

# Staff Report 89

## DISCUSSION:

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The Legislature [is expected to](#) pass roughly 1,000 bills off the floor of each house before the June 2 house of origin deadline. That deadline was preceded by the Assembly and Senate Appropriations Suspense File hearings in which the Senate approved 326 bills, or 78 percent, and the Assembly approved 770 bills, or 69 percent.

The Commission's two sponsored bills, AB 706 (L. Rivas) and AB 1706 (Bonta), passed off the Assembly Floor in late May with unanimous bipartisan support and await a hearing in the Senate Natural Resources and Water Committee. AB 655 (Petrie-Norris), a bill the Commission adopted a support position on at its April meeting, also passed off the Assembly Floor with unanimous bipartisan support and awaits a hearing in the Senate Natural Resources and Water Committee.

Three bills aimed at facilitating offshore wind energy are moving through the Legislature. [Staff recommends that the Commission adopt a support position on one of the three bills, AB 80 \(Addis\)](#). These bills will either have an ancillary effect on the Commission or establish specific requirements on the Commission related to offshore wind energy. More information about the bills, including links to the text and summaries, [as well as an analysis of AB 80](#), are in the below list of tracked legislation.

Other bills that directly affect the Commission include AB 1686 (Grayson), which authorizes the Commission to relieve the City of Martinez of a revenue sharing arrangement for an additional 10 years, and SB 273 (Wiener), a bill sponsored by the City and County of San Francisco that authorizes the Commission to approve a mixed-use development on Piers 30-32 if it makes certain findings. Also of note is that Assemblymember Villapudua reintroduced legislation Senator Eggman authored last year, which was vetoed, that would have required the Commission to administer a new abandoned and derelict commercial vessel program. All three of the above bills are proceeding.

Last month, Governor Newsom unveiled an Executive Order and a bill package to build California's clean energy future faster. The Executive Order and legislative package are intended to speed up construction by streamlining the project delivery process, reducing project timeframes and costs: expediting court review; accelerating permitting for certain projects; streamlining California Environmental Quality Act processes, including document review and retention procedures; and maximize federal dollars by establishing a green bank financing program and emphasizing projects that benefit low-income and disadvantaged communities. Staff is reviewing these proposals.

On the federal level, Representative Garamendi secured his [H.R.1452](#), legislation supported by the State Lands Commission, in the House's Fiscal Year 24-25 Coast Guard Authorization Act at markup. H.R. 1452 would require the United States Coast Guard to release ballast water treatment system type approval data to any State, the District of Columbia, or United States territory upon request. This requirement would enable the Commission to use the United States Coast Guard ballast water treatment system type approval data to assess the performance of available ballast water treatment systems. This information could help inform a petition from California to the U.S. EPA to strengthen the federal ballast water discharge standards if the data support that conclusion. Staff is working with Representative Garamendi, US Senate staff, and other states to support keeping this provision in the final United States Coast Guard Authorization bill, which is expected to pass in the Fall. Staff is also coordinating a multi-agency support letter for the bill and its inclusion in the final Coast Guard Authorization Act.

The State Legislature is working toward its June 15 deadline to pass a state budget, including putting the finishing touches on the main budget bill and the many trailer bills that are part of that process. Starting on June 5, policy committees will resume hearings to consider bills passed in the opposite house. Summer recess begins on July 14. The Legislature reconvenes from summer recess on August 14 and adjourns on September 14. Staff will report back to the Commission with an update about legislation at its August meeting.

## **STAFF ANALYSIS AND RECOMMENDATION FOR AB 80 (ADDIS)**

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### **SUMMARY**

AB 80 would require the Ocean Protection Council, upon an appropriation by the Legislature, to establish and oversee a West Coast Offshore Wind Science Entity for the purpose of ensuring that comprehensive baseline and ongoing monitoring of the California ocean ecosystem and targeted research are available and used to

inform state and federal decisions about offshore wind development in federal waters and the management of any impacted marine resources.

### **REASON FOR THE BILL**

The purpose of this bill is to ensure that state and federal agencies, tribal groups, the offshore wind industry and environmental nonprofits develop a coordinated approach to research, monitoring, and data sharing to inform state and federal decisions about offshore wind development and the management of any impacted marine and coastal resources.

According to the Author [An Entity] “initiated by the Ocean Protection Council would ensure that state and federal agencies, tribal groups, the offshore wind industry and environmental nonprofits develop a coordinated approach to research, monitoring, and data-sharing to inform state and federal decisions about offshore wind development and the management of any impacted marine and coastal resources. While California is in the early stages of development of offshore wind energy in our federal waters, there is clear momentum for it to help us meet our climate and clean energy goals. This is the right time to lay a robust foundation of responsible, science-based planning for offshore wind energy development that will assist decision makers as we forge ahead, and at the same time fulfill our collective obligation to be good stewards of the ocean for this generation and the generations to come.”

