

CALIFORNIA COASTAL COMMISSION

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DATE: April 6, 2022

TO: Coastal Commission and Interested Persons

FROM: John Ainsworth, Executive Director
Sarah Christie, Legislative Director
Sean Drake, Legislative Analyst

SUBJECT: LEGISLATIVE REPORT FOR APRIL 2022

CONTENTS: This report provides summaries and status of bills affecting the Coastal Commission and California's Coastal Program, and coast-related legislation identified by staff.

Note: Information contained in this report is accurate as of March 30, 2022. Bills added since the previous report are marked by an *asterisk. Substantive amendments are summarized in *italics*. Bill text, votes, analyses, and the current status of any bill may be viewed on the California Legislature's Homepage at <http://leginfo.legislature.ca.gov/>. This report can also be accessed through the Commission's homepage at www.coastal.ca.gov.

2022 Legislative Calendar

Jan 1	Statutes take effect.
Jan 3	Legislature reconvenes.
Jan 10	Budget Bill must be submitted by Governor.
Jan 14	Last day for policy committees to hear and report fiscal bills introduced in their house during the 2021 session.
Jan 21	Last day for any committee to hear and report to the floor bills introduced in that house during the 2021 session. Last day to submit bill requests to Legislative Counsel.
Jan 31	Last day for each house to pass bills introduced in that house during the 2021 session.
Feb 18	Last day for bills to be introduced.
March 16	Gut and amend deadline
April 7	Spring Recess begins upon adjournment.
April 18	Legislature reconvenes from Spring Recess.

April 29	Last day for policy committees to hear and report fiscal bills introduced in their house.
May 6	Last day for policy committees to hear and report non-fiscal bills introduced in their house.
May 13	Last day for policy committees to meet prior to May 31.
May 20	Last day for fiscal committees to hear and report to the floor bills introduced in their house.
May 23-27	Floor session only.
May 27	Last day for each house to pass bills introduced in that house.
May 31	Committee meetings may resume.
June 15	Budget Bill must be passed by midnight.
June 30	Last day for a legislative measure to qualify for the November 8 General Election ballot.
July 1	Last day for policy committees to meet and report bills. Summer Recess begins upon adjournment.
Aug 1	Legislature reconvenes from Summer Recess.
Aug 12	Last day for fiscal committees to meet and report bills.
Aug 15-31	Floor session only.
Aug 25	Last day to amend bills on the floor.
Aug 31	Last day for each house to pass bills. Final Recess begins upon adjournment.
Sept 30	Last day for Governor to sign or veto bills.

PRIORITY LEGISLATION: NEW BILLS

COASTAL ACT AMENDMENTS

[SB 1077 \(Bates\) Coastal resources: nonnative plants: removal and restoration](#)

This bill would add Section 30725 to the Coastal Act, requiring the Resources Agency to identify drought-tolerant native plant species within coastal hazard mitigation zones. The bill would also appropriate \$7 million from the General Fund for grants to remove nonnative species from coastal bluffs and to replace them with appropriate native species. Priority would be given to projects where nonnative species threaten coastal bluffs. *Amendments of 03/23/22 move the program to the Coastal Conservancy's Climate Ready Program.*

Introduced	02/15/22
Last Amended	03/23/22
Status	Senate Appropriations Committee

[SB 1423 \(Stern\) Coastal resources: industrial developments: oil and gas facilities](#)

This bill would amend the Coastal Act to specify that new or expanded oil and gas facilities shall not be considered a coastal-dependent industrial use and may only be permitted if found to be consistent with Chapter 3. The bill also revises the statutory findings in Coastal Act Section 30001.2 to eliminate existing references to offshore oil and gas facilities, liquefied natural gas, electrical generating facilities, and refineries, and adds a reference to renewable energy facilities.

Introduced 02/18/22
Status Senate Rules Committee

[*SB 1497 \(Senate Natural Resources and Water Committee\) California Coastal Act of 1976](#)

This bill would amend the Coastal Act to remove gendered language from the Act.

Introduced 03/21/22
Status Senate Rules Committee

[AB 2160 \(Bennett\) Coastal resources: coastal development permits: fees](#)

This bill would add Section 30600.6.1 to the Coastal Act, authorizing a city or county to waive or reduce the permit fee for a restoration or public access project, at the request of the applicant. If a city or county rejects the request, the bill would authorize the applicant to submit the coastal development permit application directly to the commission. *Amendments of 03/29/22 specify that the provisions of the bill apply to non-profits and public agencies.*

Introduced 02/15/22
Last Amended 3/29/22
Status Assembly Natural Resources Committee

[AB 2177 \(Irwin\) Coastal recreation: designated state surfing reserves](#)

This bill would add Section 30280 to establish a process and criteria for the establishment of “surfing reserves” that would feature protected waves, surf zones, and surrounding environments, and the area’s environmental, cultural, and historical significance. *Amendments of 3/24/22 assign the program to the Division 21 of the Public Resources Code, pertaining to the State Coastal Conservancy, and set a deadline of July 1, 2023 for the Conservancy to establish criteria for the program.*

Introduced 02/15/22
Last Amended 03/24/22
Status Assembly Appropriations Committee

[AB 2241 \(Nguyen\) Coastal resources](#)

This is a spot bill. It would make a non-substantive change to the Coastal Act.

Introduced 02/18/22
Status Assembly Rules Committee

[AB 2593 \(Boerner Horvath\) Coastal resources: coastal development projects: blue carbon projects](#)

This bill would add Section 30275 to the Coastal Act, requiring the Commission to place a requirement on applicants seeking a coastal development permit for any public project to contribute to or construct a blue carbon project, where feasible. A blue carbon project is defined as the conservation, restoration, or creation of coastal ecosystems and vegetation, such as seagrasses and wetlands which capture and store carbon. State grant programs may be used to contribute toward the project.

Introduced 02/18/22
Status Assembly Natural Resources Committee

[AB 2886 \(Lee\) Coastal protection: findings and declarations](#)

This is a spot bill. It would make a non-substantive change to the Coastal Act. *Amendments of 03/24/22 change the subject matter of the bill to lithium-ion battery storage.*

Introduced 02/18/22
Last Amended 03/24/22
Status Assembly Rules Committee

PUBLIC ACCESS AND RECREATION

[ACR 116 \(Nguyen\) California Surfing Day](#)

This measure would recognize September 20 of every year as California Surfing Day.

Introduced 01/03/22
Status Assembly Rules Committee

[SB 1065 \(Eggman\) California Abandoned and Derelict Commercial Vessel Program](#)

This bill would create a new program administered by the State Lands Commission to identify, prioritize, and fund the removal of abandoned and derelict commercial vessels from waters of the state. The Commission would also be required to create a plan to prevent, reduce and remove abandoned and derelict commercial vessels.

Introduced 02/15/22
Last Amended 03/14/22
Status Senate Natural Resources and Water Committee

[AB 1645 \(Petrie-Norris\) State Parks: concession contracts: Crystal Cove State Park](#)

This bill would authorize the existing concession agreement at Crystal Cove State Park to be replaced with a new concession agreement that may be awarded for up to 55 years in length for the construction, development, and operation of overnight visitor-serving facilities at Crystal Cove State Park.

