

**CALIFORNIA COASTAL COMMISSION**

455 MARKET STREET, SUITE 300  
 SAN FRANCISCO, CA 94105  
 PHONE: (415) 904-5202  
 WEB: WWW.COASTAL.CA.GOV

**W6c**

DATE: JUNE 7, 2023

TO: Coastal Commission and Interested Persons

FROM: Kate Huckelbridge, Executive Director  
 Sarah Christie, Legislative Director  
 Sean Drake, Legislative Analyst

SUBJECT: LEGISLATIVE REPORT FOR JUNE 2023

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 June 2, 2023. 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](http://www.coastal.ca.gov).

---

**2023 Legislative Calendar**

Jan 1	Statutes take effect.
Jan 4	Legislature reconvenes.
Jan 10	Budget Bill must be submitted by Governor.
Jan 20	Last day to submit bill requests to Legislative Counsel.
Feb 17	Last day for bills to be introduced.
March 30	Spring Recess begins upon adjournment.
April 10	Legislature reconvenes from Spring Recess.
April 28	Last day for policy committees to hear and report fiscal bills.
May 5	Last day for policy committees to hear and report non-fiscal bills.
May 12	Last day for policy committees to meet prior to June 5.
May 19	Last day for fiscal committees to hear and report bills to the Floor.
June 2	Last day for each house to pass bills introduced in that house.
June 5	Committee meetings may resume.
June 15	Budget Bill must be passed by midnight.

July 14	Last day for policy committees to meet and report bills. Summer Recess begins upon adjournment.
Aug 14	Legislature reconvenes from Summer Recess.
Sep 1	Last day for fiscal committees to meet and report bills.
Sep 5-14	Floor session only.
Sep 8	Last day to amend bills on the floor.
Sep 14	Last day for each house to pass bills. Recess begins upon adjournment.
Oct 14	Last day for Governor to sign or veto bills.

---

## PRIORITY LEGISLATION

### COASTAL ACT AMENDMENTS

#### **[AB 45 \(Boerner\) Coastal resources: coastal development permits: blue carbon projects: new development: greenhouse gas emissions](#)**

This bill would add Sections 30275 and 30276 to the Coastal Act, requiring the Commission to authorize the Commission to authorize blue carbon demonstration projects, and amend Section 30253 to require that new development minimize greenhouse gas emissions. A blue carbon project is defined as the creation or restoration of coastal wetland, intertidal, or marine habitats or ecosystems, including, but not limited to, kelp forests, seagrasses, and wetlands, that capture carbon. State grant programs may be used to contribute toward the project. The bill would also amend Section 30253 to require that new development minimize greenhouse gas emissions. *Amendments of 05/25/23 remove the requirement that new development minimize greenhouse gas emissions.*

Introduced	12/05/22
Last Amended	05/25/23
Status	Senate Rules Committee

#### **[SB 360 \(Blakespear\) California Coastal Commission: member voting](#)**

This bill would amend Coastal Act Section 30318 to allow Coastal Commissioners to simultaneously serve on Local Agency Formation Commissions (LAFCOs) and/or Joint Powers Authorities (JPAs) while also serving on the Coastal Commission.

Introduced	02/08/23
Status	Assembly Natural Resources Committee

#### **[SB 423 \(Wiener\) Land use: streamlined housing approvals; multifamily](#)**

This bill would allow the Department of General Services to act in place of a local government for the purpose of considering streamlined, ministerial review and approval of a multi-family housing project on state-owned lands. **The bill would also repeal the provision in existing law that precludes the streamlined approval process from applying in the coastal zone.** The effect of this would be that a multifamily housing project would be “deemed consistent” and not subject to a coastal development permit if it provides a variable minimum amount of affordable housing, and meets the applicable objective standards. The bill would also allow development in wetlands or critical habitat

for listed species if development has been authorized by federal or other state law. *Amendments of 05/23/23 would preclude the streamlined approval from applying in equine or equestrian districts; would require a labor contract for projects over 85' in height; would add the requirement for local governments to hold a public meeting within 45 days of receiving a notice of intent to file an application; and would extend the current sunset date to January 1, 2036.*

Introduced 02/13/23  
Last Amended 05/23/23  
Status Assembly Rules Committee  
**Position Recommend Oppose Unless Amended (analysis attached)**

**[AB 584 \(Hart\) California Coastal Act: coastal development: emergency waiver](#)**

This bill would amend Coastal Act Sec 30611 to increase the value limit of permanent structures that may be authorized by an emergency coastal development permit waiver from \$25,000 to \$125,000. *Amendments of 03/06/23 add language allowing this limit to increase automatically based on the Consumer Price Index.*

Introduced 02/09/23  
Last Amended 03/06/23  
Status Senate Natural Resources and Water Committee

**[SB 704 \(Min\) Coastal Resources: California Coastal Act of 1976: industrial developments: oil and gas facilities: offshore wind](#)**

As amended, 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 would also add statutory findings to the Coastal Act encouraging existing ports to pursue development contributing to offshore wind energy generation, and encouraging the Commission to receive technical advice with regard to offshore wind energy generation.