### **ANALYSIS**

This bill would require the Ocean Protection Council, upon an appropriation by the Legislature, to establish and oversee, in coordination with other state agencies, a West Coast Offshore Wind Science Entity to ensure that comprehensive and ongoing baseline monitoring of the California ocean ecosystem and targeted research are available and used to inform state and federal decisions about offshore wind development in federal waters and the management of any impacted marine resources.

The bill would require the Wind Science Entity to collaboratively support and recommend science and research pathways to ensure that decisions about offshore wind development and wildlife are made in an environmentally responsible manner that safeguards coastal and marine resources. The bill would require the Ocean Protection Council to assemble representatives from relevant groups to develop a steering committee to provide governance and oversight on the processes and procedures of the West Coast Offshore Science Entity and be

the final decisionmaking body on process and procedural governance of the entity.

The steering committee would include at least two representatives from state agencies, federal agencies, California tribes, including federally recognized tribes or California Native American tribes identified on the contact list maintained by the Native American Heritage Commission, the offshore wind industry, and environmental nonprofit organizations. A subcommittee of scientists, traditional knowledge holders, and other stakeholders would support the steering committee and the Wind Science Entity.

The bill would require the Wind Science Entity to perform the following functions:

- (1) Review and incorporate existing research, monitoring, and data standardization.
- (2) Ensure appropriate data and standards are in place to support science priorities.
- (3) Identify research needs or data gaps and recommend how to coordinate and prioritize research to address these gaps.
- (4) Identify tools, methods, and technologies that may be used to support needed monitoring and research and recommending applications.
- (5) Host a data portal and housing publicly available information to support transparency in decision making.
- (6) Allocate funds to address science priorities.

The Inflation Reduction Act signed last year, the first real climate legislation Congress has passed, authorizes federal spending of more than three hundred and fifty billion dollars on climate initiatives. The Act has multiple provisions related to offshore wind energy, including leasing, transmission planning, and tax credits. The first offshore wind farm on the planet is situated off the Danish Island of Lolland and consists of 11 turbines. There are many more offshore wind farms now, mainly in European and Chinese waters. The largest is in the North Sea off the English coast and comprises 165 turbines. Block Island Wind Farm, America's first offshore wind operation, consists of five wind turbines in federal water in the Atlantic Ocean. One of those turbines, BIWF2, is a six hundred feet tall wind turbine about 15 miles off the coast of Rhode Island. A dozen more wind projects are planned off the East Coast, from Massachusetts to North Carolina.

In September 2021, the Legislature passed AB 525 (Chiu, Chapter 231, Statutes of 2021) requiring the California Energy Commission, in coordination with several state agencies, including the State Lands Commission, to develop a strategic plan for offshore wind energy developments installed off the California coast in federal

waters. The Strategic Plan is due by June 30, 2023. AB 525 also requires the California Energy Commission to evaluate and quantify the maximum feasible offshore wind capacity to achieve reliability, ratepayer, employment, and decarbonization benefits and to establish offshore wind energy planning goals for 2030 and 2045 by June 1, 2022.

In August 2022, the California Energy Commission established a planning goal of 2 to 5 gigawatts of offshore wind energy by 2030 and 25 gigawatts by 2045. In December 2022, the Bureau of Ocean Energy Management, the federal agency with leasing authority, held an offshore wind energy lease sale for five areas in federal waters off the central and northern California coast—three off the San Luis Obispo coast and two off the coast of Humboldt County. The lease sale is intended to result in floating, yet tethered, offshore wind energy facilities off the California coast.

AB 80 would require the Ocean Protection Council to establish and oversee a new entity to ensure that comprehensive baseline monitoring of the California ocean ecosystem and targeted research are available and used to inform state and federal decisions about offshore wind development in federal waters and the management of any impacted marine resources. The entity would be modeled after the Regional Wildlife Science Collaborative, which is a collection of interested parties working to develop and guide ecosystem science for offshore wind on the east coast in the Atlantic Ocean. Similar to the Regional Wildlife Science Collaborative, the author and sponsors intend for the work of the entity in this bill to be supported by a subcommittee of scientists and a steering committee of state and federal regulators, offshore wind industry, environmental nonprofit organizations, and Native American Tribes in a manner in which Tribes would like to participate.

AB 80 is supported by the Monterey Bay Aquarium, Azul, Defenders of Wildlife, Environmental Defense Center, Surfrider Foundation, Natural Resources Defense Council, the Climate Center, California Marine Sanctuary Foundation, Audubon California, California Institute of Biodiversity, American Bird Conservancy, Humboldt Baykeeper, California Coastkeeper Alliance, 350 Bay Area Action, Ocean Conservation Research, National Wildlife Federation, California Coastal Protection Network, the Marine Mammal Center, Santa Cruz Climate Action Network, Lieutenant Governor Eleni Kounalakis, and California Environmental Voters.

