment and Jobs Act to allocate at least 40 percent of those funds to projects that benefit disadvantaged communities and an additional ten percent to projects that benefit low-income households.

GENERAL

AB 2370 (LEVINE D) PUBLIC RECORDS: STATE AGENCY RETENTION.

Status: Senate Appropriations Committee – held under submission

Summary: This bill would require state agencies to retain and preserve every public record for 2 years regardless of physical form or characteristics.

AB 2758 (O'DONNELL D) ANGELES: OCEAN DUMPSITES: CHEMICAL WASTE.

Status: Senate Appropriations Committee – held under submission

Summary: This bill would require CalEPA to hold four public meetings annually to inform the public about the agency's efforts to study and mitigate DDT and other chemical waste at dumpsites off the coast of Los Angeles.

OFFSHORE WIND ENERGY

SB 413 (McGUIRE D) ELECTRICITY: OFFSHORE WIND GENERATION FACILITIES: SITE CERTIFICATION.

Status: Senate Energy, Utilities and Communications Committee (dead)

Summary: This bill would require the Energy Commission, in consultation with the Offshore Wind Project Certification, Fisheries, Community, and Indigenous Peoples Advisory Committee, which the bill would create, to establish a process to certify offshore wind generation facilities that is analogous to the existing requirements to certify thermal powerplants. This bill would also give the Energy Commission exclusive authority to certify offshore wind generation facilities.

SB 1274 (McGUIRE D) ENVIRONMENTAL QUALITY: ENVIRONMENTAL LEADERSHIP DEVELOPMENT PROJECTS: CLEAN ENERGY TRANSMISSION PROJECTS: OFFSHORE WIND.

Status: Senate Environmental Quality Committee

Summary: The Jobs and Economic Improvement Through Environmental Leadership Act of 2021 authorizes the Governor to certify certain projects, for CEQA purposes, as leadership projects, including certain renewable energy and housing development projects. This bill would include, as a project eligible for certification, a clean energy project that upgrades transmission infrastructure to bring renewable energy from an offshore wind project located within or adjacent to Humboldt County.

OIL AND GAS

AB 1611 (DAVIES R) OIL SPILLS: POTENTIAL CASUALTIES WITH SUBMERGED OIL PIPELINES: VESSELS: REPORTING.

Status: Senate Judiciary Committee

Summary: This bill would establish new notification requirements for vessel operators involved in a potential casualty with a submerged oil pipeline and would impose civil penalties on vessel operators who do not notify the Office of Emergency Services of a potential oil pipeline strike in a timely manner.

AB 1657 (NGUYEN R) OIL SPILLS: REPORTING: WATERS OF THE UNITED STATES.

Status: Senate Natural Resources and Water Committee

Summary: This bill would define "threatened discharge of oil in waters of the state" as a discharge by an offshore facility, including an offshore pipeline, located where an oil spill may impact state waters. This bill would require an offshore facility to be

presumed to be located where an oil spill may impact state waters if certain circumstances apply, including that any portion of the pipeline serving an offshore facility transports oil to, from, or through state waters.

AB 1658 (NGUYEN R) OIL SPILL RESPONSE AND CONTINGENCY PLANNING: OIL SPILL ELEMENTS: AREA PLANS.

Status: Senate floor

Summary: This bill would require local area plans with an oil spill element to be consistent with the USCG area Contingency Plan, the local government's Local Coastal Program, the California Oil Spill Contingency Plan, and the National Contingency Plan.

AB 1676 (GRAYSON D) PIPELINE SAFETY: CARBON DIOXIDE.

Status: Assembly Natural Resources Committee

Summary: This bill would add carbon dioxide, compressed to a supercritical state, to the substances included in the Elder California Pipeline Safety Act, giving the State Fire Marshal exclusive jurisdiction to regulate intrastate pipeline transportation of carbon dioxide.

AB 1966 (MURATSUCHI D) FOSSIL FUEL-DEPENDENT WORKERS: CALIFORNIA EQUITABLE JUST TRANSITION FUND.

Status: Assembly Rules Committee

Summary: This bill expresses legislative intent to establish an equitable just transition fund to assist fossil fuel-dependent workers with wage replacement, wage insurance, pension guarantees, health care, retraining, peer counseling, and relocation support for fossil fuel workers who face layoffs owing to operation closures.

AB 2204 (BOERNER HORVATH D) CLEAN ENERGY: OFFICE OF CLEAN ENERGY WORKFORCE.

