

2024 Legislative Update

California's New Adaptation-Related Laws

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Passed Bond

Proposition 4 Environmental and Climate Bond - PASSED

- » Authorizes the issuance of \$10 billion in bonds to fund environmental and climate-related projects, including water resilience, wildfire prevention, and conservation, as specified.
- » Allocates \$3.8 billion for safe drinking water, drought resilience, and flood protection programs, \$1.95 billion for wildfire prevention and extreme heat mitigation, \$1.9 billion for the preservation of natural lands, parks, and wildlife, \$1.2 billion for coastal and ocean protection, \$850 million for green energy initiatives, and \$300 million for agricultural sustainability, as specified.
- » Requires that at least 40% of the funds benefit communities disproportionately impacted by climate change and environmental hazards, prioritizing equity in funding distribution and environmental justice, as specified.
- » Needed over 50% of the vote to pass and received 58.2% with 5,789,516 Yes votes and 4,161,259 (41.8%) No votes as of November 7, 2024

Passed Legislation

<u>AB-1819</u> Enhanced Infrastructure Financing Districts: Public Capital Facilities: Wildfires

- » Authorizes an enhanced infrastructure financing district that is at least partially in high or very high fire hazard severity zones designated by the State Fire Marshal, as specified, to finance heavy equipment to be used for vegetation clearance and firebreaks, undergrounding of local publicly owned electric utilities, as defined, against wildfires, and equipment used for fire watch, prevention, and fighting.
- » Prohibits districts from using the proceeds of the above-described bonds for heavy equipment to be used for vegetation clearance and firebreaks and equipment used for fire watch, prevention, and fighting.

AB-1889 Conservation Element: Wildlife and Habitat Connectivity

- » Requires a city or county general plan conservation element to consider the effect of development within the jurisdiction on the movement of wildlife and habitat connectivity. to, among other things, identify and analyze connectivity areas, permeability, and natural landscape areas within the jurisdiction, identify and analyze existing or planned wildlife passage features, and consider the impacts of development and the barriers caused by development to wildlife, as defined, and habitat connectivity.
- » Authorizes a city or county preparing to update its conservation element to consider incorporating appropriate standards, policies, and feasible implementation programs, consult with specified entities, and consider relevant best available science and the most appropriately scaled scientific information on linkages, corridors, and other locations that are essential to maintain landscape connectivity.
- » Authorizes a city or county to consult with other appropriate entities and meet the above-described requirements in a separate component or section of the general plan entitled a wildlife connectivity

element. The bill would include related legislative findings and declarations. By adding to the duties of county and city officials in the administration of their land use planning duties, this bill would impose a state-mandated local program.

<u>AB-2091</u> California Environmental Quality Act: exemption: public access: nonmotorized recreation

- » Exempts from [California Environmental Quality Act (CEQA)] a change in use approved by a lead agency that is a park district or the Great Redwood Trail Agency to allow public access to preexisting paved and natural surface roads, preexisting trails, preexisting pathways, preexisting disturbed areas for vehicle parking, as specified, and rail lines converted by the Great Redwood Trail Agency into trails known as the Great Redwood Trail, in areas used exclusively for nonmotorized recreation, if certain conditions are met.
- » Requires the lead agency to post notice of, and hold, a public meeting to consider and solicit public input on the change in use under consideration before making a determination to approve or carry out the change in use, as specified.
- » Requires the lead agency, to file a notice with the State Clearinghouse in the Office of Planning and Research and with the county clerk of the county in which the land is located, as provided. By imposing duties on public agencies related to the exemption, this bill would create a state-mandated local program. The bill would repeal these provisions on January 1, 2030.

AB-2684 Safety Element: Extreme Heat

- » Requires a city or county, upon the next update of one or more of the elements included in the general plan on or after January 1, 2028, to review and update its safety element as necessary to address the hazard of extreme heat, as specified.
- » Authorizes a city or county that has adopted an extreme heat action plan or other document that fulfills commensurate goals and objectives to use that information in the safety element, as specified, and, upon doing so, would require the city or county to summarize and incorporate into the safety element the other plan or document.
- » Authorizes a city or county to use or reference information in the Extreme Heat Action Plan and the State Hazard Mitigation Plan, as described, to comply with the above-described updating requirement.