A group of environmental organizations, including California Coastkeeper Alliance and Audubon California, write in support that, "The impacts of offshore wind

development, particularly the novel floating systems that will be deployed off the California coast, on marine wildlife and ecosystems are still unknown ... With participation from issue experts and traditional knowledge holders, the Science Entity will enhance our collective understanding of how, where, and to what extent offshore wind development impacts the [Entity]. AB 80 creates a timely opportunity to guide and coordinate regional research, set shared standards, improve efficiency and transparency, support long-term and cumulative analysis and ensure that information is available for use by state and federal agencies for management decisions for existing and future wind farms."

AB 80 has no known opposition and passed the Assembly Floor on a 78-0 vote.

### **RECOMMENDED ACTION**

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It is recommended that the Commission adopt a support position on AB 80 (Addis).

## TRACKED BILLS

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### ABANDONED VESSELS

#### **[AB 748 \(VILLAPUDUA D\)](#) CALIFORNIA ABANDONED AND DERELICT COMMERCIAL VESSEL PROGRAM.**

**Status:** Assembly Floor

**Summary:** This bill would establish the California Abandoned and Derelict Commercial Vessel Program within the Natural Resources Agency, to be administered by the State Lands Commission, upon appropriation by the Legislature, to bring federal, state, and local agencies together to identify, prioritize, and fund the removal and proper disposal of abandoned and derelict commercial vessels and other debris from navigable waters.

The bill would require the Commission, upon appropriation by the Legislature, on or before July 1, 2025, to create, and regularly update and maintain, an inventory of abandoned and derelict commercial vessels in navigable waters, and, by before July 2026, to develop a plan to prevent or reduce abandoned and derelict commercial vessels on or in navigable waters.

### BONDS

#### **[SB 638 \(EGGMAN D\)](#) CLIMATE RESILIENCY AND FLOOD PROTECTION BOND ACT OF 2024.**

**Status:** Senate Floor

**Summary:** This bill would enact the Climate Resiliency and Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,000,000,000 for flood protection and climate resiliency projects.

**SB 867 (ALLEN D) DROUGHT, FLOOD, AND WATER RESILIENCE, WILDFIRE AND FOREST RESILIENCE, COASTAL RESILIENCE, EXTREME HEAT MITIGATION, BIODIVERSITY AND NATURE-BASED CLIMATE SOLUTIONS, CLIMATE SMART AGRICULTURE, PARK CREATION AND OUTDOOR ACCESS, AND CLEAN ENERGY BOND ACT OF 2024.**

**Status:** Senate Floor

**Summary:** This bill would enact the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,500,000,000 to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs.

**CARBON CAPTURE AND SEQUESTRATION**

**SB 438 (CABALLERO D) CARBON SEQUESTRATION: CARBON CAPTURE, REMOVAL, UTILIZATION, AND STORAGE PROGRAM.**

**Status:** Assembly Rules Committee

**Summary:** Current law requires the State Air Resources Board to adopt regulations for a unified permit application for the construction and operation of carbon dioxide capture, removal, or sequestration projects to expedite the issuance of permits or other authorizations for the construction and operation of those projects. Current law requires a relevant state agency to use the unified permit application when issuing a permit or other authorization for the construction and operation of a carbon dioxide capture, removal, or sequestration project. This bill would, until the unified permit application is adopted, require a state agency to use its own application when issuing a permit or other authorization for the construction and operation of those projects.



## CEQA

### **[SB 422 \(PORTANTINO D\)](#) CALIFORNIA ENVIRONMENTAL QUALITY ACT: EXPEDITED ENVIRONMENTAL REVIEW: CLIMATE CHANGE REGULATIONS.**

**Status:** Senate Floor

**Summary:** The California Environmental Quality Act (CEQA) requires a lead agency to prepare, or cause to be prepared, and certify an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA requires specified public agencies, including air pollution control districts and air quality management districts, to perform, at the time of adoption of a rule or regulation requiring the installation of pollution control equipment or a performance standard or treatment requirement, an environmental analysis of the reasonably foreseeable methods of compliance. This bill would also require those specified public agencies, at the time of adoption of a rule or regulation requiring the reduction in emissions of greenhouse gases, criteria air pollutants, or toxic air contaminants, to perform an environmental analysis of the reasonably foreseeable methods of compliance.

## EQUITY AND ENVIRONMENTAL JUSTICE

### **[AB 437 \(JACKSON D\)](#) STATE GOVERNMENT: EQUITY.**

**Status:** Assembly Accountability and Administrative Review Committee

**Summary:** This bill would require state agencies and departments, in carrying out their duties, to consider the use of more inclusive practices to advance equity.