Status: Senate floor

Summary: This bill would establish the Office of Clean Energy Workforce in the Labor and Workforce Development Agency to oversee California's transition to a carbon neutral economy. The bill would require the Office to coordinate with state agencies to track the State's progress and create or coordinate programs to retrain and upskill workers for clean energy jobs.

AB 2447 (QUIRK D) OIL AND GAS WASTEWATER: UNLINED PONDS: PROHIBITION.

Status: Assembly Inactive file

Summary: This bill would ban disposing produced wastewater into unlined ponds and the construction of new unlined ponds, with certain exceptions, and would ban permit renewals or other authorization for those activities. Beginning in 2025, the bill would ban disposal of produced wastewater into unlined ponds and the construction of new unlined ponds.

AB 2609 (PETRIE-NORRIS D) OIL: FACILITY RESPONSE PLAN.

Status: Assembly Natural Resources Committee

Summary: This bill would require an operator of an onshore facility or marine facility that poses any risk of discharging oil into or on water and that is required to prepare a facility response plan to submit the plan to the State Lands Commission. The bill would require the Commission to post the plan on its website within 30 days of receiving the plan and to hold at least two public hearings in different parts of the state to receive public comment on the plans.

AB 2931 (BLOOM D) PIPELINE SAFETY: RECORDS.

Status: Senate floor

Summary: This bill would expand the definition of "pipeline," revise and recast provisions of law relating to record maintenance and inspection by the State Fire Marshal and authorize the State Fire Marshall to require pipeline owners and operators to establish and maintain records, make reports, and provide certain information to the State Fire Marshal. The bill would also repeal a certain test result requirement and funding and contingent operation provisions in the Elder California Pipeline Safety Act of 1981.

SB 1030 (LIMÓN D) PIPELINE SAFETY: RECORDS.

Status: Assembly floor

Summary: This bill would revise and recast laws relating to the State Fire Marshal's responsibilities under the Elder California Pipeline Safety Act as it relates to record maintenance and inspection and would authorize the State Fire Marshal to require a pipeline owner or owner to establish and maintain records, make reports, and provide any information that the State Fire Marshal reasonably requires.

SB 1125 (GROVE R) OIL AND GAS: ALTERNATIVE TO BOND REQUIREMENT: FINANCIAL ACCOUNTS.

Status: Senate Natural Resources and Water Committee

Summary: This bill would establish a program in CalGEM to permit a small, independent oil producer to establish a separate, privately owned financial account to finance costs related to ceasing operations or plugging and abandoning a well in lieu of maintaining a bond.

SB 1423 (STERN D) COASTAL RESOURCES: CALIFORNIA COASTAL ACT OF 1976: INDUSTRIAL DEVELOPMENTS: OIL AND GAS FACILITIES.

Status: Senate Appropriations Committee – held under submission

Summary: This bill would revise the coastal-dependent industrial use (override) policies in the Coastal Act to prohibit new or expanded oil and gas development and new or expanded refineries or petrochemical facilities from being considered a coastal-dependent industrial use.

OPEN MEETINGS

AB 1733 (QUIRK D) STATE BODIES: OPEN MEETINGS.

Status: Assembly Governmental Organization Committee

Summary: This bill would change Bagley-Keene open meeting requirements to require all open meetings to be held by teleconference, allow for use of teleconference in closed sessions, and make other changes regarding teleconference meetings, remote participation, and open meeting notifications.

AB 1795 (FONG R) OPEN MEETINGS: REMOTE PARTICIPATION.

Status: Assembly Governmental Organization Committee

Summary: This bill would require state bodies to provide participation options both in-person and remotely in any meeting and to address the body remotely.

PLASTIC POLLUTION AND MARINE DEBRIS

AB 1690 (RIVAS, LUZ D) TOBACCO AND CANNABIS PRODUCTS: SINGLE-USE ELECTRONIC CIGARETTES AND INTEGRATED CANNABIS VAPORIZERS.

Status: Assembly Inactive File

Summary: This bill would prohibit the sale of cigarettes using a single-use filter made of any material, an attachable and single-use plastic device meant to facilitate manual manipulation or filtration of a tobacco product, or a single-use electronic cigarette or vaporizer device.

AB 2026 (FRIEDMAN D) RECYCLING: PLASTIC PACKAGING AND CARRYOUT BAGS.

Status: Senate Appropriations Committee – held under submission

Summary: This bill would require an e-commerce shipper that ships purchased products in or to the State to reduce the total weight and number of units of single-use plastic shipping envelopes, cushioning, void fill, and polystyrene it uses to ship by 2030.