Introduced 01/12/22
Status Assembly Appropriations Committee

[AB 1789 \(Bennett\) Outdoor recreation: California Trails Commission](#)

This bill would create the California Trails Commission to promote policies and investment opportunities that maximize the public health and social benefits of trails; create the Trails Corps Program to provide training, education, and skills for designing, building and managing sustainable trails; appropriate \$75,000,000 from the General Fund for competitive grants; and provide \$15,000,000 from the General Fund for the

program annually after June 30, 2023. At least 40% of those grant moneys directly benefit under resourced communities.

Introduced 01/05/22
Status Assembly Water Parks and Wildlife Committee

[*AB 2975 \(Water, Parks, and Wildlife Committee\) Community access agreements](#)

This bill would authorize State Parks to enter into community access agreements with nonprofit organizations to provide interpretive and visitor services to underserved populations at state parks. It would authorize a community access agreement to offer free or reduced-cost access to members of the public participating in interpretive services and visitor services offered by the organization.

Introduced 03/24/22
Status Assembly Water Parks and Wildlife Committee

NATURAL AND MARINE RESOURCES

[SB 1036 \(Newman\) Orange County Conservation Corps: California Ocean Corps](#)

This bill would authorize the Orange County Conservation Corps to establish the California Ocean Corps to provide opportunities for young people to develop technical skills related to ocean conservation work in Orange County, and appropriate \$40,000,000 from the General Fund for implementation. *Amendments of 03/23/22 create the California Ocean Corps Program, to provide competitive grants to local conservation corps in coastal communities to develop skills and professional preparation to pursue careers in coast and ocean conservation.*

Introduced 02/15/22
Last Amended 03/23/22
Status Senate Appropriations Committee

[AB 2109 \(Bennett\) White sharks: prohibition on use of attractants](#)

This bill would prohibit the use of bait, lures, chum, or chemical attractants in ocean waters where white sharks are present, except when permitted by the Department of Fish and Wildlife for scientific, educational or propagation purposes.

Introduced 02/14/22
Status Assembly Water Parks and Wildlife Committee

CLIMATE CHANGE AND SEA LEVEL RISE

[SB 852 \(Dodd\) Climate resilience districts: formation: funding mechanisms](#)

This bill would authorize local governments and special districts to form climate resilience districts to raise and allocate funds for capital projects that address sea level rise, extreme heat and cold, wildfire and flood risk, and drought. Eligible projects to address sea level rise include sea walls, levies, erosion control and wetland restoration.

Amendments of 03/09/22 deem the Sonoma County Regional Climate Protection Authority to be a climate resilience district with all the legally available powers.

Introduced 01/18/22
Last Amended 03/09/22
Status Senate Governance and Finance Committee

SB 867 (Laird) Sea level rise planning: database

This bill would extend the sunset date of the Planning for Sea Level Rise data base, from January 1, 2023, to January 1, 2028.

Introduced 01/24/22
Status Senate Appropriations Committee.

***SB 989 (Hertzberg) Climate-beneficial projects: grant funding**

This bill would establish the Climate Change Preparedness, Resiliency, and Jobs for Communities Program, to be administered by the Strategic Growth Council, requiring the council to fund grants for multi-benefit, community-level, climate-beneficial projects to support community and landscape resiliency and workforce development. Joint Powers Authorities, Tribes, Special Districts and NGOs would be among the entities eligible to apply for competitive grants.

Introduced 01/18/22
Last Amended 03/09/22
Status Senate Environmental Quality Committee

SB 1078 (Allen) Sea level rise: revolving loan pilot program

This bill would establish the Sea Level Rise Revolving Loan Fund and direct the OPC to develop the Sea Level Rise Revolving Loan Program to provide low-interest loans to local governments for the purchase of coastal properties vulnerable to sea level rise in communities of color, low-income and tribal communities, and other disproportionately affected communities and populations who bear the brunt of impacts from climate changes. Subject to a “vulnerable coastal property plan,” local jurisdictions would be able to lease the properties out for the useful life of the structure in order to repay the loan. The bill requires the OPC to adopt guidelines and eligibility for the program in consultation with several other departments, including the Coastal Commission.

Amendments of 03/23/22 make technical, non-substantive changes.

Introduced 02/15/22
Last Amended 03/23/22
Status Senate Appropriations Committee

AB 1640 (Ward) Office of Planning and Research: regional climate networks

This bill would authorize public entities and Tribes to establish regional climate networks. The bill would authorize a regional climate network to engage in activities to address climate change, and to develop regional climate adaptation and resilience action plans. The bill would require OPR to develop guidelines on how eligible entities may establish regional climate networks and how governing boards may be established within regional climate networks on or before July 1, 2023. *Amendments of 03/23/22 authorize a regional climate network to develop a regional climate adaptation and resilience action plan.*

Introduced 01/12/22
Last Amended 03/23/22
Status Assembly Appropriations Committee

AB 1902 (Aguiar-Curry) Resource conservation districts

Relevant to the Commission, this bill would expand the authorized role of resource conservation districts to include, among other things, planning, preparing for, and addressing sea level rise, storm surge, beach and bluff erosion, saltwater intrusion, and flooding to preserve and enhance coastal wetlands and natural lands, and to conserve biodiversity. *Amendments of 03/22/22 renumber the bill and authorize RCDs to enter into interagency agreements with a state agency and to administer and manage specified projects.*

Introduced 02/09/22
Last Amended 03/17/22
Status Assembly Local Government Committee

AB 2348 (Mullin) Sea level rise planning: database

This is a spot bill would make a non-substantive change to the Public Resources Code, relating to sea level rise.

Introduced 02/16/22
Status Assembly Rules Committee

AB 2362 (Mullin) Ecosystem restoration and climate adaptation projects: permitting

This bill would require the Resources Agency to establish an interagency working group to streamline the permitting process for restoration and climate adaptation projects. The bill would require the working group to develop resources for permit applicants, including a unified, online permit application process that includes all appropriate state agencies with regulatory authority over ecosystem restoration and climate adaptation projects. CNRA would be required to submit to an annual report to the Legislature on the number and location of applicants assisted by the working group and recommendations for further improvements.

Introduced 02/07/22
Status Assembly Natural Resources Committee

AB 2734 (Petrie-Norris) Coastal resources: research: landslides: advanced warning system: County of Orange

This bill would require the Scripps Institute to conduct research on coastal bluff erosion and flooding, including the feasibility of an early warning system. The bill would be operative upon appropriation and would require a report to the Legislature on the findings by January 1, 2026.

Introduced 02/18/22
Status Assembly Natural Resources Committee

ENERGY AND OFFSHORE OIL AND GAS

AJR 24 (Nguyen) Oil spill: unified command centers: location

This measure would request that the United States government locate an oil spill unified command centers based on proximity and access to the spill, to make the center easily accessible to local agencies and local governments directly affected by the oil spill.

