
SENATE COMMITTEE ON BUDGET AND FISCAL REVIEW

Senator Nancy Skinner, Chair
2021 - 2022 Regular

Bill No:	AB 155	Hearing Date:	September 7, 2021
Author:	Committee on Budget		
Version:	September 6, 2021 As amended		
Urgency:	No	Fiscal:	Yes
Consultant:	Joanne Roy		

Subject: Public resources trailer bill

Summary: This bill is the omnibus Resources budget trailer bill. It contains provisions necessary to implement the 2021 Budget Act.

Proposed Law: This bill:

- 1) **Public Utility Commissioner Salary.** Provides for the members of the Public Utilities Commission (PUC) to receive a five percent salary increase per year for each of the 2021-22, 2022-23, and 2023-24 fiscal years. This is in addition to the cost of living increase provided for in current law.
- 2) **Fuel Cell Net Energy Metering.** Provides for the extension of eligibility for the existing fuel cell net energy metering tariff that electrical corporations have filed with the PUC from December 31, 2021 to December 31, 2023.
- 3) **Clean Transportation Program.** Renames the Alternative and Renewable Fuels and Vehicle Technology program the Clean Transportation program, and allows native tribes to compete for funding.
- 4) **Healthy Forest and Fire Protection Funding.** Continuously appropriates \$200 million Greenhouse Gas Reduction Fund annually until 2028-29 for healthy forest and fire prevention programs and projects that improve forest health and reduce emissions of greenhouse gases caused by uncontrolled wildfires and for completion for prescribed fires and other fuel reduction projects.
- 5) **Wildfire Reporting.** Requires an agency, on or before April 1, 2022, and annually thereafter to report on all programs related to wildfires and forest resilience funded pursuant to the Budget Act of 2021 for purposes of informing the Legislature and the public on the agency's implementation of the funded programs.
- 6) **Multibenefit and Nature-Based Solutions.** Upon appropriation by the Legislature in the annual Budget act, makes available \$593 million in 2022-23 and \$175 million in 2023-24 to the Natural Resources Agency and its departments, conservancies, and boards, to support programs and activities that advance multibenefit and nature-based solutions to protect, enhance, or restore natural or modified ecosystems. Specifies that no less than \$60 million annually shall be available in 2022-23 and 2023-24 to support state conservancies.

- 7) **California Environmental Quality Act (CEQA) Biodiversity.** Until January 1, 2025, exempts from CEQA projects that conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, habitat upon which they depend or that restore or provide habitat for California native fish and wildlife.
- 8) **CEQA: Klamath River Dam Removal Projects.** Specifies that the environmental review set forth in the Final Environmental Impact Report for the Lower Klamath Project License Surrender, in combination with other environmental review documents related to removal of facilities on the Klamath River prepared and adopted by the Federal Energy Regulatory Commission, is conclusively presumed to satisfy the requirements of CEQA for any project for the removal of hydroelectric dams and associated facilities, along with associated restoration of formerly inundated lands, hatchery modifications, and implementation of mitigation measures in the Klamath River Basin.
- 9) **Coastal Adaptation and Protection.** Upon appropriation by the Legislature in the annual Budget act, makes available \$350 million in 2022-23 and \$150 million in 2023-24 to the State Conservancy for grants or expenditures for the protection and restoration of coastal and ocean resources from the impacts of sea level rise and other impacts of climate change. Funds will be made available specified purposes, such as projects consistent with the San Francisco Bay Restoration Authority Act, projects for the purpose of the San Francisco Bay Conservancy Program, coastal resilience projects (e.g. coastal wetlands and watersheds, beaches, dunes, fisheries, and critical infrastructure), projects that remove outdated and obsolete dams and project that upgrade associated downstream infrastructure to increase climate resilience, enhance natural habitat transport, or improve wildlife and fish passage.
- 10) **Extreme Heat.** Upon appropriation by the Legislature in the annual Budget act, makes available \$150 million annually in 2022-23 and 2023-24 to support programs and activities that mitigate extreme heat impacts.
- 11) **Extreme Heat and Community Resilience Program.** Upon appropriation by the Legislature in the annual Budget act, makes available \$25 million in 2022-23 and \$75 million in 2023-24 to the Office of Planning and Research (OPR), through the Integrated Climate Adaptation and Resiliency Program for the establishment of a grant program for projects to mitigate the impacts of extreme heat or the urban heat island effect.
- 12) **Community Resilience Centers.** Upon appropriation by the Legislature in the annual Budget act, makes available \$25 million in 2022-23 and \$75 million in 2023-24 to the Strategic Growth Council, in coordination with OPR, for the establishment of a community resiliency centers grant program.
- 13) **Carbon-Negative Fuels Pilot Projects in Sierra Nevada Mountain Range.** Upon appropriation by the Legislature in the annual Budget act, makes available \$50 million 2022-23 to the Department of Conservation, in coordination with the Air Resources Board and the State Energy Resources Conservation and Development Commission, for pilot projects in the Sierra Nevadas to create carbon-negative fuels from materials resulting from forest vegetation management.