AB 2784 (TING D) SOLID WASTE: THERMOFORM PLASTIC CONTAINERS: POSTCONSUMER THERMOFORM RECYCLED PLASTIC.

Status: Senate floor

Summary: This bill would establish minimum recycled content requirements for thermoform plastic containers.

AB 2787 (QUIRK D) MICROPLASTICS IN PRODUCTS.

Status: Assembly Inactive File

Summary: This bill would prohibit the sale, distribution, or offering of products containing intentionally added microplastic.

SB 54 (ALLEN D) PLASTIC POLLUTION PRODUCER RESPONSIBILITY ACT.

Status: Signed into law.

Summary: This bill establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act, which imposes minimum content requirements for single-use packaging and food service ware and source reduction requirements for plastic single-use packaging and food service ware, to be achieved through an extended producer responsibility program.

SB 1046 (EGGMAN D) SOLID WASTE: PRECHECKOUT BAGS.

Status: Assembly floor

Summary: This bill would prohibit certain stores from providing a checkout bag to a customer unless the bag is compostable or a recycled paper bag.

SB 1232 (ALLEN D) SOLID WASTE: PRODUCTS: LABELING: BIODEGRADABILITY.

Status: Senate Appropriations Committee – held under submission

Summary: This bill would allow a manufacturer to deem a product “biodegradable,” “degradable,” or “decomposable” if the product, among other things, does not contain an intentionally added ingredient determined by the Office of Environmental Health Hazard Assessment to present a risk to human health from dermal or oral exposure or if the Office, in consultation with the Department of Resources Recycling and Recovery, determines, with respect to a specific product,

material, or ingredient, that there is competent and reliable evidence supporting a claim that it is “biodegradable,” “degradable,” or “decomposable.”

PUBLIC LANDS

AB 30 (KALRA D) EQUITABLE OUTDOOR ACCESS ACT.

Status: Senate Floor

Summary: This bill would establish the Equitable Outdoor Access Act to ensure all Californians can meaningfully access the State’s cultural and natural resources. The bill would declare it state policy to ensure that all Californians have equitable access to public lands and would require certain state agencies, including the California Natural Resources Agency and each entity within the Agency, to consider and incorporate the state policy when revising, adopting, or establishing policies, regulations, grant criteria, or making expenditures.

AB 1789 (BENNETT D) OUTDOOR RECREATION: CALIFORNIA RECREATIONAL TRAILS SYSTEM. PLAN

Status: Senate Floor

Summary: This bill would require State Parks to update the California Recreational Trails System Plan and would authorize the State Park and Recreation Commission to take actions related to trail planning and development.

AB 2016 (BAUER-KAHAN D) STATE WATER RESOURCES CONTROL BOARD: DESALINATION PLANT: FEASIBILITY STUDY.

Status: Senate Appropriations Committee – held under submission

Summary: This bill would request that the California Council on Science and Technology study the potential for drought-resilient water supplies to meet the current and future demand in the San Francisco Bay Area, and submit the study to the Legislature and others by January 2025.

AB 2177 (IRWIN D) COASTAL RECREATION: DESIGNATED STATE SURFING RESERVES.

Status: Assembly Appropriations Committee – held under submission

Summary: This bill would require State Coastal Conservancy to establish criteria and an application process to designate state surfing reserves.

AB 2287 (STONE D) CALIFORNIA OCEAN RESOURCES STEWARDSHIP ACT OF 2000.

Status: Enrolled

Summary: This bill would authorize the California Ocean Science Trust to contract with agencies and departments outside the California Natural Resources Agency for science-based research and other services and rename the California Ocean Trust as the California Ocean Science Trust. The bill would also revise the purposes of the California Ocean Science Trust and make new legislative findings about the impacts of climate change and the need for science-informed policy.

SB 1012 (GLAZER D) STATE PARKS: OPEN FIRES.

Status: Assembly Appropriations Committee – held under submission

Summary: This bill would require a unit of the state park system to follow and enforce the rules relating to open fires that are at least as restrictive as the rules adopted by a local fire department or a fire protection district within whose boundaries the unit is located.

SB 1036 (NEWMAN D) CALIFORNIA CONSERVATION CORPS: CALIFORNIA OCEAN CORPS PROGRAM.

Status: Assembly floor

Summary: This bill would require the California Conservation Corps to establish the California Ocean Corps to provide opportunities for people ages 16 to 30 to contribute ocean conservation work spanning from casual volunteer opportunities to long-term, paid skill development programs. The bill would appropriate \$40 million General Fund for the program.