**AB 1077 (JACKSON D) STATE AGENCIES AND COUNTIES: ANTIRACISM AUDITS.**

**Status:** Assembly Accountability and Administrative Review Committee

**Summary:** Current law prohibits the inclusion of any question about an applicant's race in any application blank or form required to be filled in and submitted by an applicant to any department, board, Commission, officer, agent, or employee of this state. This bill would require the Controller, by January 2025, and every 5 years thereafter, to perform a comprehensive antiracism audit of each state agency and county. The bill would require each state agency and county, within one year following completion of its audit, to establish and implement an action plan, tailored to the function of the agency or particular activities of the county, to rectify deficiencies in the agency's or county's efforts to identify, interrupt, and dismantle racist practices, policies, and attitudes identified by the antiracism audit.

**GENERAL**

**AB 584 (HART D) CALIFORNIA COASTAL ACT OF 1976: COASTAL DEVELOPMENT: EMERGENCY WAIVER.**

**Status:** Senate Natural Resources and Water Committee

**Summary:** The California Coastal Act authorizes the requirement of having to obtain a coastal development permit to be waived when immediate action by a person or public agency performing a public service is required to protect life and public property from imminent danger, or to restore, repair, or maintain public works, utilities, or services destroyed, damaged, or interrupted by natural disaster, serious accident, or in other cases of emergency. The act provides that this waiver does not authorize the permanent erection of structures valued at more than \$25,000. This bill would increase that amount to \$125,000, adjusted annually for inflation.

**SB 360 (BLAKESPEAR D) CALIFORNIA COASTAL COMMISSION: MEMBER VOTING.**

**Status:** Assembly Natural Resources Committee

**Summary:** The California Coastal Act provides that its provisions do not preclude or prevent any member or employee of the Commission who is also an employee of another public agency, a county supervisor or city councilperson, or a member of specified associations or organizations, and who has in that designated capacity voted or acted upon a particular matter, from voting or otherwise acting on that matter as a member or employee of the Commission. This bill would apply the latter provision to members of a joint powers authority and members of the local agency formation commission.

## GRANTED LANDS

### **AB 1153 (ALVAREZ D) SAN DIEGO UNIFIED PORT DISTRICT.**

**Status:** Assembly Jobs, Economic Development, and the Economy Committee

**Summary:** This bill would require the San Diego Unified Port District to fund projects that address maritime industrial impacts in cities with maritime terminals and dedicate one percent of its revenue for this purpose. The bill would also require the Port to dedicate one percent of its rental income to converting industrial properties in disadvantaged communities to open space. The bill would designate the State Lands Commission as the final arbiter of disputes about project eligibility and approval.

### **AB 1686 (GRAYSON D) PORTS AND HARBORS: MARTINEZ MARINA.**

**Status:** Senate Natural Resources and Water Committee

**Summary:** This bill would authorize the State Lands Commission, at its discretion, to relieve the City of Martinez of its responsibility to transmit 20 percent of the revenue generated from its granted lands to the state.

### **AB 1706 (BONTA D) PUBLIC TRUST LANDS: ENCINAL TERMINALS PUBLIC TRUST LANDS: CITY OF ALAMEDA.**

**Status:** Senate Natural Resources and Water Committee

**Summary:** This bill, co-sponsored by the State Lands Commission, would authorize the Commission to convey to the City of Alameda, in trust, any lands to be exchanged into the trust pursuant to an exchange agreement to which the city is a party. The bill would require the Commission to notify the appropriate committees of the Legislature if the conveyances authorized in the Encinal Terminals exchange agreement have not been completed within the terms of the agreement.

**[SB 273 \(WIENER D\)](#) TIDELANDS AND SUBMERGED LANDS: CITY AND COUNTY OF SAN FRANCISCO: PIERS 30-32: MIXED-USE DEVELOPMENT.**

**Status:** Assembly Natural Resources Committee

**Summary:** This bill would authorize the State Lands Commission to approve a mixed-use development on the San Francisco waterfront at Piers 30-32, that includes general office use, if the State Lands Commission finds, at a properly noticed public meeting, that specified conditions are met, including, among others, that the mixed-use development is designed to attract the statewide public to the waterfront, increase public enjoyment of the San Francisco Bay, encourage public trust activities, and enhance public use of trust assets and resources on the waterfront.

**[SB 517 \(GONZALEZ D\)](#) ECONOMIC DEVELOPMENT: MOVEMENT OF FREIGHT.**

**Status:** Senate Floor

**Summary:** This bill would authorize GO-Biz to be the coordinating entity to steer the growth, competitiveness, and sustainability for freight and the supply chain across the state and to promote and assess the continued economic vitality, economic competitiveness, and sustainability of the freight sector. The bill would also authorize GO-Biz to provide freight and supply chain economic competitiveness information.