- 14) **Climate Catalyst Fund.** Allows the Infrastructure and Economic Development Bank (also known as IBank) to provide financial assistance for projects related to wildfire prevention and resilience as well as agricultural improvements that reduce climate impacts.
- 15) **Recycling Market Development Zone (RMDZ) Program.** Authorizes the Department of Resources Recycling and Recovery (CalRecycle) to expend moneys in the Recycling Market Development Revolving Loan Subaccount in the Integrated Waste Management Account within areas outside of RMDZs where making the loan will benefit jurisdiction or assist a local jurisdiction, as specified.
- 16) **CalRecycle Greenhouse Gas Revolving Loan Program: Grant Program.** Upon appropriation by the Legislature in the annual Budget act, requires CalRecycle to administer the grant program to provide financial assistance to promote in-state development of infrastructure, food waste prevention, or other projects to reduce organic waste or process organic and other recyclable materials into new, value-added products.
- 17) **Bottle Bill: Small Grocers.** Until January 1, 2023, exempts dealers (e.g. small grocery stores), which have gross annual sales of less than \$1.5 million and are less than 5,000 square feet, from requirements to either take back empty beverage containers for redemption or pay \$100 per day to CalRecycle if the dealer is within an unserved convenience zone.
- 18) **Healthy Refrigeration Grant Program.** Expands the definition of “qualified entity” to include a tribal government or tribal organization, as specified, and revises the requirements of a grant recipient under the program.
- 19) **Safe and Affordable Drinking Water (SADW) Eligibility.** Expands the list of eligible funding recipients to include technical assistance providers, as defined, and provides that a privately owned public utility may serve as a technical assistance provider.
- 20) **Water Arrearages.** Until December 31, 2021, prohibits all community water systems from discontinuing water service to customers due to nonpayment.
- 21) **Water Rights Reporting.** Establishes specific reporting requirements for water extractions and diversions.
- 22) **State Coastal Conservancy: Officer or Employer: Financially Interested Contracts.** Provides that an officer or employee of the State Coastal Conservancy is not deemed to be financially interested in a contract executed in their official capacity when specified conditions are met, including that the contract involves a grant of funds approved by the San Francisco Bay Restoration Authority to the conservancy.
- 23) **Tesla Park.** Requires the Department of Parks and Recreation to determine the best use of land known as “Alameda-Tesla Expansion Area,” which is currently part of the Carnegie State Vehicular Recreation Area, and prohibits this land from being designated as a state vehicular recreation area. This bill provides \$29.8 million

General Fund to the Off-Highway Vehicle Trust Fund to be used for the acquisition and development of properties to expand off-highway vehicle recreation.

24)Off-Highway Motor Vehicle Recreation Commission. Among other things, requires a nominee to the commission have expertise or represent one of a list of specified interests.

25)Tidelands and submerged lands: City of Long Beach: Oil Revenue. Provides that the state consents to the application of specified ordinances to the state's share of oil revenue within the Long Beach tidelands for taxes on such production leveled and in effect as of October 1, 2021. This bill prohibits the state's share of oil revenue within the Long Beach tidelands from being subject to specified municipal charges not already levied on or before October 1, 2021, that has the effect of reducing the state's share of oil revenue, net profits, or remaining oil revenue received into the General Fund, without express statutory authorization for that tax, fee, or assessment.

Fiscal Effect: The funding related to the changes in this bill is contained in the Budget Act of 2021.

Support: None on file.

Opposed: None on file.

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