Introduced 01/14/22
Status Assembly Rules Committee

AJR 25 (Nguyen) Regulation of vessel anchorages

This measure would request Congress and the President to increase resources for the enforcement of regulating vessel anchorages for regulating the backlog of cargo ships and preventing future oil spills related to anchor strikes.

Introduced 01/14/22
Status Assembly Rules Committee

SB 953 (Min) Oil and gas leases: state waters: State Lands Commission

This bill would require the State Lands Commission to terminate all remaining oil and gas leases under its jurisdiction in state tidelands and submerged lands by December 31, 2023. The Commission could also negotiate voluntary relinquishment of a lease before termination.

Introduced 02/09/22
Status Senate Natural Resources and Water Committee

SB 1274 (McGuire) Environmental quality: clean energy transmission projects: offshore wind

This bill would provide that a clean energy transmission project that upgrades existing transmission infrastructure to bring renewable energy from an offshore wind project located within or adjacent to the County of Humboldt is qualifies for CEQA streamlining measures as an “Environmental Development Leadership Project” pursuant to PRC Section 21180.

Introduced 02/18/22
Status Senate Environmental Quality Committee. 4/2/22

AB 1611 (Davies) Oil spills: notification of hitting pipelines: civil penalties

This bill would require a person to notify state and federal entities that a vessel has hit or likely hit to a pipeline in waters of the state, within 24 hours. The bill would subject a person to civil penalties of up to \$50,000 for failure to comply. *Amendments of 3/15/22 make a vessel operator who fails to report a collision or possible collision to a submerged oil pipeline subject to civil penalties of \$10,000 to \$1 million.*

Introduced 01/05/22
Last Amended 03/15/22
Status Assembly Judiciary Committee

AB 1657 (Nguyen) Oil spills: reporting: waters of the United States

This bill would require any party responsible for the discharge or threatened discharge of oil in waters of the United States to report the discharge immediately to the Office of Emergency Services. Failure to do so would be a crime. *Amendments of 03/14/22 limit the bill to waters of the state, and further define a “threatened discharge” of oil.*

Introduced 01/14/22
Last Amended 03/14/22
Status Assembly Appropriations Committee

AB 1658 (Nguyen) Office of Oil Spill Response and Prevention: best practices: local oil spill response plan

This bill would require the Office of Spill Prevention and Response to develop best practices create and post on its internet website best practices, which may include, but are not limited to, a model ordinance, for local jurisdictions that would like to adopt a local oil spill response plan. *Amendments of 03/15/22 delete the requirement for oil spill response plans to also be consistent with LCPs, the California Oil Spill Contingency Plan and the National Contingency Plan.*

Introduced 03/15/22
Last Amended 03/15/22
Status Assembly Appropriations Committee

AB 1832 (L. Rivas) California Seabed Mining Prevention Act

This bill would repeal the State Lands Commission’s authority to authorize leases or permits for the extraction or removal of hard minerals, such as metals, precious metals, gemstones, ores, and other types of hard minerals from tidelands and submerged lands of the state. This does not include rock, gravel, sand, silt, hydrocarbons, or coal.

Introduced 02/07/22
Status Assembly Appropriations Committee

AB 2257 (Boerner Horvath) State lands: oil and gas leases: cost study

This bill would direct the State Lands Commission to develop a cost study to determine the fiscal impact of a voluntary lease buy-out of all active offshore oil and gas leases as of January 1, 2023, and appropriate \$1 million from General Fund to cover the cost of

the study. *Amendments of 03/21/22 specify a deadline of December 31, 2024 for the study.*

Introduced 02/17/22
Last Amended 03/21/22
Status Assembly Natural Resources Committee

AB 2609 (Petrie-Norris) Oil: facility response plan

This bill would require the State Lands Commission to post on its website all Facility Response Plans provided by onshore or offshore facilities that pose a risk of discharging oil into the environment, and to hold at least two public hearings on the plans to receive public comment.

Introduced 02/18/22
Status Assembly Natural Resources Committee

HOUSING

SB 897 (Wieckowski) Accessory dwelling units: junior accessory dwelling units

This bill would increase the minimum height of ADUs to 25 feet; provide that the construction of an ADU does not constitute an occupancy change; prohibit the construction of an ADU from triggering the installation of fire sprinklers; prohibit a local government from denying a permit for a constructed, but unpermitted ADU because it is in violation of building standards unless it endangers the health and safety of the occupants, and require the Department of Housing and Community Development to establish a grant program to fund the construction of ADUs and JADUs . *Amendments of 3/14/22 require local governments to use objective standards when establishing regulations for ADUs and prohibit requirements for applicants to post notices when demolishing a detached garage to construct an ADU.*

Introduced 02/01/22
Last Amended 03/14/22
Status Senate Governance and Finance Committee

SB 930 (Wiener) Housing Accountability Act

This bill would exempt the Department of Housing and Community Development from compliance with the Administrative Procedures Act with respect to the development of regulations for the implementation of their recently enacted authority to review local compliance with the 2021 Housing Accountability Act.

Introduced 02/07/22
Status Senate Housing Committee

SB 1292 (Stern) Accessory dwelling units: setbacks

This bill would enable a local government to determine, by ordinance, the appropriate setback for an accessory dwelling unit (ADU). Current maximum setback is 4 feet from rear or side lot lines. An applicant for an ADU would be able to appeal a setback requirement that makes the project infeasible. *Amendments of 3/16/22 change the subject matter of the bill to one that would authorize local governments to restrict new development in moderate, high, and very high fire hazard severity zones, if they adopt a plan to at least double the amount of potential lost housing in other areas.*

Introduced 02/18/22
Last Amended 03/16/22
Status Senate Government Organization Committee

SB 1369 (Wieckowski) Adaptive reuse projects: by right: funding

This bill would specify that an adaptive reuse project, defined as converting any commercial, public, industrial, or office building with an occupancy rate of 25% or less into a mixed use or residential housing development project, shall be considered a use by right regardless of zoning. A local government would not be able to require additional on-site parking beyond what is already available, and the applicant could add one additional story to the roof of the existing structure.

Introduced 02/18/22
Status Senate Governance and Finance Committee

AB 1910 (Garcia) Publicly owned golf courses: conversion: affordable housing

This bill would authorize a public agency to convert a publicly owned golf course into affordable housing and public open space. The bill would direct the Department of Housing and Community Development to develop and administer a program to provide grants to projects that meet the specifications of the bill, including that 25% of the units shall be occupied by lower income households; no more than 1/3 of the property shall be used for non-residential purposes; affordable rental and ownership units shall be deed restricted for 55 and 45 years, respectively; and at least 15% of the development shall be publicly accessible open space.

Introduced 02/09/22
Status Assembly Local Government Committee

AB 2097 (Friedman) Development: parking requirements

This bill would prohibit a public agency from imposing minimum parking standards on residential or commercial development if it is located on a parcel within ½ mile of public transit. The bill would not reduce or eliminate requirements to provide handicapped parking or EV charging equipment.