## **OFFSHORE WIND ENERGY**

**[AB 3 \(ZBUR D\)](#) OFFSHORE WIND ENERGY: REPORTS.**

**Status:** Senate Rules Committee

**Summary:** This bill would require the State Energy Commission to consult with specified entities and prepare a report, to be submitted to the Governor and the Legislature, that identifies potential alternatives, analyzes, and makes recommendations regarding procurement mechanisms and procurement strategies for offshore wind energy projects to be financed, entitled, constructed, and operated within the timeframes necessary for meeting the state's carbon neutrality goals. The bill would require the Commission, in consultation with the State Lands Commission, to develop a 2nd-phase plan and strategy for seaport readiness that further analyzes the recommendations and alternatives in the strategic plan for offshore wind energy developments and additional potential alternatives. The bill would require the Commission to submit a report on the 2nd-phase plan and strategy to the Governor and the Legislature by January 2026.

The bill would additionally require the Energy Commission, in coordination with the Governor's Office of Business and Economic Development, to conduct a study on the feasibility of achieving 70 percent and 85 percent in-state assembly and manufacturing of offshore wind energy projects. The bill would require the Commission to submit a report on the study to the Governor and the Legislature by July 2027.

**AB 80 (ADDIS D) COASTAL RESOURCES: OCEAN RESEARCH: WEST COAST OFFSHORE WIND SCIENCE ENTITY.**

**Status:** Assembly Natural Resources Committee

**Summary:** This bill would require the Ocean Protection Council, upon an appropriation by the Legislature, to establish and oversee, in coordination with unspecified state and federal agencies, a West Coast Offshore Wind Science Entity to ensure that comprehensive baseline and ongoing monitoring of the California ocean ecosystem as well as targeted research are available and used to inform state and federal decisions. This bill would require the Council to develop a steering committee to provide governance and oversight on the Entity's processes and procedures.

**SB 286 (MCGUIRE D) OFFSHORE WIND ENERGY PROJECTS.**

**Status:** Senate Floor

**Summary:** This bill would constrain the State Lands Commission's leasing authority for offshore wind energy projects by requiring the Commission to include payments determined by a working group into the rent it charges a lessee for these projects. The bill would require the California Coastal Commission to process a consolidated coastal development permit for offshore wind energy projects and transmission facilities, designate the State Lands Commission as the lead agency for CEQA purposes for offshore wind energy projects, and establish an offshore wind energy fisheries working group, led by the California Coastal Commission, that would be required to develop a framework for compensatory mitigation for unavoidable impacts on fisheries and the public from offshore wind energy projects. The bill would require the working group to establish payments that a lessee of state lands for an offshore wind energy project is required to make, as part of the rent the lessee pays for using state lands, to compensate the commercial fishing industry and the public for lost revenues and other impacts of the project. The bill would prohibit the State Lands Commission from issuing a lease for an offshore wind energy project unless certain payments, as determined by the working group, are incorporated into the rent charged to a lessee.

**SB 605 (PADILLA D) WAVE AND TIDAL ENERGY.**

**Status:** Senate Floor

**Summary:** This bill would require the Energy Commission and the Ocean Protection Council to develop a study to evaluate the feasibility and benefits of using wave and tidal energy as a clean energy source. The bill would also require the Energy Commission to coordinate and consult with several agencies, including the State Lands Commission, to facilitate the leasing or permitting of wave and tidal energy projects on state land.

**OIL AND GAS**

**AB 631 (HART D) OIL AND GAS: ENFORCEMENT: PENALTIES.**

**Status:** Assembly Floor

**Summary:** This bill would increase civil and other penalties for violations of the state's oil and gas statutes and regulations, strengthen the Geologic Energy Management Division's authority to seek injunctive relief, cease and desist activities, and to recoup administrative and enforcement costs.

**AB 1167 (CARRILLO, WENDY D) OIL AND GAS: ACQUISITION: BONDING REQUIREMENTS.**

**Status:** Assembly Floor

**Summary:** This bill would change the bonding requirement for the acquisition of a well or production facility. Current law requires a person who acquires the right to operate a well or production facility to submit to the State Oil and Gas Supervisor or a district deputy certain material, including an individual indemnity bond or a blanket indemnity bond in certain amounts. This bill would instead require the person to file a bond for the well or production facility in an amount determined by the supervisor to be sufficient fully cover all costs of plugging and abandonment and site restoration.

**SB 556 (GONZALEZ D) OIL AND GAS WELLS: HEALTH PROTECTION ZONES: CIVIL LIABILITY.**

**Status:** Senate Appropriations Committee – Held on Suspense

**Summary:** This bill would, after January 1, 2024, make an operator, owner, or person who serves on the board of an owner of an oil or gas production facility or well with a wellhead presumptively, jointly and severally liable for a respiratory ailment in a senior or child, a pre-term birth or high-risk pregnancy suffered by a pregnant person, and a person's cancer diagnoses if specified requirements are met, including the senior, child, pregnant person, or person diagnosed with cancer resided more than 24 cumulative months in a health protection zone and was diagnosed after January 1, 2024. The bill would authorize certain affirmative defenses to be available to the operator, owner, or person who served on the board of an owner of an oil or gas production facility or well with a wellhead.