<u>AB-1</u> Energy: transportation fuels: inventories: turnaround and maintenance

- » Requires refineries to report transportation fuel inventories to the state, including specific details about planned and unplanned maintenance events, as specified.
- » Mandates refineries to notify the California Energy Commission (CEC) of any scheduled turnaround and maintenance activities, allowing the CEC to assess potential impacts on fuel supply and market stability.
- » Requires refineries to provide additional information on fuel production levels, storage capacities, and other operational details as requested by the CEC to enable better fuel supply management and prevent sudden price increases for consumers.
- » Enables the CEC to monitor and mitigate any anticipated disruptions in fuel supply by closely tracking refinery operations, with the goal of minimizing fuel price volatility for California consumers.

AB-1866 Oil and gas: idle wells

- » Requires operators of idle oil and gas wells to submit an idle well management plan to the California Geologic Energy Management Division (CalGEM), detailing their plans for either reactivating or plugging and abandoning idle wells, as specified.
- » Mandates operators to pay annual fees for idle wells, scaled according to the length of time a well has been idle, to incentivize well management and eventual abandonment if wells remain inactive, as specified.
- » Authorizes CalGEM to increase oversight and enforcement measures, including levying penalties on operators who fail to comply with idle well management requirements or who leave wells idle for prolonged periods without a management plan, as specified.
- » Establishes a fund to support the plugging and remediation of "orphaned" wells—those left inactive and without responsible operators—to prevent environmental hazards and protect public health and safety.

AB-3233 Oil and gas: operations: restrictions: local authority

- » Authorizes local governments to adopt and enforce ordinances that impose restrictions or requirements on oil and gas operations within their jurisdictions, as specified.
- » Allows local ordinances to include measures such as setback requirements, operational limits, and health and safety protections that go beyond state regulations, provided they are not in direct conflict with state law, as specified.
- » Permits local authorities to require additional environmental and health assessments for new or modified oil and gas operations to address community-specific concerns and potential impacts, as specified.
- » Ensures that local governments retain the authority to respond to community needs and environmental concerns related to oil and gas activities, enhancing local oversight and regulatory control over such operations within their borders.

<u>AB-2716</u> Oil and gas: low-production wells: Baldwin Hills Conservancy: Equitable Community Repair and Reinvestment Account

- » Requires operators of low-production oil and gas wells to pay additional fees, which will be directed toward addressing environmental impacts associated with such wells, as specified.
- » Establishes the Equitable Community Repair and Reinvestment Account within the state treasury, funded by fees collected from low-production well operators, to support community restoration projects and environmental justice initiatives in impacted areas, as specified.
- » Allocates funds from this account to the Baldwin Hills Conservancy and other eligible entities to implement environmental health, community repair, and revitalization programs in areas affected by oil and gas extraction, as specified.
- » Prioritizes reinvestment in communities disproportionately affected by oil and gas operations, with a focus on mitigating health risks and supporting sustainable community development.

<u>SB-59</u> Battery electric vehicles: bidirectional capability

- » Requires all new battery electric vehicles (BEVs) sold in California by a specified date to have bidirectional charging capability, allowing vehicles to both charge from and discharge energy back to the grid or a home, as specified.
- » Mandates that automakers ensure compatibility of bidirectional-capable BEVs with California's grid infrastructure to support energy resilience and grid stability, particularly during peak demand or power outages, as specified.
- » Encourages the integration of BEVs as a resource for energy storage, aiming to enhance renewable energy usage by storing excess energy and supporting the grid when renewable production is low, as specified.
- » Supports California's clean energy and resilience goals by promoting technology that enables BEVs to serve as mobile power sources, benefitting both the grid and individual consumers.

Unsuccessful Legislation

AB-3121 Public utilities: incentive programs - NOT PASSED

- » Requires public utilities to develop and implement incentive programs that promote energy efficiency, demand reduction, and the use of renewable energy sources, as specified. This bill would have shifted funds from existing Regional Energy Networks (RENs) to the public utilities.
- » Mandates that these incentive programs prioritize low-income and disadvantaged communities, ensuring equitable access to energy-saving technologies and support for reducing utility costs.
- » Authorizes the California Public Utilities Commission (CPUC) to oversee and approve utility incentive programs, including setting performance metrics and evaluating program effectiveness in achieving energy efficiency and sustainability goals.
- » Encourages utilities to collaborate with local organizations and stakeholders to maximize program outreach and effectiveness, with an emphasis on long-term environmental and economic benefits for California residents.

<u>SB-252</u> Public retirement systems: fossil fuels: divestment - NOT PASSED

- » Requires California's public retirement systems, including the California Public Employees' Retirement System (CalPERS) and the California State Teachers' Retirement System (CalSTRS), to divest from fossil fuel companies, as specified.
- » Mandates the divestment of investments in companies engaged in the extraction, production, and refinement of fossil fuels by a specified deadline, aiming to reduce financial support for industries contributing to climate change, as specified.
- » Directs CalPERS and CalSTRS to report on their progress towards divestment, including details on divested holdings and the financial impact of divestment actions, to maintain transparency and accountability, as specified.
- » Promotes the alignment of California's public investments with the state's climate goals, aiming to encourage sustainable and environmentally responsible investment practices within public retirement funds.