Introduced 02/14/22
Status Assembly Local Government Committee

[AB 2430 \(Grayson\) Tiny homes](#)

This bill would add “tiny homes on wheels” to the definition of an ADU. A tiny home on wheels is defined as a recreational, tow-behind vehicle on a wheeled chassis that provides living facilities for one or more persons and is no larger than 400 square feet.

Introduced 02/18/22
Status Assembly Housing and Community Development Committee

[AB 2762 \(Bloom\) Housing: parking lots](#)

This is an intent bill that would authorize local governments to build affordable housing on parking lots that serve parks and recreational facilities.

Introduced 02/18/22
Status Assembly Rules Committee

WATER AND MARINE DEBRIS

[SB 890 \(Nielsen\) Water Storage and Conveyance Fund](#)

This bill would establish the Water Storage and Conveyance Fund, to be managed by the Department of Water Resources. This measure is an urgency statute.

Introduced 01/31/22
Status Senate Natural Resources and Rules Committee. Failed passage.

[AB 1690 \(L. Rivas\) Tobacco products: single use components](#)

This bill would prohibit the sale, purchase or conveyance of cigarettes with single-use filters, or the sale purchase or conveyance of detachable single-use device for the filtration of tobacco products, or the sale, purchase or conveyance of single use-cigarettes, or vaping devices, punishable by a \$500 civil fine.

Introduced 01/25/22
Status Assembly Health and Judiciary Committees

[AB 1724 \(Stone\) Washing machines: microfiber filtration](#)

This bill would require, on or before January 1, 2024, that all new washing machines sold in California contain a microfiber filtration system. The bill would also require all state-owned washing machines to contain a microfiber filtration system.

Introduced 01/27/22
Status Assembly Environmental Safety and Toxic Materials Committee

[AB 2016 \(Bauer-Kahan\) State Water Resources Control Board: desalination plants: feasibility study](#)

This bill would direct the SWRCB to contract with an educational institution to conduct a feasibility study of the potential impacts of desalination plants. The study would include a history of drought in the state; job creation opportunities; potential labor union contracts; environmental impacts; the possibility of desal plants along the SF Bay and

inland lakes and streams, and the shortage of chlorine. The Board would present the report to the Legislature by January 1, 2025.

Introduced 02/14/22
Status Assembly Water Parks and Wildlife Committee

[AB 2026 \(Friedman\) Recycling: plastic packaging and carryout bags](#)

This bill would prohibit on-line retailers that ships purchased items into the state from using single-use plastic or polystyrene packaging. The bill would also establish the At-Store Recycling Program that allows customers to return clean plastic carryout and single-use plastic bags. *Amendments of 03/23/22 make technical, non-substantive changes.*

Introduced 02/14/22
Last Amended 03/23/22
Status Assembly Judiciary Committee

[AB 2740 \(Dahle\) Water resources: water desalination](#)

This bill would repeal a provision of the Water Code that required the SWRCB to produce a report by July 1, 2044, on the existing impediments to seawater and brackish water desalination projects. It would also eliminate the Water Desalination Task Force.

Introduced 02/18/22
Status Assembly Water, Parks and Wildlife Committee

TRANSPORTATION

[SB 894 \(Jones\) Off-highway vehicles](#)

This bill would make multiple changes to the rules, requirements, and fee structure for the licensing of competition motorcycles and ATVs operated on public lands.

Introduced 01/03/22
Last Amended 03/28/22
Status Senate Natural Resources and Water Committee

[AB 2344 \(Friedman\) Wildlife connectivity: transportation projects](#)

This bill would require CDFW, in consultation with Caltrans, to develop a wildlife connectivity action plan by January 1, 2024. The bill would also require Caltrans, in consultation with CDFW, to develop a list of wildlife passage projects where the implementation of wildlife passage features would reduce wildlife-vehicle collisions and enhance wildlife connectivity.

Introduced 02/16/22
Status Assembly Water, Parks, and Wildlife Committee

AB 2438 (Friedman) Transportation projects: alignment with state plans

This bill would require all transportation projects funded at the local or state level to align with the California Transportation Plan and the Climate Action Plan for Transportation Infrastructure adopted by the Transportation Agency. *Amendments of 03/21/22 require consistency with specified GHG standards and require the California Transportation Plan to include a financial element with funding recommendations.*

Introduced 02/17/22
Last Amended 03/21/22
Status Assembly Appropriations Committee

AB 2719 (Fong) CEQA exemptions: highway safety improvement projects

This bill would exempt state or local “highway safety projects” from the provisions of the California Environmental Quality Act.

Introduced 02/07/22
Status Assembly Natural Resources Committee

ADMINISTRATION

SB 1122 (Allen) State Coastal Conservancy: vice chair

This bill would authorize the State Coastal Conservancy to elect a vice-chair by a majority vote of the Board. *Amendments of 03/07/22 change the subject matter of the bill to expanding the boundary of the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy to include the Dominguez Channel watershed, and the coastal watersheds of Manhattan Beach and the Palos Verdes Peninsula.*

Introduced 02/16/22
Last Amended 03/07/22
Status Senate Natural Resources and Water Committee

AB 1795 (Fong) Open meetings: remote participation

This bill would require state bodies to provide an opportunity for participants to address the body both in-person and remotely in any public meeting.

Introduced 02/07/22
Status Assembly Governmental Organization Committee

AB 1996 (Cooley) State government: administrative regulations: review

This bill would require all state agencies to review and identify any regulations that are duplicative, overlapping, inconsistent, or out of date, revise those identified regulations, and report to the Legislature and Governor, by January 1, 2026.

Introduced 02/10/22
Status Assembly Appropriations Committee

AB 2370 (Levine) Public records: state agency retention

This bill would require all state agencies to retain every public record subject to the Public Records Act, including emails, for a period of at least 2 years.

Introduced 02/16/22
Last Amended 03/23/22
Status Assembly Privacy and Consumer Protection Committee

AB 2387 (E. Garcia) Safe Drinking Water, Wildfire Prevention, Drought Bond Act

This bill would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$7,430,000,000 to finance eligible projects. *Amendments of 03/21/22 move the election date of the bond from June 7 to November 9.*

Introduced 02/17/22
Last Amended 03/21/22
Status Assembly Rules Committee

AB 1733 (Quirk) State bodies: open meetings

This bill would make changes to the Bagley-Keene Open Meeting Act related to remote participation and public notice requirements for teleconferenced meetings of state agencies. It would require all state body open meetings to be held by teleconference, without the need to make the remote locations of each board member accessible to the public. In addition to providing for the public to participate remotely, the bill would also require agencies to provide a physical location for members of the public to observe, hear and participate remotely in the meeting. If the ability to provide remote participation fails during a meeting and cannot be restored, the bill would require the state agency to adjourn the meeting and notify the public of when it plans to reconvene. The bill would allow for closed sessions to be conducted remotely.

Introduced 01/03/22
Status Assembly Government Organization Committee

AB 2673 (Irwin) California Environmental Quality Act: trustee agencies

This bill would codify existing CEQA Guidelines defining a "Trustee Agency" as state agencies including but not limited to the State Lands Commission, Department of Fish and Wildlife, Department of Parks and Recreation, and the UC Regents.