SB 1052 (KAMLAGER D) BALDWIN HILLS CONSERVANCY: URBAN WATERSHEDS CONSERVANCY EXPANSION.

Status: Assembly floor

Summary: This bill would expand the Baldwin Hills Conservancy, of which the Commission is a member, to include the southern Ballona Creek Watershed and the Upper Dominguez Channel, rename the Conservancy, and make it permanent.

RENEWABLE ENERGY

SB 1376 (STERN D) STATE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION: STRATEGIC PLAN: ZERO-CARBON RESOURCES.

Status: Senate Appropriations Committee – Held under submission.

Summary: This bill would require the Energy Commission to adopt a strategic plan by November 2023 to enable no less than 6 gigawatts per year of zero-carbon resources to be interconnected to the electrical grid, beginning in January 2025.

SEA LEVEL RISE AND CLIMATE CHANGE

[AB 1395](#) ([MURATSUCHI D](#)) *THE CALIFORNIA CLIMATE CRISIS ACT.*

Status: Senate Inactive File

Summary: This bill, the California Climate Crisis Act, would declare it state policy to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, and achieve and maintain net negative greenhouse gas emissions thereafter, and to ensure that by 2045, statewide anthropogenic greenhouse gas emissions are reduced to at least 90 percent below 1990 levels.

[AB 1640](#) ([WARD D](#)) *OFFICE OF PLANNING AND RESEARCH: REGIONAL CLIMATE NETWORKS: REGIONAL CLIMATE ADAPTATION AND RESILIENCE ACTION PLANS.*

Status: Senate Appropriations Committee – held under submission

Summary: This bill would authorize a regional climate network to develop a regional climate adaptation and resilience action plan and would require the Office of Planning and Research to develop and publish guidelines on how eligible entities may establish regional climate networks and how governing boards may be established within regional climate networks.

[AB 1939](#) ([RIVAS, LUZ D](#)) *PUPIL INSTRUCTION: SCIENCE REQUIREMENTS: CLIMATE CHANGE.*

Status: Senate Education Committee

Summary: This bill would add content on the causes and effects of, and methods to mitigate and adapt to, climate change to science courses for grades 1 to 6 and grades 7 to 12, and require that this coursework be offered to students by the 2023-24 school year, and require that at least one science course required for graduation include material on the causes and effects of, and methods to mitigate and adapt to, climate change, beginning with the graduating class of 2027-28.

[SB 852](#) ([DODD D](#)) *CLIMATE RESILIENCE DISTRICTS: FORMATION: FUNDING MECHANISMS.*

Status: Assembly Concurrence

Summary: This bill would allow cities and counties to create climate resilience districts to raise and allocate funding for projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and flooding.

[SB 867](#) ([LAIRD D](#)) *SEA LEVEL RISE: PLANNING AND ADAPTATION.*

Status: Assembly floor

Summary: This bill would require local governments within the coastal zone or the jurisdiction of the San Francisco Bay Conservation and Development Commission to

address sea level rise planning and adaptation by submitting, and receiving approval for, a local coastal program for purposes of the California Coastal Commission's jurisdiction and a subregional San Francisco Bay Shoreline Resiliency Plan for purposes of the San Francisco Bay Conservation and Development Commission. The bill would require local governments that receive approval for sea level rise planning and adaptation before January 2028, to be prioritized for sea level rise funding. The bill would also require the California Coastal Commission and the San Francisco Bay Conservation and Development Commission, in close coordination with the Ocean Protection Council and the California Sea Level Rise State and Regional Support Collaborative, to establish guidelines for the preparation of that planning and adaptation.

TRIBAL ISSUES

AB 923 (RAMOS D) GOVERNMENT-TO-GOVERNMENT CONSULTATION ACT: STATE-TRIBAL CONSULTATION.

Status: Senate Floor

Summary: This bill would encourage state agencies to consult on a government-to-government basis with certain tribes. It would also designate state officials authorized to represent the state in consultations and require the Department of Human Resources to develop training about government-to-government consultations.

AB 2022 (RAMOS D) STATE GOVERNMENT.

Status: Senate floor

Summary: This bill would require the term "squaw" to be removed from all geographic features and place names in California beginning in January 2025.

AB 2225 (WARD D) RESOURCE CONSERVATION: TRADITIONAL ECOLOGICAL KNOWLEDGE: LAND MANAGEMENT PLANS.

Status: Senate Natural Resources and Water Committee

Summary: This bill would require the California Natural Resources Agency to conduct regional workshops across the state to solicit input, priorities, and concerns from Native American tribes regarding traditional ecological knowledge and reimburse tribes for this consultation.