Introduced 02/16/23  
Last Amended 03/27/23  
Status Assembly Rules Committee

**[AB 1287 \(Alvarez\) Density Bonus Law: additional density bonus and incentives or concessions: California Coastal Act](#)**

This bill would remove long-standing language from Government Code Section 65915(m) specifying that state Density Bonus Law (DBL) does not supersede or lessen the application of the Coastal Act, and would replace this language with an affirmative statement that development standard exceptions granted under DBL can be applied to housing projects notwithstanding Coastal Act or Local Coastal Program policies. The bill would have the effect of exempting projects that take advantage of DBL exceptions from the coastal resource protection policies of the Coastal Act and LCPs. The bill would also stipulate that in order to receive 4 density bonus concessions a developer must provide at least 16% of the total units for very low income households, or at least 45% for families of moderate income in a project for which the units are for sale; and would

increase the concessions to which a 100% affordable project is entitled from 4 to 5. *Amendments of 04/26/23 revert subsection (m) to the existing language stating that DBL does not supersede or lessen the application of the Coastal Act.*

Introduced 02/16/23  
Last Amended 04/26/23  
Status Senate Rules Committee  
**Position Neutral**

**[AB 1308 \(Quirk-Silva\) Single-family residences: parking requirements](#)**

As amended, this bill would prohibit a public agency, including the Coastal Commission, from increasing minimum parking standards on a project to remodel, renovate or add to a single-family residence. While this is not a Coastal Act amendment, it has the effect of creating a Coastal Act exemption from parking requirements.

Introduced 02/16/23  
Last Amended 03/30/23  
Status Senate Rules Committee

**[AB 1590 \(Friedman\) Coastal resorts: coastal development permits: audits: waste](#)**

As amended, this bill would establish the Major Coastal Resorts Environmental Accountability Act, and would require the Coastal Commission, with the assistance of a qualified consultant, to every 2 years prepare an audit of a major coastal resort's compliance with the requirements of its coastal development permit including the coastal development permit, as provided. The bill would require the Commission to document the audit's investigation and findings in a public report. The bill would also require any coastal development permit pertaining to a major coastal resort approved after January 1, 2024, to include, as a condition of approval, submittal of a turf, landscape, and pest management plan; and the Commission would be required to add this condition to any existing coastal development permit pertaining to a major coastal resort whenever such a permit is next amended. Finally, the bill would prohibit the use of any non-organic pesticide at a major coastal resort, would prohibit a major coastal resort from providing single-use plastic bottled beverages, and would require a major coastal resort to provide at least one recycling bin in each guest room. Violation of these requirements would be punishable by a civil penalty of \$500 per day.

Introduced 02/17/23  
Last Amended 03/23/23  
Status Assembly Natural Resources Committee. Failed Passage.

## NATURAL AND MARINE RESOURCES

### **AB 72 (Boerner) Coastal resources: research: landslides and erosion**

This bill would extend the deadline for the Scripps Institution of Oceanography at UCSD to conduct research and provide a report to the Legislature regarding early warning systems that could detect landslides from March 15, 2025 to March 30, 2026.

Introduced 12/13/22  
Status Senate Education Committee

### **AB 345 (Wilson) Habitat restoration: flood control: advance payments**

This bill would authorize DWR to provide advance payments to local agencies for projects to restore habitat for threatened and endangered species or flood protection. *Amendments of 03/20/23 extend the authorization to the Central Valley Flood Protection Board, stipulate that advance payments must be spent within 6 months, and impose reporting requirements on recipients.*

Introduced 01/31/23  
Last Amended 03/20/23  
Status Senate Rules Committee

### **AB 706 (L. Rivas) Leasing of public lands: minerals others than oil and gas**

This bill would authorize the State Lands Commission (SLC) to issue prospecting permits and leases minerals (other than oil and gas) on state lands without approval by the Attorney General. The bill would delete the current 960-acre maximum for lease areas, as well as the requirement for the lease area to be surveyed by the SLC or another entity. The bill would also authorize the SLC to issue permits for geological or geophysical exploration permits on state lands, and if minerals are discovered, require a lessee to pay an annual rental based on fair market value.

Introduced 02/13/23  
Last Amended 05/12/2023  
Status Senate Natural Resources and Water Committee

### **AB 748 (Villapudua) Abandoned and Derelict Commercial Vessel Program**

The bill would require the State Lands Commission (SLC) to, by July 1, 2025, create an inventory of abandoned and derelict commercial vessels in commercially navigable waters. This bill would direct the SLC to convene multiagency group to identify, prioritize, and fund the removal and disposal of abandoned and derelict commercial vessels, and would create a state agency task force to develop guidance for carrying out these responsibilities. The bill would further impose civil penalties on vessels that become derelict. Penalty money would be deposited in a fund, created by the bill, and would be used to fund removal of abandoned and derelict commercial vessels.