Introduced 02/18/22
Last Amended 03/17/22
Status Assembly Natural Resources Committee

AB 1655 (Jones-Sawyer) State holidays: Juneteenth

This bill would add June 19, known as "Juneteenth," to the lists of state holidays.

Introduced 01/14/22
Status Assembly Government Organization Committee

PRIORITY LEGISLATION: TWO-YEAR BILLS

SB 6 (Caballero) Local planning: housing: commercial zones

This bill would deem a housing development an allowable use in retail commercial zoning that is not adjacent to an industrial use, if certain density requirements are met. This bill is a re-introduction of SB 1385 (Caballero) from 2020. *Amendments of 3/8/21 sunset the provisions of the bill on January 1, 2029. Amendments of 8/23/21 require the developer to certify that all contractors and sub-contractors will pay prevailing wage.*

Introduced 12/09/20
Last Amended 08/23/21
Status Assembly Housing and Community Development Committee

SB 12 (McGuire) Local government: planning and zoning: wildfires

This bill would require local governments to amend their land use plans to include maps of any very high fire hazard areas within its jurisdictions upon each revision of its housing element after July 1, 2024. Within 12 months of any update, the local government must adopt a very high fire hazard risk overlay zone or otherwise amend its zoning ordinance to be consistent with the land use plan. *Amendments of 5/4/21 require the State Fire Marshal to adopt wildfire risk reduction standards for developments in very high fire risk areas. Amendments of 7/1/21 narrow the bill to apply to residential structures only, as opposed to “development” generally.*

Introduced 12/07/20
Last Amended 07/01/21
Status Failed passage in Assembly Housing and Community Development Committee. Reconsideration granted.

SB 17 (Pan) Office of Racial Equity

This bill would establish the Office of Racial Equity, and task the office with developing strategies for advancing racial equity across state agencies. The office would be required to develop a statewide Racial Equity Framework, in coordination with other agencies, to provide guidelines for inclusive policies and practices that reduce racial inequities, and to establish goals and strategies to advance racial equity and address structural racism. The bill would direct the Secretary of each state agency to adopt and implement a Racial Equity Action Plan and would require the office to provide technical assistance to agencies and to approve each agency’s Racial Equity Action Plan. *Amendments of 7/1/21 add a requirement for the Office to develop a Statewide Racial Equity Framework and to establish a Chief Equity Officer appointed by the Governor.*

Introduced 12/07/20
Last Amended 07/01/21
Status Assembly Appropriations Committee. Hearing cancelled at request of author.

AB 30 (Kalra) Outdoor access to nature: environmental equity

As amended, this bill would establish a state policy that access to nature and access to the benefits of nature is a human right and that every human has the right to safe and affordable outdoor access. The bill would require all relevant state agencies and departments, including the Natural Resources Agency and its respective departments, boards, and commissions to incorporate this state policy when revising, adopting, or establishing policies, regulations, and grant criteria.

Introduced 12/07/20
Last Amended 03/22/21
Status Senate Rules Committee

SB 54 (Allen) Plastic Pollution Producer Responsibility Act

This bill would prohibit producers of single-use, disposable packaging or single-use, disposable food service ware products from selling or distributing such products that are after January 1, 2032, unless they are recyclable or compostable.

Introduced 12/07/20
Last Amended 02/25/21
Status Assembly Rules Committee

SB 307 (McGuire) North Coast Railroad Authority: County of Humboldt: state moneys

As amended, this bill would prohibit use of state moneys for any project designed to rehabilitate, maintain, or repair an existing rail facility, including any rail terminal or other rail infrastructure, on the North Coast Railroad Authority's right-of-way north of the City of Willits in Mendocino County. The bill also specifically prohibits state moneys from being spent for any new bulk coal terminal project in Humboldt County.

Introduced 02/04/21
Last Amended 01/03/22
Status Assembly Rules Committee

AB 343 (Fong) California Public Records Act Ombudsperson

This bill would create a Public Records Act Ombudsperson within the office of the State Auditor. The Ombudsperson's office would receive requests to investigate cases where a member of the public believes a Public Records Act request has been improperly denied. The Ombudsman would have the authority to require the release of records found to be improperly denied. Agencies found to have improperly withheld records would be required to reimburse the Ombudsman's office for its expenses. The bill would require the Ombudsperson to submit a report to the Legislature by January 1, 2023. *Amendments of 5/24/21 revise the deadline for submitting the report to January 1, 2024.*

Introduced 01/28/21
Last Amended 05/24/21
Status Senate Judiciary Committee

SB 396 (Dahle) Forestry: electrical transmission or distribution lines: clearance: notice and opportunity to be heard

As amended, this bill would authorize utility line operators, notwithstanding any other provision of law, to access private property to trim, cut or fell any hazardous trees to maintain safe clearance. The bill would also require the utility to notify the landowner, provide an opportunity to protest, preserve timber value of felled trees if possible, and leave wood on site unless asked to remove it. The bill would also require the California Office of Energy Infrastructure Safety, by July 1, 2024, to develop standardized landowner notice materials, and would require utilities to make a good faith effort to communicate with landowners about trimming activities.

Introduced	02/02/21
Last Amended	09/03/21
Status	Assembly Third Reading

AB 500 (Ward) Local planning: coastal development: affordable housing

This bill would have amended Public Resources Code (PRC) Section 30213 to reinstate the Commission’s previous authority over housing for people of low and moderate income; add PRC Section 30252.2 to preserve and enhance higher density residential development in non-hazardous areas of the coastal zone; repeal PRC Section 30500.1 prohibiting the inclusion of housing policies and programs in LCPs; and add PRC Section 30514(f) to require local governments to amend their LCPs to include streamlined measures for approving accessory dwelling units, junior accessory dwelling units, supportive housing projects, and 100% affordable housing projects by January 1, 2024. *Amendments of 8/31/21 limit the scope of the bill to only require LCP amendments, and add 100% affordable housing project, transitional housing, and low barrier navigation centers to the housing types to be included.*

Introduced	02/09/21
Last Amended	08/31/21
Status	Senate Inactive File
Position	Support

AB 897 (Mullin) Office of Planning and Research: regional climate networks: climate adaptation and resilience action plans

This bill would authorize local jurisdictions to establish regional climate networks, in consultation with the Governor’s Office of Planning and Research (OPR). It would also require OPR to develop guidelines for regional climate networks prepare regional climate adaptation action plans by July 1, 2022. The bill would direct OPR to establish geographic boundaries for regional climate networks, and publish guidelines on its website, and to provide technical assistance to regional climate networks in developing regional climate adaptation action plans. *Amendments of 4/19/21 require a regional climate network to develop an action plan and submit it to OPR for review and comment. Amendments of 7/14/21 broaden the scope of the required plans to also include climate resilience and hazard mitigation planning, require OPR’s responsibilities under the bill to be carried out in consultation with the Office of Emergency Services, add tribes as entities eligible to participate in regional climate networks, add definitions*

of “under-resourced community” and “vulnerable community,” and make various technical amendments.