**SB 559 (MIN D) OFFSHORE OIL DRILLING: LEASES.**

**Status:** Senate Natural Resources and Water Committee

**Summary:** This bill would require the Commission to seek to negotiate a voluntary relinquishment of its offshore oil and gas leases and to terminate the leases and provide fair compensation to the lessees by December 2025 if unable to negotiate voluntary relinquishments.

**OPEN MEETINGS**

**SB 544 (LAIRD D) BAGLEY-KEENE OPEN MEETING ACT: TELECONFERENCING.**

**Status:** Assembly Rules Committee

**Summary:** Current law, until July 1, 2023, authorizes a state body to hold public meetings through teleconferencing and suspends certain requirements of the Bagley-Keene Open Meeting Act, including certain teleconference requirements. This bill would indefinitely remove the teleconference requirements that a state body post agendas at all teleconference locations, that each teleconference location be identified in the notice and agenda of the meeting or proceeding, and that each teleconference location be accessible to the public. The bill would require a state body to provide a means by which the public may remotely hear audio or observe the meeting, or attend the meeting by providing on the posted agenda a teleconference telephone number, an internet website or other online platform, and a physical address for at least one site, including, if available, access equivalent to the access for a member of the state body participating remotely.

This bill also required procedures to accommodate individuals with disabilities and mandates disclosure of other individuals present with a member at a remote location.

## **PLASTIC POLLUTION**

### **SB 303 (ALLEN D) SOLID WASTE: PLASTIC POLLUTION PREVENTION AND PACKAGING PRODUCER RESPONSIBILITY ACT.**

**Status:** Senate Floor

**Summary:** This bill would update the Plastic Pollution Prevention and Packaging Producer Responsibility Act, which established minimum content requirements for single-use packaging and food service ware and source reduction requirements for plastic single-use packaging and food service ware through an extended producer responsibility program. This bill would authorize an affected entity that asserts that specific actions taken by the producer responsibility organization, a producer, or an entity under contract with the producer responsibility organization are not consistent with specified prohibitions and requirements of the act and are disrupting or otherwise adversely affecting the sustained operation or commercial viability of solid waste collection programs, solid waste recycling facilities, or composting facilities to bring that concern and supporting evidence to the advisory board.

### **SB 378 (GONZALEZ D) STATE PARKS: STATE BEACHES: EXPANDED POLYSTYRENE FOOD CONTAINER AND COOLER BAN.**

**Status:** Senate Natural Resources and Water Committee

**Summary:** This bill would make it an infraction to bring an expanded polystyrene food container or cooler on a state beach or in a unit of a state park system and for improper disposal. The bill would provide that a person who violates this provision for the first time shall be subject to a warning by an officer of the state parks.

### **SB 665 (ALLEN D) PLASTIC WASTE: SINGLE-USE PLASTICS ALTERNATIVES: WORKING GROUP.**

**Status:** Senate Floor

**Summary:** This bill would require CalEPA to establish, by January 1, 2025, a working group comprised of state entities to establish a framework for evaluating novel materials that are alternatives to plastics.



**SB 777 (ALLEN D) SOLID WASTE: REUSABLE GROCERY BAGS AND RECYCLED PAPER BAGS.**

**Status:** Senate Floor

**Summary:** This bill would require that stores use money from the \$0.10 per bag charge required by the state's bag ban to provide customers with opportunities to return reusable grocery bags for recycling, would require stores to report data on bag sales and funds to CalRecycle, and make those reports available to an authorized representative of a store with a collective bargaining agreement.

**PUBLIC LANDS**

**AB 953 (CONNOLLY D) COASTAL RESOURCES: VOLUNTARY VESSEL SPEED REDUCTION AND SUSTAINABLE SHIPPING PROGRAM.**

**Status:** Assembly Floor

**Summary:** This bill would require the Ocean Protection Council, by May 1, 2025, and in coordination with specified entities, to implement a statewide voluntary vessel speed reduction and sustainable shipping program.

**AB 966 (DAVIES R) DIVISION OF BOATING AND WATERWAYS: REPORT TO THE LEGISLATURE: SHORELINE EROSION CONTROL AND PUBLIC BEACH PROGRAMS.**

**Status:** Assembly Floor

**Summary:** This bill would require the Division of Boating and Waterways, in cooperation with the State Coastal Conservancy, to prepare and submit a joint report to the Legislature on shoreline erosion control and public beach restoration programs. The bill would require the report, among other things, to detail and discuss existing programs, evaluate the need for continued projects and program application requirements, and identify the beaches of the state that contain a critically eroded shoreline, as this bill would define the term.