Introduced 02/13/23  
Last Amended 03/23/23  
Status Senate Rules Committee

**AB 953 (Connolly) Coastal resources: voluntary vessel speed reduction**

As amended, this bill would require the OPC, by January 1, 2026, to implement a statewide voluntary vessel speed reduction program in shipping corridors to reduce whale strikes, air pollution, and underwater acoustic impacts. *Amendments of 05/18 would make the bill applicable only to vessels of 300 gross tons or greater.*

Introduced 02/14/23  
Last Amended 05/18/23  
Status Senate Rules Committee

**AB 1407 (Addis) Coastal resources: ocean recovery and restoration: large scale restoration**

This bill would require the Ocean Protection Council to establish a Kelp Forest and Estuary Restoration and Recovery Framework that has a goal of restoring by 2050 an unspecified number of acres of kelp forests, eelgrass meadows, and native oyster beds. The bill would also require the OPC to establish an interagency Ocean Restoration and Recovery Working Group that includes the Coastal Commission and other departments to coordinate and facilitate large-scale restoration in the coastal areas of the state. *Amendments of 04/06/23 specify restoration targets of 5,000 acres of kelp, 9,000 acres of oyster beds, and 16,000 acres of eelgrass habitats by 2050.*

Introduced 02/17/23  
Last Amended 04/06/23  
Status Senate Rules Committee

**CLIMATE CHANGE & SEA LEVEL RISE**

**AB 225 (Grayson) Real property: environmental hazards handbook**

This bill would express the intent of the Legislature to require the Department of Real Estate to include wildfire, climate change and sea level rise in its informational booklet on environmental hazards, when the booklet is next updates. The bill would require the State Department of Public Health to seek the advice and assistance of departments within the Natural Resources Agency in the writing of the new sections.

Introduced 01/11/23  
Status Senate Rules Committee

**SB 272 (Laird) Sea level rise: planning and adaptation**

This bill would require all local governments in the coastal zone to address sea level rise through Local Coastal Programs by January 1, 2034. Jurisdictions that complete this requirement by January 1, 2029, would be prioritized for state funding. Vulnerability assessments and implementation policies would be based on the best available science, cover specified priorities, and would get updated on a timeline agreed upon by the local governments and the Coastal Commission. The measure would also require the Commission and BCDC to collaborate with OPC and the Sea Level Rise State and Regional Support Collaborative on the establishment of guidelines to assist local governments in this work by December 31, 2024. *Amendments of 05/18/23 recognize the work of the Local Government Sea Level Rise Working Group, and make clarifying amendments.*

Introduced	12/05/22
Last Amended	05/18/23
Status	Assembly Natural Resources Committee
<b>Position</b>	<b>Support</b>

**AB 966 (Davies) Division of Boating and Waterways: shoreline erosion control**

This bill would require the Division of Boating and Waterways to submit a report to the Legislature by January 1, 2025 that identifies critically eroded shorelines, discusses ways to increase natural sedimentation, evaluates existing restoration and beach nourishment programs, and evaluates whether the application process for existing programs needs to be altered.

Introduced	02/14/23
Last Amended	03/02/23
Status	Senate Rules Committee

**AB 970 (L. Rivas) Climate and Sustainability Insurance and Risk Reduction Program**

This bill would require the Department of Insurance to establish and administer the Climate and Sustainability Insurance and Risk Reduction Program, to expand insurance options, especially in vulnerable and disadvantaged communities where climate risks are currently uninsured or underinsured. Amendments of 05/18 make the bill contingent on appropriation by the Legislature.

Introduced	02/14/23
Last Amended	05/18/2023
Status	Senate Rules Committee



## ENERGY

### [AB 3 \(Zbur\) Offshore wind energy: reports](#)

This bill would require the Energy Commission to develop a plan related to seaport readiness for offshore wind energy development, in consultation with the State Lands Commission. The bill would require the Commission to submit a report to the Legislature January 1, 2026. The Commission would also develop recommendations for the ports best suited for supporting offshore wind energy developments and in-state workforce opportunities, including opportunities for low-income and environmental justice communities, by January 1, 2026. A second report, due by July 1, 2027, would analyze the feasibility of achieving 70% and 85% in-state assembly and manufacturing of offshore wind energy projects. *Amendments of 04/26/23 add operators of ocean-going vessels to the list of stakeholders to be consulted.*

Introduced	12/05/22
Last Amended	04/26/23
Status	Senate Energy, Utilities, and Communications Committee

### [AB 80 \(Addis\) Coastal resources: ocean research: West Coast Offshore Wind Science Entity](#)

As amended, this bill would require the OPC to establish and oversee a West Coast Offshore Wind Science Entity to ensure comprehensive baseline modeling of California's ocean ecosystem to inform state and federal decisions about offshore wind development. The science entity would also oversee and direct funding to targeted research. *Amendments of 04/17/23 require coordination with federal agencies, and would require the OPC to establish a steering committee to provide governance and oversight of the science entity.*

Introduced	01/31/23
Last Amended	04/17/23
Status	Senate Rules Committee
<b>Position</b>	<b>Recommend Support (analysis attached)</b>



### **SB 286 (McGuire) Offshore wind energy projects**

As amended, this bill would designate the State Lands Commission (SLC) as the CEQA lead agency for all offshore wind projects. It would also create the Offshore Wind Energy Resiliency Fund in the State Treasury, and establish the Offshore Wind Energy Fisheries Working Group which the Coastal Commission would convene with SLC, the Ocean Protection Council, the Department of Fish and Wildlife, federal agencies, representatives of the fishing industry, and other stakeholders as appropriate. The working group would be required to develop a statewide strategy by January 1, 2026 to ensure the avoidance, minimization and/or mitigation of impacts to ocean fisheries, establish compensation for commercial and recreational fishers for economic impacts, and develop best practices for monitoring, communications and engaging affected communities. *Amendments of 05/18/23 would add tribal and labor representatives to the working group, expand the focus of the working group to include tribal interests and environmental resources, and require the Commission to review the statewide strategy every three years and revise as needed.*

Introduced	02/02/23
Last Amended	05/18/23
Status	Assembly Natural Resources Committee
<b>Position</b>	<b>Support</b>

### **SB 319 (McGuire) Electricity: transmission planning**

As amended, this bill would require the Energy Commission, Public Utilities Commission, and Independent System Operator to review their MOU and associated workplan to implement electrical transmission reliability. The bill further requires the PUC to require each electrical corporation to review its long-term transmission infrastructure needs for the subsequent 10 years.