Introduced 02/17/21
Last Amended 07/14/21
Status Senate Appropriations Committee

AB 916 (Salas) Zoning: accessory dwelling units: bedroom addition

This bill would prohibit a local government from requiring a public hearing for adding an additional bedroom to a single-family structure. It would require a local government to ministerially approve and application for not more than two ADUs on a lot with an existing multi-family building, with a height limit of 18 feet, provided the units are not attached to the main building.

Introduced 02/01/21
Last Amended 01/03/22
Status Senate Rules Committee

AB 923 (Ramos) Government-to-Government Consultation Act: state-tribal consultation

This bill would require the Executive Branch to consult on a government-to-government basis with a Tribe within 60 days of a request. It would require Agency directors to consider the need for tribal consultation before approving any agency policy. The bill would specify who is authorized to represent the state in Tribal consultation and would require the Governor’s Tribal Advisor to convene a council of tribal liaisons within each state agency to develop training on government-to-government consultations for agency directors, chairs, executive officers, and chief counsels. Training would be completed by January 1, 2023.

Introduced 02/17/21
Last Amended 01/20/22
Status Assembly Floor

AB 989 (Gabriel) Housing Accountability Act: appeals: Office of Housing Appeals

This bill would create the Housing Accountability Committee within the Housing and Community Development Department. It would authorize the committee to hear appeals of proposed housing developments, and to vacate a local denial if it finds that the local agency disapproved or conditioned the project in violation of the Housing Accountability Act *Government Code Section 65598.5. Amendments of 7/5/21 provide that the measure would sunset on January 1, 2029; specify that the appeal hearings shall be heard by a panel of 5 administrative law judges; provide that panel decisions are subject to judicial review; and specify the procedures for filing an appeal of a local agency action. Amendments of 8/18/21 limit the bill to housing developments of 5 units or more; specify that the statute of limitations does not begin until the final administrative action; reduce the size of the panel to 3 administrative law judges; and require the panel to render a written decision within 14 days of the appeal hearing.*

Introduced 02/18/21
Last Amended 08/18/21
Status Senate Inactive File

AB 1279 (Muratsuchi) Coastal resources: sustainable kelp

This bill would require the Ocean Protection Council to work with private and non-profit entities to promote sustainable kelp projects, and to review and assess data from ongoing research and pilot projects to identify knowledge gaps related to kelp forest ecosystems.

Introduced 02/19/21
Last Amended 03/25/21
Status Senate Natural Resources and Water Committee. Hearing cancelled at request of author.

AB 1323 (Chiu) Department of Technology: modernization: state information technology contracts

This bill would require all state agencies and entities to submit their IT service contracts to the Department of Technology by May 1, 2022. The Department of Technology would be required to analyze the contracts to identify candidates for statewide contracts for common uses and would prioritize legacy IT system modernization efforts across state government. It would require the Department to work with the Legislature and the Legislative Analyst's Office to modernize state government IT project approval and oversight.

Introduced 02/19/21
Last Amended 03/26/21
Status Senate Governmental Organization Committee

AB 1384 (Gabriel) Resiliency Through Adaptation, Economic Vitality, and Equity Act of 2022

This bill would require the Strategic Growth Council to develop a strategic resiliency framework that makes recommendations and identifies actions that are necessary to prepare the state for the most significant climate change impacts. The bill would require state agencies to engage with regional entities to implement regional solutions, and to proactively engage vulnerable communities who have been disproportionately impacted by climate change. The bill would authorize the Treasurer, and the financing authorities that the Treasurer chairs, to assist state agencies by leveraging public and private capital investment to help with loans and other incentives to attain the goals identified in the strategic resiliency framework. *Amendments of 7/14/21 reassign the requirements of the bill from the Strategic Growth Council to the Natural Resources Agency in coordination with the Office of Planning and Research, require the Natural Resources Agency to develop timetables and metrics for measuring the state's progress in implementing the Safeguarding California Plan, and require agencies to prioritize equity in climate change adaptation expenditures. Amendments of 8/26/21 require CNRA to release an updated draft of the Safeguarding California plan by January 1, 2017, and*

update it every 3 years thereafter, and to identify opportunities to improve policy and budget coordination across jurisdictions.

Introduced	02/19/21
Last Amended	08/26/21
Status	Senate Inactive File



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**BILL ANALYSIS****AB 2160 (Bennett)**

As Introduced 2/15/2022

SUMMARY

Assembly Bill 2160 would add Public Resources Code (PRC) Section 30600.6.1 to authorize local governments to waive or reduce fees for coastal development permits (CDPs) from applicants undertaking a public access or restoration project. If a city or county rejects the request, the bill would authorize the applicant to submit the coastal development permit application directly to the Coastal Commission.

RECOMMENDED MOTION

I move the Commission **Support** AB 2160, and I recommend a **Yes** vote.

PURPOSE OF THE BILL

The purpose of the bill is to encourage and facilitate public access and restoration projects in the coastal zone by making them more affordable, by encouraging local governments to favorably consider requests to waive or reduce fees.

EXISTING LAW

PRC Section 30620(c)(3) directs the Coastal Commission to give additional consideration to non-profit organizations undertaking public access or restoration projects when considering a request for a fee waiver.

PRC Section 30600.6 authorizes local governments to elect not to charge fees for coastal development permits.

Government Code Section 6103(a) provides that government entities shall not be required to pay filing fees for the performance of any official service. The Commission interprets that to mean the Commission cannot charge CDP application fees to other public agencies.

PROGRAM BACKGROUND

The Coastal Commission regulates coastal land uses in the coastal zone through the issuance of CDPs and the certification of local coastal programs (LCPs). Once a local government has adopted a certified LCP, it assumes CDP permitting authority for all certified areas.

Local governments with certified LCPs are responsible for adopting their own permit fee schedules. In some jurisdictions, these fees can be significantly higher than the Commission's. In addition, not all local governments embrace the concept of public access, particularly if a project is opposed by favored constituents. Locally controversial projects, particularly those involving public access, can be delayed by opponents who object to public access in their neighborhoods, causing cost overruns and delays.

AB 2160 (Bennett) Analysis

Filing fees paid to the Commission are deposited into the Coastal Act Services Fund (CASF) pursuant to PRC Section 30620. The first \$500,000 collected annually is directed to the State Coastal Conservancy. The remainder accrues in the CASF and is subject to appropriation by the Legislature for purposes that further the goals and policies of the Coastal Act.

ANALYSIS

Providing public access and habitat protection/restoration are two fundamental goals of the Coastal Act. However, they make up a very small percentage of project applications. Applicants for such projects are typically non-profit groups or public agencies. Because these types of projects provide public benefits that are in line with state priorities, as a matter of public policy, it is reasonable for the state to incentivize them by encouraging reasonable cost savings where feasible.

PRC Section 30600.6 authorizes local governments to elect not to charge fees for coastal development permits but does not differentiate between private projects and those that are entirely for public benefit. While some local governments do consider such requests, it is not consistent across all jurisdictions. This bill would provide legislative authorization to local governments to consider fee relief for projects that increase public access or restore or enhance coastal habitat. It would not limit local governments' current discretion, but rather, it would indicate that the Legislature expects them to consider fee waivers from entities that are undertaking public-benefit projects.