**AB 1407 (ADDIS D) COASTAL RESOURCES: OCEAN RECOVERY AND RESTORATION:**  
**LARGE-SCALE RESTORATION.**

**Status:** Assembly Floor

**Summary:** This bill would require the Ocean Protection Council, upon appropriation by the Legislature, to establish a Kelp Forest and Estuary Restoration and Recovery Framework that has a goal of restoring by 2050 a specified number of acres of kelp forests, eelgrass meadows, and native oyster beds. The bill would require the framework to include criteria by which an acre of kelp forests, eelgrass meadows, and native oyster beds can be considered restored; identify coordinated actions that reflect a systematic interagency approach to meet restoration goals; and a plan to monitor progress toward 2050 goals. The bill would require the Council to establish an interagency working group that coordinates and facilitates large-scale restoration along the coast and prescribes the duties of the working group.

**AB 1590 (FRIEDMAN D) MAJOR COASTAL RESORTS: COASTAL DEVELOPMENT PERMITS:**  
**AUDITS: WASTE.**

**Status:** Assembly Natural Resources Committee – Failed Passage

**Summary:** This bill would establish the Major Coastal Resorts Environmental Accountability Act and would define “major coastal resort” for these purposes. The bill would require the California Coastal Commission, with assistance from a consultant, to every 2 years audit a major coastal resort’s compliance with specified provisions, including the coastal development permit.

**SB 337 (MIN D) ENVIRONMENTAL PROTECTION: LANDS AND COASTAL WATERS**  
**CONSERVATION GOALS**

**Status:** Assembly Rules Committee

**Summary:** This bill would establish a state goal to conserve at least 30 percent of California’s land and coastal waters by 2030, which would codify Executive Order N-82-20, the Governor’s 30 by 30 Executive Order to combat the biodiversity and climate crises.

**SB 583 (PADILLA D) SALTON SEA CONSERVANCY.**

**Status:** Senate Floor

**Summary:** This bill would create the Salton Sea Conservancy within the Natural Resources Agency to undertake various activities related to the Salton Sea region. The bill would require the conservancy to be governed by a board of directors and would set forth the powers, duties, and limitations of the board of directors and the conservancy. The bill would create the Salton Sea Conservancy Fund and would make money in the fund available, upon appropriation by the Legislature, for purposes of the conservancy.

**SB 782 (LIMÓN D) COASTAL RESOURCES: PUBLIC WORKS PLAN: VEGETATION**

**MANAGEMENT: COASTAL ZONE.**

**Status:** Senate Natural Resources and Water Committee

**Summary:** This bill would require the California Coastal Commission to develop a public works plan for vegetation management in the coastal zone.

**RENEWABLE ENERGY**

**AB 1172 (CALDERON D) NUCLEAR FUSION.**

**Status:** Assembly Floor

**Summary:** This bill would require the California Energy Commission, as part of the 2025 edition of the integrated energy policy report, to assess the potential for fusion energy to contribute to California's power supply, including the scalability, costs, and realistic timelines to bring fusion energy, including aneutronic fusion, to market.

**AB 1569 (GARCIA D) SALTON SEA GEOTHERMAL RESOURCE AREA: LITHIUM VALLEY**

**OFFICE OF DEVELOPMENT.**

**Status:** Assembly Floor

**Summary:** This bill would establish, subject to a legislative appropriation, the Lithium Valley Office of Development within the Natural Resources Agency. The bill would require the office, in consultation with relevant state and local agencies, to coordinate activities related to funding, economic development, construction, manufacturing, technical development, and reclamation of lithium located in the Salton Sea geothermal resource area.

**AB 1593 (GARCIA D) CALIFORNIA WORKFORCE DEVELOPMENT BOARD: SALTON SEA GEOTHERMAL RESOURCES AREA: EQUITABLE ACCESS PROGRAM.**

**Status:** Assembly Floor

**Summary:** This bill would establish the Equitable Access Program to prioritize employment opportunities in construction, manufacturing, technical, maintenance, operations, or reclamation activities for residents in the Salton Sea geothermal resources area. The bill would require the Program to provide technical assistance to, and establish a framework for, pre-apprenticeship, registered apprenticeship, and other training programs, and to monitor and track the rate residents of the Salton Sea geothermal resources area are hired on construction projects in area that involve battery manufacturing and lithium-based technology.

**SB 797 (PADILLA D) LITHIUM EXTRACTION TAX CITIZENS OVERSIGHT COMMITTEE.**

**Status:** Senate Floor

**Summary:** This bill would create the Lithium Extraction Tax Citizens Oversight Committee to ensure that revenue from the lithium extraction excise tax is allocated as required by law. The bill would require the Oversight Committee to recommend ways to improve community engagement and maximize community benefits from the tax revenue. The bill would prescribe the composition of the committee and the appointment of committee members and require the Oversight Committee to report its findings and recommendations annually to the Legislature.