Introduced	02/06/23
Last Amended	05/03/23
Status	Assembly Rules Committee

### **SB 420 (Becker) Electricity: electrical transmission facility projects**

As amended, this bill would require the Governor to identify a primary agency to monitor clean energy and electrical transmission planning and deployment, and require that agency to identify those electrical transmission facility projects necessary to maintain system reliability and to meet specified targets. Those projects would qualify for a streamlined CEQA approval process under the Jobs and Economic Improvement Through Environmental Leadership Act of 2021. Projects within the coastal zone, a wetland, a state park or a national park, preserve, monument, or national recreation area would not be eligible as an environmental leadership project.

Introduced	02/09/23
Last Amended	05/18/23
Status	Assembly Rules Committee

### **SB 605 (Padilla) Wave and tidal energy**

As amended, this bill would require the Energy Commission and the Ocean Protection Council (OPC), in consultation with the Coastal Commission and other departments, to conduct a study to evaluate the feasibility and benefits of ocean wave and tidal energy by February 1, 2024. The study would provide findings about the feasibility of deploying wave and tidal energy, evaluate the need for transmission planning and workforce development, identify suitable sea space for tidal and wave energy, and develop a monitoring strategy to evaluate impacts to marine and tidal ecosystems and wildlife.

Introduced                    02/15/23  
Last Amended                04/27/23  
Status                         Assembly Rules Committee

### **AB 914 (Friedman) Electrical infrastructure: California Environmental Quality Act: exemptions: review time period**

This bill would provide a CEQA exemption for the expansion or upgrade of an existing electrical transmission facility; the construction of a new electrical transmission facility; and electrical storage facilities (including battery storage facilities). The bill would also require state lead agencies to complete environmental review for electrical infrastructure projects and to approve or deny the project within 2 years of a complete application for the issuance of a lease, permit, license, certificate, or other entitlement. *Amendments of 05/01 delete the CEQA exemptions.*

Introduced                    02/15/23  
Last Amended                05/01/23  
Status                         Senate Rules Committee

### **AB 1533 (Utilities and Energy Committee) Electricity**

Relevant to the Coastal Commission, this bill would specify that energy generated by Diablo Canyon after August 26, 2025, could not be counted toward the state's "zero carbon" energy goals; extend the work of the Diablo Canyon seismic peer review panel for an additional 5 years; and add additional reporting requirements related to safety, system reliability, and annual electricity demand forecasts. *Amendments of 05/01/23 add an urgency clause to the measure.*

Introduced                    02/17/23  
Last Amended                05/01/23  
Status                         Senate Rules Committee

## HOUSING

### **SB 4 (Wiener) Planning and zoning: housing development; higher education and religious institutions**

This bill would provide that a housing development project that is 100% available to lower income and moderate income households would be a use by right on any land owned by an independent institution of higher education or religious institution that was in their ownership prior to January 1, 2024, if the project meets objective zoning standards, is at least ¼ acre in size, the applicant hires skilled and trained labor, and is located within ½ mile of a major transit stop, a high quality corridor, or within one block of a car-share vehicle. *Amendments of 02/22/23 allow up to 5% of the housing to be available to staff of the institution if made available at an affordable rate. Amendments of 3/28/23 delete the provision that the property must be at least ¼ acre in size, specify that projects are eligible for density bonus, incentives, waivers of development standards, and parking ratios. Amendments of 05/18 require air filtration units if the development is within 500 feet of a freeway, and allow ancillary uses including childcare, recreational, social or educational services for use by residents.*

Introduced                    12/05/23  
Last Amended                05/18/23  
Status                            Assembly Rules Committee

### **SB 18 (McGuire) Housing programs: Tribal Housing Reconstitution And Resiliency Act**

As amended, this bill would establish the Tribal Housing Grant Program Trust Fund, to provide a source of funding to tribes and tribal entities for housing, housing-related program services, and community development, upon appropriation by the Legislature. The Fund would be administered by the Department of Housing and Community Development.

Introduced                    12/05/22  
Last Amended                03/22/23  
Status                            Assembly Rules Committee

### **SB 91 (Umberg) California Environmental Quality Act exemption: supportive and transitional housing; motel conversion**

This bill would remove the January 1, 2025 sunset date for the CEQA exemption that currently applies to conversion of hotels and motels for transitional and support housing.

Introduced                    01/17/23  
Status                            Assembly Rules Committee

## PUBLIC ACCESS

### [SB 620 \(McGuire\) Low-impact Camping Areas](#)

This bill would exempt low-impact camping areas from being regulated under the Special Occupancy Parks Act. The bill would define a “low-impact camping area” as any area of private property that provides for the transient occupancy rental of a temporary sleeping accommodation for recreational purposes that is not a commercial lodging facility and meets specified requirements. The bill would authorize the county in which the low-impact camping area is located to enforce some of those specified requirements relating to waste disposal and quiet hours.