Should a local government decline the request, the bill would authorize an applicant to apply directly to the Coastal Commission. Pursuant to Public Resources Code Sec. 30620, the Commission must give additional consideration to requests to waive or reduce fees for public access and restoration projects. This bill would provide significant cost savings to applicants undertaking such projects, and significantly shorten timelines for those projects that would ultimately get appealed to the Commission. It is consistent with the goals of the Governor's "Cutting Green Tape" and "Access for All" initiatives and would provide greater continuity between the state and local processing of Coastal Act priority projects.

CONCLUSION

This bill will streamline the permitting process for entities undertaking public access and habitat restoration projects. These projects further the goals of the Coastal Act and the state, and should be encouraged and facilitated whenever possible.

SUPPORT

Surfrider Foundation
The Wildlands Conservancy
Tolowa Dunes Stewards
ECO San Diego

OPPOSITON

None on file.

RECOMMENDED POSITION

Staff recommends the Commission **Support** AB 2160.

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BILL ANALYSIS
AB 1910 (Garcia)
As Introduced 2/9/2022

SUMMARY

Assembly Bill 1910 would create a program, to be administered by the Department of Housing and Community Development, that would issue grants to local agencies that enter into development agreements to convert municipal golf courses into housing and publicly accessible open space. To be eligible for a grant, the development agreement with the developer must meet the following requirements, at a minimum:

- At least 25% of all new dwelling units are affordable to, and occupied by, lower income households,
- At least 15% of the development is public accessible open space (golf courses are not to be considered open space), and
- No more than 1/3 of the development, excluding the area used for open space, is dedicated to nonresidential uses, such as parking.

RECOMMENDED MOTION

I move the Commission **Support** AB 1910, and I recommend a **Yes** vote.

PURPOSE OF THE BILL

The purpose of the bill is to incentivize the redevelopment of municipal golf courses into affordable housing and publicly accessible open space. The author's intent in introducing this bill is to expand the options available to local governments when considering golf course redevelopment. Governments that chose to redevelop their golf courses under the grant program would be helping to address affordable housing and public open space shortages in their municipalities.

EXISTING LAW

Coastal Act Section 30116 identifies "sensitive coastal areas" such as existing affordable housing, habitat areas, areas possessing significant recreational value. Coastal Act Section 30604(g) states:

"The Legislature finds and declares that it is important for the commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the coastal zone."

Coastal Act Section 30210 states:

"In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse."

AB 1910 (Garcia) Analysis

Coastal Action Section 30211 states:

“Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.”

The Public Parks Protection Act (California Public Resources Code Sections 5400-5409 Chapter 2.5. Preservation Of Public Parks), Section 5401 states:

“(a) No city, city and county, county, public district, or agency of the state, including any division, department or agency of the state government, or public utility, shall acquire (by purchase, exchange, condemnation, or otherwise) any real property, which property is in use as a public park at the time of such acquisition, for the purpose of utilizing such property for any nonpark purpose, unless the acquiring entity pays or transfers to the legislative body of the entity operating the park sufficient compensation or land, or both, as required by the provisions of this chapter to enable the operating entity to replace the park land and the facilities thereon.”

“(b) Where the operating entity and the acquiring entity are one and the same, the entity is subject to the provisions of this chapter pertaining to both operating and acquiring entities, and the entity is, as acquiring entity, required to make funds or land, or both, available pursuant to Section 5405 or 5407.2, and, as operating entity, required to acquire or improve park lands and facilities pursuant to Sections 5404, 5407, 5407.1, and 5407.2.”

The Surplus Lands Act was signed in 1968 and applies to lands owned by local agencies for which it has been decided in a regular public meeting that the land is surplus and not necessary for the agency's use. In selling surplus lands, the local agency must first send a written offer to sell or lease to other agencies, nonprofits groups, etc., offering the land for the purpose of developing it as public open space or affordable housing. Priority is given to entities proposing to use the land for low- and moderate-income housing, unless Government Code, Article 8, Section 54227 (b) applies:

“...first priority shall be given to an entity that agrees to use the site for park or recreational purposes if the land being offered is already being used and will continue to be used for park or recreational purposes, or if the land is designated for park and recreational use in the local general plan and will be developed for that purpose.”

PROGRAM BACKGROUND

Since the adoption of the Coastal Act in 1976, the Coastal Commission has recognized the need for housing opportunities in the coastal zone that are accessible to persons of low and moderate income, in line with the Coastal Act's goal of “maximiz[ing] public access to and along the coast.” Section 30213 of the Coastal Act originally stated that

AB 1910 (Garcia) Analysis

“housing opportunities for persons of low and moderate income shall be protected, encouraged, and where feasible, provided.” The Commission developed statewide interpretive guidelines to implement Section 30213, which were adopted in 1977. Of note is that all the Commission’s guidelines reiterated that any housing, affordable or otherwise, would only be permitted consistent with the resource protection policies of the Coastal Act.

Although Section 30213 was amended by AB 626 (Mello) in 1981, removing the Commission’s statutory authority to protect and provide for affordable housing in the coastal zone, the Commission has continued to approve projects with affordable housing components. With the passage of SB 619 (Ducheny) in 2003, the Coastal Act was amended to include Section 30604 (f) and (g), which directed the Commission to “encourage housing opportunities for persons of low and moderate income” and declared that “it is important for the Commission to encourage the protection of existing and the provision of new affordable housing opportunities for persons of low and moderate income in the coastal zone.” Over the last several years, the Commission has supported the passage of legislation, most recently AB 500 (Ward), that would have returned the original statutory authority granted under Section 30213.

The Commission has implemented its narrowed authority to support affordable housing initiatives through several programmatic elements, including issuance of Coastal Development Permits (CDPs), approval of housing policies in Local Coastal Program (LCP) amendments, and support of legislation that furthers the state’s housing goals.

A fundamental pillar of the Coastal Act is maximizing equitable public access to recreational opportunities in coastal open spaces. The Commission carries out its mandate to protect public access through issuance of CDPs, support of coastal recreation programs, permitting conditions that further equity in coastal access, and enforcement actions to resolve violations of Chapter 3, Articles 2 and 3. Specifically, the Commission has acted on several items that are in line with Section 30213, under which “lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided.” Section 30213 furthers states that “developments providing public recreational opportunities are preferred.”

ANALYSIS

This bill seeks to provide funding for municipalities and agencies that wish to redevelop existing municipal golf courses and convert them into affordable housing and public open space. Municipal golf courses provide outdoor recreation opportunities throughout the country, usually at a lower cost than private courses. There are over 1,000 golf courses in the state. This bill, however, applies only to municipal courses—those that are owned and operated by a city or county. Of the approximately 170 municipal golf courses in California, 12 are within the Coastal Zone Boundary. These include:

- Encinitas Ranch Golf Course
- Coronado Municipal Golf Course
- Morro Bay Golf Course

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- Mission Bay Golf Resort
- Olivas Links Golf Course
- The Crossings at Carlsbad
- Pacific Grove Golf Course
- Sharp Park Golf Course
- Harding Park Municipal Golf Course
- Torrey Pines Golf Course
- Golden Gate Golf Course
- Pismo State Beach Golf Course

Other than an uptick in golf participation during the COVID-19 pandemic, participation in the sport has been declining over past two decades. Between 2003 and 2018, golf saw a drop of over 6 million players and closure of over 1,000 courses. More recent trends show renewed interest in golf—the sport saw participation grow between 2019 and the beginning of the 2022 season. This corresponds with the general trend of increased outdoor recreation during the pandemic. Whether it will continue is unknown.