<u>SB-308</u> Net zero greenhouse gas emissions goal: carbon dioxide removal: regulations - NOT PASSED

- » Establishes a statewide goal for California to achieve net zero greenhouse gas emissions by a specified target date, requiring significant reductions in emissions and the implementation of carbon dioxide removal (CDR) strategies, as specified.
- » Mandates state agencies to develop and adopt regulations promoting carbon dioxide removal technologies and natural solutions, such as reforestation and soil carbon sequestration, to help offset remaining emissions, as specified.
- » Requires the California Air Resources Board (CARB) to set measurable benchmarks for CDR deployment and to assess the effectiveness of CDR strategies in reaching the state's net zero emissions goal, as specified.
- » Supports California's climate leadership by ensuring a comprehensive approach to emissions reduction and carbon removal, enhancing the state's resilience to climate impacts and contributing to global climate targets.

<u>SB-1374</u> Net Energy Metering - VETOED

- » Requires updates to California's Net Energy Metering (NEM) program to ensure fair compensation for solar energy produced by residential and commercial customers, as specified.
- » Mandates the California Public Utilities Commission (CPUC) to review NEM rates and revise them to account for grid maintenance costs and equitable cost distribution among all utility customers, as specified.
- » Encourages adjustments to NEM to support the state's clean energy goals while balancing the financial impacts on non-solar customers, aiming to prevent cost shifts that could increase utility bills for customers without solar systems, as specified.
- » Seeks to promote solar energy adoption sustainably by creating a fair rate structure that benefits both solar and non-solar customers, while supporting California's transition to renewable energy.

<u>SB1497</u> Polluters Pay Climate Cost Recovery Act of 2024 - NOT PASSED

- » Requires companies responsible for significant greenhouse gas emissions to contribute financially to cover the costs associated with climate-related damages in California, as specified.
- » Mandates that funds collected from major polluters be allocated to a Climate Cost Recovery Fund, which will support efforts to repair climate-related damage, such as wildfire prevention, coastal protection, and infrastructure adaptation, as specified.
- » Requires the California Air Resources Board (CARB) to identify and assess companies with substantial emissions histories to determine appropriate financial contributions, ensuring that polluters share in the cost burden of climate mitigation and adaptation, as specified.
- » Aims to hold polluting industries accountable for their environmental impact, reducing the financial burden on taxpayers and supporting California's climate resilience initiatives.

<u>AB-1992</u> Coastal resources: coastal development permits: blue carbon demonstration projects - VETOED

- » Authorizes blue carbon demonstration projects, as defined, in order to demonstrate and quantify the carbon sequestration potential of these projects to help inform the state's natural and working lands and climate resilience strategies.
- » Authorizes the commission to require an applicant with a nonresidential project that impacts coastal wetland, subtidal, intertidal, or marine habitats or ecosystems to build or contribute to a blue carbon demonstration project.
- » Requires the Natural Resources Agency to consult with certain state and federal agencies and entities in developing a teal carbon demonstration project program. The bill would, among other things, require project results to be provided to the Natural Resources Agency and posted on a public portion of its internet website. The bill would require these provisions to be implemented only upon an appropriation by the Legislature for its purposes.

AB-2214 Ocean protection council: microplastics - VETOED

- » Requires the Ocean Protection Council to establish and lead an interagency coordination group, and would require the council, in coordination with the interagency coordination group, to identify and recommend to the Legislature, on or before December 31, 2025, statutory changes that are needed to implement the recommendations described in the Statewide Microplastics Strategy, as specified.
- » Requires the council, in coordination with the interagency coordination group, to adopt a workplan, outlining which participating agencies within the interagency coordination group will implement the recommendations.

AB-2286 Vehicles: autonomous vehicles - VETOED

- » Requires a manufacturer of an autonomous vehicle to report to the Department of Motor Vehicles a collision on a public road that involved one of its autonomous vehicles with a gross vehicle weight of 10,001 pounds or more that is operating under a testing or deployment permit that resulted in damage of property, bodily injury, or death within 10 days of the collision.
- » Requires a manufacturer of an autonomous vehicle to annually submit to the department specified information regarding the deactivation of the autonomous mode for its autonomous vehicles with a gross vehicle weight of 10,001 pounds or more that were operating under a testing or deployment permit that authorized the vehicle to operate on public roads.