Introduced	02/15/23
Last Amended	04/20/23
Status	Assembly Rules Committee

### [AB 859 \(Gallagher\) Hunting: navigable waters](#)

This bill would amend the Fish and Game Code to clarify that nothing in that code restricts the public’s right to use navigable waters for hunting, fishing, or other public purpose as guaranteed under Section IV of Article X of the California Constitution.

Introduced	02/14/23
Status	Senate Rules Committee

### [AB 1150 \(Assembly Water, Parks, and Wildlife Committee\) Department of Parks and Recreation: community access agreements: interpretive and visitor services](#)

This bill would authorize the Department of Parks and Recreation to enter into community access agreements with non-profit organizations and Native American tribes 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	02/16/23
Status	Senate Rules Committee
<b>Position</b>	<b>Support</b>

## EQUITY, ENVIRONMENTAL JUSTICE & TRIBES

### **SB 310 (Dodd) Prescribed fire: civil liability: cultural burns**

This bill would authorize the Natural Resources Secretary to enter into agreements with California Native American Tribes regarding cultural burning, and as part of those agreements the Secretary may waive state permitting or regulatory requirements. *Amendments of 04/12/23 would require the Secretary to convene a cultural burn working group consisting of state agencies, California Native American tribes, and local governments, with the goal of determining a framework to enable conditions conducive to cultural burning. The bill would require the working group to report its findings to the Legislature on or before January 1, 2025.*

Introduced 02/06/23  
Last Amended 04/12/23  
Status Assembly Rules Committee

### **AB 437 (Jackson) State government: equity**

As amended, this bill would require state agencies and departments to consider the use of more inclusive practices to advance equity in order to better serve all Californians.

Introduced 02/06/23  
Last Amended 05/18/23  
Status Senate Rules Committee

## TRANSPORTATION

### **AB 894 (Friedman) Parking requirements: shared parking**

This bill would require public agencies and other entities to share underutilized parking spaces with other users, if 20% or more of the dedicated parking is unused. The bill would also require a public agency to allow for shared parking agreements to be counted toward minimum parking requirements.

Introduced 02/14/23  
Last Amended 04/20/23  
Status Senate Governance and Finance Committee

### **SB 677 (Blakespear) Intercity rail: LOSSAN Rail Corridor**

As amended, this bill would require the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Rail Corridor Agency to include a description of the effects of climate change on the LOSSAN corridor, to identify projects planned to increase climate resiliency on the corridor, and to discuss possible funding options for those identified projects as part of the annual business plan submitted to the Secretary of Transportation.

Introduced 02/16/23  
Last Amended 04/17/23  
Status Assembly Transportation Committee

## BOND ACTS

### **AB 305 (Villapudua) California Flood Protection Bond Act of 2024**

This bill would enact the California Flood Protection Bond Act of 2024 which, if approved by the voters in the November 2024 general election, would authorize the issuance of bonds in the amount of \$4,500,000,000 pursuant to the State General Obligation Bond Law for flood protection projects. *Amendments of 04/25 specify that projects funded by the bond shall provide workforce education and training, contractor, and job opportunities for vulnerable populations or socially disadvantaged groups.*

Introduced                    01/26/23  
Last Amended                04/25/23  
Status                         Senate Rules Committee

### **SB 638 (Eggman) Climate Resiliency and Flood Protection Bond Act of 2024**

This bill would enact the Climate Resiliency and Flood Protection Bond Act of 2024 which, if approved by the voters in the November 5, 2024 general election, would authorize the issuance of bonds in the amount of \$4,500,000,000, for flood protection and climate resiliency projects. *Amendments of 03/20/23 increase the amount of the bond to \$6,000,000,000.*

Introduced                    02/16/23  
Last Amended                05/18/23  
Status                         Assembly Rules Committee

### **SB 867 (Allen) Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2024**

This bill would enact the above-referenced bond act which, if approved by the voters, would authorize the issuance of \$15.5 billion in general obligation bonds to finance projects for drought and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, parks and outdoor access programs. The bill would require that coastal resilience projects be consistent with the sea level rise policies and guidelines established by the Coastal Commission and partner agencies.

Introduced                    02/17/23  
Last Amended                05/18/23  
Status                         Assembly Rules Committee

**[AB 1567 \(Garcia\) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2024](#)**

This bill would enact the above-referenced bond act which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,105,000,000 for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs on the March 2024 statewide ballot. Among other provisions, the bond would authorize the Legislature to appropriate \$30 million to the Coastal Commission for grants to local governments for local adaptation planning and updating local coastal programs. *Amendments of 05/26/23 increase the amount of the measure to \$15,995,000,000, and add provisions related to clean energy.*

Introduced                    02/17/23  
Last Amended                05/26/23  
Status                         Senate Rules Committee

**ADMINISTRATIVE**

**[AB 469 \(V. Fong\) California Public Records Act Ombudsman](#)**

This bill would create a Public Records Act Ombudsperson within the office of the State Auditor. The office would receive requests to investigate cases where a member of the public believes a Public Records Act request has been improperly denied. The Ombudsperson would have the authority to require the release of records found to be improperly denied. Agencies found to have improperly withheld records may be required to reimburse the office for its expenses. The bill would require the Ombudsperson to submit a report to the Legislature by January 1, 2025 and every year thereafter.