That said, golf courses across the country have been repurposed in response to declining use and revenues. Notable cases involving residential development include Oregon, New Jersey, and Florida. Recently, Foster City in San Mateo County began a discussion on redevelopment options for Mariners Point Golf Center. The options included building affordable housing, maintaining the 9-hole course, and some combination of the two. As of late 2021, the City was conducting a more in-depth community engagement survey and an environmental constraints analysis to determine how best to proceed with a discussion of potential redevelopment.

This bill does not mandate municipal golf course conversions. Rather, this bill aims to make it more attractive for local governments that may be considering golf course redevelopment within their jurisdictions to consider options that include affordable housing and publicly available open space. The cost of conducting an environmental analysis, re-zoning, and thorough community engagement is often a limiting factor on what options are feasible for local governments to consider. The bill would reduce that cost barrier for municipalities that wish to explore redevelopment options involving affordable housing and public open space.

Importantly, local government participation in the program that would be created by this bill is completely voluntary. The bill seeks to maintain local control over decision-making on redevelopment of municipal golf courses and emphasizes that it is up to the discretion of local communities and their elected officials whether program participation is appropriate for their jurisdictions. Nothing in the bill precludes municipalities from including a new or renovated golf course in the redevelopment plan, only that the golf course cannot count toward the public open space requirements.

Access, Recreation, and Equity

Equity in access to open space is supported by Section 30604 (h) of the Coastal Act, which gives the Commission authority to consider environmental justice when acting on

permit decisions. The Commission's Environmental Justice Policy, adopted in 2019, takes the agency's commitment to equity one step further, reaffirming the need to identify and eliminate barriers to access while striving to increase lower-cost visitor-serving facilities in the coastal zone.

Access and recreation opportunities could be impacted by AB 1910. Although staff has yet to analyze the number of visitors to the 12 golf courses outlined above, this bill would not affect a municipalities calculation of whether to redevelop a golf course—it would simply provide another option for new uses. Should a city or county decide to take advantage of the subsidies provided by this bill, the increase in affordable coastal zone housing, coupled with the minimum 15 percent of open public access required by this bill could offset the diminished recreational opportunities for golfers better than some other options. This is particularly true for low- and moderate-income communities who have disproportionately fewer ways of accessing and engaging with coastal resources, including through housing and affordable recreational open space.

Most golf courses, even municipal and public courses, require fees and equipment for participation. Daily course rates at several San Diego municipal courses range from \$10 for children to over \$100 for members of the public who are not affiliated with course membership programs. These course rates are termed "green fees" and are required for participation. Often, individuals must pay additional fees for equipment or golf cart rentals, which poses a further financial barrier to participation for low-income individuals and households.

Although the diversity of players has increased in recent years, the sport still disproportionately underrepresents the diversity of the state of California. For communities with already limited access to the financial requirements of golf, a lack of representation can further inhibit likelihood of participation.

Many municipal golf courses host programs that provide underserved youth with opportunities to engage in the sport; these programs play a vital role in making golf more accessible and increasing equitable access to recreation. Nothing in the bill, as proposed, specifically targets the removal of those programs. Presumably, for redevelopments that continue to provide golfing on a smaller course, these programs could continue. But if a course that is offering such a program is redeveloped without the continuation of golf, underserved communities could be impacted. Although, under the bill's grant program, redevelopment can include new or renovated golf courses on the property, it can be expected that public access would be limited during time of construction. In the coastal zone, the Commission could have some oversight of these details through permit review or on appeal.

Environmental Impacts: Water Use and Habitat Protection

Despite strides made by the golf industry in water conservation, the average 100-acre golf course in California uses upwards of 300,000 gallons of water each day.

Residential land-uses, in contrast, are far less consumptive: the average single-family home in California uses about 300 gallons per day and the average multi-family dwelling

AB 1910 (Garcia) Analysis

unit uses 160 gallons per day. Because the redevelopment program proposed by AB 1910 would not allow for the entire property to be developed for residential use, we can expect that any conversion that includes multi-family housing and public open space will result in reduced water consumption. The potential for more natural open space and even habitat restoration would reduce water consumption even further.

For municipalities seeking to decrease water use on public land, this bill offers incentives to redevelop a high water-consumption land-use type into more efficient mixed-use purposes. The grant program could provide funds to for municipalities to invest in technology that supports energy and water efficient multi-family residential housing, low-impact and environmentally sensitive recreation spaces, and mitigation strategies for reducing the impacts of the heat island effect.

Some golf courses do provide protection for environmentally sensitive habitats and species, including by serving as habitat corridors in dense urban areas. Redevelopment projects under AB 1910 have the potential to impact or reduce these environmental benefits, since it can be expected that about 50% of the property would be converted to residential use. AB 1910 does recognize that benefit of urban green space and aims to ensure continued protection of habitats and species through publicly accessible open space and non-residential development. And Coastal Act compliance, through the CDP process, can further ensure that repurposing plans provide for robust habitat protections, mitigations and even restoration.

Housing

While the Coastal Act includes several limitations regarding the Commission's authority over housing requirements and policies, the Coastal Act does recognize the lack of housing, particularly affordable housing, in the coastal zone. Sections 30604 (f) and (g) mandate that the Commission encourage and protect housing opportunities for persons of low and moderate income in the coastal zone. The bill, as proposed, has the potential to increase affordable housing stock in the coastal zone, if municipalities chose to pursue redevelopment options that include housing units subject to the parameters of the grant program. Nothing in the bill, as proposed, exempts residential development from compliance with Coastal Act policies or other environmental review requirements.

CONCLUSION

AB 1910 would support the development of more affordable housing stock and publicly available open space in the coastal zone. Coastal Act/LCP policies can be applied to mitigate impacts to lower-cost recreation, youth-serving golf programs, coastal wildlife and habitat. Nothing in the bill diminishes the Commission's review authority or compels local governments to convert municipal golf courses that are still solvent and of high value to the communities they serve.

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Healthy Housing Foundation by AIDS
HealthCare Foundation
California YIMBY
Housing Action Coalition
Public Health Advocates
Abundant Housing LA
Lived Experience Advisors San Diego

OPPOSITION

Northern California PGA
Southern California PGA
California Alliance for Golf
Los Angeles Golf Advisory Committee
Southern California Golf Association
Catalyst for Local Control
Harding Park Women's Golf Club
Livable California
San Francisco Public Golf Alliance
San Francisco Golf Course Owner's
Association

RECOMMENDED POSITION

Staff recommends the Commission **Support** AB 1910.