**SEA LEVEL RISE AND CLIMATE CHANGE**

**AB 45 (BOERNER HORVATH D) COASTAL RESOURCES: COASTAL DEVELOPMENT PERMITS: BLUE CARBON DEMONSTRATION PROJECTS: NEW DEVELOPMENT: GREENHOUSE GAS EMISSIONS.**

**Status:** Assembly Floor

**Summary:** This bill would allow the California Coastal Commission to authorize blue carbon demonstration projects. The bill would define a blue carbon demonstration project, require an applicant seeking a coastal development permit for a project that impacts specified habitat types to mitigate for those impacts by constructing or contributing to a blue carbon project and to ensure that new development in the coastal zone mitigates for its greenhouse gas emissions.

The bill would require the California Coastal Commission to consult with the State Air Resources Board, the Department of Fish and Wildlife, the State Coastal Conservancy, the State Lands Commission, the United States Army Corps of Engineers and the National Oceanic and Atmospheric Administration in developing the blue carbon program and require monitoring and evaluation of a project's carbon uptake and sequestration.

**AB 585 (RIVAS, ROBERT D) CALIFORNIA GLOBAL WARMING SOLUTIONS ACT OF 2006: LITERATURE REVIEW AND PROGRESS REPORT.**

**Status:** Assembly Floor

**Summary:** This bill would request that the California Council on Science and Technology perform a biennial literature review to assess the infrastructure projects necessary to achieve the quantities of renewable energy, and the distribution and transmission networks necessary, to achieve the state's climate goals. The bill also requires the Office of Planning and Research, with assistance from certain state agencies, to provide an annual progress report to the Legislature regarding the status of infrastructure projects identified in the Council's report.

**AB 970 (RIVAS, LUZ D) INSURANCE: CLIMATE AND SUSTAINABILITY INSURANCE AND RISK REDUCTION PROGRAM.**

**Status:** Assembly Floor

**Summary:** This bill would require the Department of Insurance, subject to a legislative appropriation, to establish and administer the Climate and Sustainability Insurance and Risk Reduction Program. The bill would, upon appropriation, establish six climate insurance pilot projects in local jurisdictions to reduce physical risks from flooding and extreme heat and to reduce the protection gap in communities with high risks and low insurance uptake. The local jurisdictions would be required to develop and establish a pilot project in consultation with the department to achieve specified objectives, including prioritizing pre-disaster mitigation activities.

**SJR 2 (GONZALEZ D) CLIMATE CHANGE: FOSSIL FUEL NON-PROLIFERATION TREATY.**

**Status:** Assembly Rules Committee

**Summary:** This resolution would endorse the call for a Fossil Fuel Non-Proliferation Treaty, state California's agreement with the principle of nonproliferation of fossil fuels, and urge the United States government to join in formally developing a Fossil Fuel Non-Proliferation Treaty.

## TIJUANA RIVER

### **AB 1597 (ALVAREZ D) WATER QUALITY: CALIFORNIA-MEXICO CROSS-BORDER RIVERS.**

**Status:** Assembly Floor

**Summary:** This bill would authorize, upon appropriation by the Legislature, funds to be made available to the NADBank for loans, grants, and direct expenditures to address water quality problems in the California-Mexico cross-border rivers. The bill would require the funding to be available for specified purposes, including water quality projects for the Tijuana River. The bill would authorize funding provided for activities or projects in the State of Baja California to be provided through direct expenditures and for grants to an eligible funding recipient authorized to work in Mexico under a specified circumstance.

## TRIBAL CONSULTATION

### **AB 1495 (NGUYEN, STEPHANIE D) OFFICE OF TRIBAL AFFAIRS.**

**Status:** Assembly Rules Committee

**Summary:** This bill would establish the Office of Tribal Affairs within the Governor's office, which would be headed by the Secretary of the Office of Tribal Affairs. The Office of Tribal Affairs would manage the state's tribal programs, and would help tribes connect with state officers' tribal leads. The bill would establish a Deputy of Tribal Affairs in every state agency and in every constitutional office, and would establish a Tribal Advisor position in the executive office of every state agency. The bill would require the Governor to appoint a Tribal Advisory Committee.

### **AB 1284 (RAMOS D) TRIBAL ANCESTRAL LANDS: WATERS: COGOVERNANCE AND COMANAGEMENT AGREEMENTS**

**Status:** Assembly Appropriations Committee: two-year bill

**Summary:** This bill would encourage the Natural Resources Agency and its departments, conservancies, and commissions to enter into cogovernance and comanagement agreements with federally recognized tribes. The bill would authorize the Natural Resources Agency Secretary to enter into agreements with federally recognized tribes for the purpose of shared responsibility, decision-making, and partnership in resource management and conservation within a tribe's ancestral lands and waters.