Introduced                    02/06/23  
Status                         Senate Rules Committee

**[SB 544 \(Laird\) Bagley-Keene Open Meeting Act: teleconferencing](#)**

This bill would indefinitely extend the provisions of the Governor's Executive Order related to the Bagley-Keene Open Meetings Act, allowing state agencies to conduct public meetings without the need to post notice of each location of each member that will be participating in the public meeting by teleconference, post an agenda at each teleconference location, or to require that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The bill would revise existing law to no longer require that members of the public have the opportunity to address the state body directly at each teleconference location, but would continue to require that the agenda provide an opportunity for members of the public to listen and observe remotely and address the state body both remotely and directly at one physical site with staff present. *Amendments of 04/27 require a member of a state body who is participating remotely to disclose whether a person over the age of 18 is in the room; and require a state body which is meeting remotely to adjourn the meeting if it is discovered that a means of remote meeting has failed during the meeting.*



Introduced 02/15/23  
Last Amended 04/27/23  
Status Assembly Governmental Organization Committee

**AB 696 (Lowenthal) State agency grants and contracts**

As amended, this bill would require all state agencies that administer grant programs to accept electronic signatures and allow for electronic fund transfers. It would also require the State Library to survey all state agencies administering grants or contracts and report to the Legislature on the extent of electronic document use associated with those entities' grants and contracts by December 31, 2024.

Introduced 02/13/23  
Last Amended 05/18/23  
Status Senate Rules Committee

**AB 749 (Irwin) State agencies: information security: uniform standards**

This bill would require every state agency to make specified cyber-security upgrades by January 1, 2025. *Amendments of 04/13/23 extend the deadline by one year to January 1, 2026.*

Introduced 02/13/23  
Last Amended 04/25/23  
Status Senate Rules Committee

**AB 1217 (Gabriel) Business pandemic relief**

This bill would extend the sunset for the Covid-19 Pandemic Relief authorization to restaurants, bars, and clubs to expand their outdoor seating and sales areas onto adjacent public sidewalks, parking spaces and parklets pursuant to licenses issued by the Department of Alcoholic Beverage Control (ABC). The new sunset date has not been determined, and the terms of the ABC licenses do not supersede local ordinances. *Amendments of 04/17/23 extend the sunset to January 1, 2026. Amendments of 05/01/23 extend the sunset by six months to July 1, 2026.*

Introduced: 02/13/23  
Last Amended 05/01/23  
Status Senate Governmental Organization Committee

**AB 1713 (Gipson) State and local agencies: state and federal funds: reports**

*As amended, this bill would require a state or local agency that receives federal funds that are subject to an expiration date to report to the Legislature within one year of the funding expiration date a summary of how funds have been expended and a plan for the remaining funds to be expended, if at least 50% of the funds are unspent.*

Introduced 02/17/23  
Last Amended 05/18/23  
Status Senate Rules Committee

## TWO-YEAR BILLS

### **ACA 2 (Alanis) Water and Wildfire Resiliency Act of 2023**

This measure would establish the Water and Wildfire Resiliency Fund, and would require the Treasurer to annually transfer an amount equal to 3% of all state General Fund revenues to the WWR Fund. The measure would require that 50% of the money in the fund be used for water projects, including desalination, recycling, conveyance and drinking water quality projects. The other 50% of the money in the fund would be used for forest maintenance and health projects, including fuel breaks, fuel reduction, home hardening and workforce training.

Introduced 12/05/22  
Status Assembly Water, Parks, and Wildlife Committee

### **SB 23 (Caballero) Water supply and flood risk projects: expedited permitting**

This bill would make substantial revisions to the process, timelines, and standard of review by which CDFW, SWRCB and RWQCBs review and approve water supply and flood risk projects, with the objective of reducing timelines and environmental requirements to 180 days. The bill would also authorize any state agency to enter into agreements with project proponents to recover costs for expedited review of environmental documents with the goal of completing permit review and approval in an expeditious manner, and to hire or compensate staff or to contract for services needed to complete permit review and approval in an expeditious manner. *Amendments of 03/30/23 clarify that the agencies shall approve water supply and flood risk reduction projects within 180 days of receiving a complete application, or within 60 days of receiving the final CEQA document, whichever is later; and add nature-based solutions to the definition of "flood risk reduction project."* *Amendments of 04/12/23 add reporting requirements and a sunset of 01/01/2029. Amendments of 05/01/23 remove provisions of the bill related to SWRCB review of federal water quality certifications, and require the water boards address the impacts of dredge and fill activities from water supply and flood risk projects.*

Introduced 12/05/22  
Last Amended 05/01/23  
Status Senate Appropriations Committee. Two-year bill.

### **AB 49 (Soria) Affordable housing**

This bill would express the intent of the Legislature to enact legislation that would increase the supply of affordable housing and reduce homelessness.

Introduced 12/05/22  
Status Assembly Rules Committee. Two-year bill.

**AB 65 (Mathis) Energy: nuclear generation facilities**

This bill would exempt small, modular nuclear reactors from the current prohibition against the certification of any new nuclear power plants in California. The bill would also require the Public Utilities Commission, on or before January 1, 2026, to adopt a plan to increase the procurement of electricity generated from nuclear facilities and to phase out the procurement of electricity generated from natural gas facilities.

Introduced 12/06/22  
Last Amended 02/14/23  
Status Assembly Natural Resources Committee. Two-year bill.

**AB 68 (Ward) Land use: streamlined housing approvals: density, subdivision, and utility approvals**

This bill would create a streamlined application process for housing development proposals on climate-smart parcels, as defined in the bill. The bill would also prohibit a city or county from increasing density on climate-risk lands or climate-refugia lands, as defined. *Amendments of 04/12/23 refine the definition of a “climate-smart parcel.”*

Introduced 12/08/22  
Last Amended 04/12/23  
Status Assembly Housing Committee. Two-year bill.

**SB 79 (J. Nguyen) Coastal resources: preservation**

This bill would express the intent of the Legislature to establish a policy addressing coastal preservation.

Introduced 01/12/23  
Status Senate Rules Committee. Two-year bill.

**AB 234 (Bauer-Kahan) Microparticles**

As amended, this bill would prohibit the sale of rinse-off cosmetics, detergents, waxes, and polishes that contain synthetic polymer microparticles, based on legislation passed by the European Union. The bill would impose a \$5,000 per day penalty for violation. *Amendments of 03/30/23 specify screening criteria for compliance.*

Introduced 01/12/23  
Last Amended 03/30/23  
Status Assembly Natural Resources Committee. Two-year bill.

**[AB 343 \(Muratsuchi\) Southern Los Angeles: ocean dumpsites: chemical waste](#)**

This bill would require Cal EPA to hold at least 4 public meetings per year, between March 31, 2024 to until January 1, 2028 to provide the public with current information efforts to study and mitigate DDT and other chemical waste dumped off the coast of Los Angeles. The bill would require the agency, to report to the Legislature with policy recommendations on how to further mitigate the impacts of chemical waste deposits at or from the dumpsites.

Introduced 01/31/23  
Status Assembly Appropriations Committee. Two-year bill.

**[AB 344 \(Wood\) Load serving entities: offshore wind facilities](#)**

This bill would authorize electrical corporations, electric service providers, and community choice aggregators to jointly enter into agreements to procure electricity generated from offshore wind facilities.

Introduced 01/31/23  
Status Assembly Appropriations Committee. Two-year bill.

**[SB 378 \(Gonzalez\) State parks: state beaches: expanded polystyrene food container and cooler ban](#)**

This bill would prohibit a person from bringing a Styrofoam food container or cooler onto a state beach or any unit of the State Parks system. An infraction would be punishable by a \$25 fine.

Introduced 02/09/23  
Status Senate Natural Resources and Water Committee. Two-year bill.

**[AB 433 \(Jackson\) State and county funded grants: advance payments](#)**

This bill would require state and county departments that offer grants to nonprofit organizations to advance a payment of 10% of the total grant amount awarded to the nonprofit organization, upon request of the nonprofit administrators.

Introduced 02/06/23  
Status Assembly A.&A.R. Committee. Two-year bill.

**[AB 547 \(Alanis\) Distribution of energy resources](#)**

This is a spot bill related to the distribution of energy resources throughout the state.

Introduced 02/08/23  
Status Assembly Rules Committee. Two-year bill.

**SB 559 (Min) Offshore oil drilling: leases**

This bill would require the State Lands Commission to negotiate with oil and gas lessees for the voluntary relinquishment of leases associated with oil and gas production on state lands.

Introduced 02/15/23  
Status Senate Natural Resources and Water Committee. Two-year bill.

**AB 566 (Pellerin) Department of Parks and Recreation: acquisition and protection of real property**

As amended, this bill would authorize the Department of Parks and Recreation (DPR) to acquire for the state park system by the department on its own behalf. The bill would also authorize DPR to enter into an agreement with an eligible entity to permanently protect lands in or for the state park system. The bill would authorize DPR to coordinate with other relevant agencies, including the Wildlife Conservation Board, the Department of Fish and Wildlife, and the State Coastal Conservancy, to identify priority properties for permanent protection to fulfill the objectives of each unit of the state park system. The bill would require DPR, upon execution of an acquisition agreement and appropriation by the Legislature, to act to permanently protect properties identified in the agreement within 24 months.

Introduced 02/08/23  
Last Amended 04/26/23  
Status Assembly Appropriations Committee. Two-year bill.

**AB 612 (Berman) State Parks: Pedro Point**

This bill would require Caltrans to transfer surplus property in San Mateo County to the City of Pacifica for the purpose of expanding the California Coastal Trail by closing a gap between Pacifica State Beach and Pedro Point Headlands, and providing for additional parking and trailhead amenities.

Introduced 02/09/23  
Status Assembly Appropriations Committee. Two-year bill.

**SB 689 (Blakespear) Local Coastal Program: conformity determination**

This bill would amend the Streets and Highways Code to provide that any project contained within or consistent with a bicycle transportation plan is consistent with a certified Local Coastal Program (LCP). It would also provide that any project to restripe a street for the purpose of relieving traffic congestion is consistent with an LCP.

Introduced 01/13/23  
Last Amended 03/20/23  
Status Senate Transportation Committee. Two-year bill

**AB 692 (Patterson) CEQA: exemptions: egress route projects: fire safety**

This bill would provide a CEQA exemption for the construction of secondary egress routes to improve emergency access for communities identified by CalFire.

Introduced 02/13/23  
Status Assembly Appropriations Committee. Two-year bill

**AB 756 (Papan) Department of Transportation: contaminated stormwater runoff: salmon and steelhead trout bearing surface waters**

As amended, this bill would require the Department of Transportation (Caltrans), in consultation with the State Water Board, DTSC, and CDFW, to develop a programmatic environmental review process to prevent 6PPD and 6PPD-quinone from entering salmon and steelhead trout bearing surface waters of the state. The bill would require the process to include a pilot project at a particular highway crossing over San Mateo Creek to study the effectiveness of installing bioretention and biofiltration controls to eliminate the discharge of 6PPD and 6PPD-quinone into waters of the state. This bill would require Caltrans to annually install bioretention or biofiltration controls at 10% of specified locations for 10 years, until Caltrans has installed bioretention or biofiltration controls at all locations.

Introduced 02/13/23  
Last Amended 03/02/23  
Status Assembly Appropriations Committee. Two-year bill

**SB 782 (Limón) Coastal Resources: public works plan: vegetation management: coastal zone**

This bill would require the Coastal Commission to prepare a public works plan (PWP) for vegetation management in the coastal zone.

Introduced 02/17/23  
Last Amended 03/22/23  
Status Senate Natural Resources and Water Committee. Two-year bill.

**AB 986 (Berman) General plans**

This bill is a spot bill related to housing.

Introduced 02/15/23  
Status Assembly Rules Committee. Two-year bill.

**AB 1077 (Jackson) State agencies and counties: antiracism audits**

This bill would require the State Controller to conduct comprehensive antiracism audits on all state agencies and counties. The bill would require each state agency and county to establish and implement an action plan within one year of the audit to rectify deficiencies in efforts to identify and dismantle racist practices, policies, and attitudes identified by the audit. If the Controller determines that appropriate progress has not been made by a state agency or county toward rectifying deficiencies within 3 years, the Controller may impose a civil penalty or bring a court action.

Introduced 02/15/23  
Status Assembly A.&A.R. Committee. Two-year bill.

**AB 1284 (Ramos) Tribal ancestral lands and waters: co-governance and co-management agreements**

As amended, this bill would authorize the Natural Resource Agencies and its subsidiary agencies to enter into co-governance and co-management agreements with federally recognized tribes for the purpose of shared responsibility, decision-making and partnership in resource management and conservation within a tribe’s ancestral lands and waters.

Introduced 02/16/23  
Last Amended 03/23/23  
Status Assembly Appropriations Committee. Two-year bill.

**AB 1375 (Dixon) Coastal Protection**

This is a Coastal Act spot bill.

Introduced 02/17/23  
Status Assembly Rules Committee. Two-year bill.

**AB 1495 (S. Nguyen) Office of Tribal Affairs**

This bill would establish the Office of Tribal Affairs within the Governor’s office, managed by the Secretary of the Office of Tribal Affairs. The bill would also establish a Deputy of Tribal Affairs and a Tribal Advisor position in every state agency, department, or commission, and in every constitutional office. The bill would require the Governor to appoint a Tribal Advisory Committee, to advise the Secretary of Tribal Affairs.

Introduced 02/17/23  
Status Assembly Rules Committee. Two-year bill.

**AB 1554 (Gallagher) CEQA: exemption: wildfire fuels reduction program**

This bill would exempt from CEQA projects to reduce of fuels in areas within moderate, high, and very high fire hazard severity zones.

Introduced 02/14/23  
Status Assembly Natural Resources Committee. Two-year bill.



**AB 1596 (Alvarez) Watershed, Clean Beaches, and Water Quality Act: beaches: water quality.**

This bill would require the State Water Resources Control Board to identify and implement projects to improve beach access and address ocean water quality on public beaches that experience bacteria levels that exceed public health standards, whether the source is from urban runoff or transboundary flows.

Introduced 02/17/23  
Status Assembly E.S.&T.M. Committee. Two-year bill.

**AB 1630 (Garcia) Planning and zoning: housing development approvals: student housing projects**

As amended, this bill would make student housing and faculty housing an allowable use within 1,000 feet of a university campus, provided that 20% of the units are occupied by students or faculty of that university, and 20% of the units are available to lower income households. The bill would also prohibit local governments from imposing a minimum parking requirement.

Introduced 02/17/23  
Last Amended 03/21/23  
Status Assembly Housing Committee. Two-year bill.

###

# CALIFORNIA COASTAL COMMISSION

455 MARKET STREET, SUITE 300  
SAN FRANCISCO, CA 94105  
PHONE: (415) 904-5202  
WEB: WWW.COASTAL.CA.GOV



## BILL ANALYSIS

### [AB 80 \(Addis\)](#)

As Amended 4/17/23

### SUMMARY

This bill would require the Ocean Protection Council (OPC) to establish and oversee a West Coast Offshore Wind Science Entity to ensure comprehensive baseline and ongoing monitoring of California's ocean ecosystems, and to support targeted research to inform decisions related to the development of offshore wind energy generation facilities off the California coast. The bill would also require OPC to develop a steering committee, which would include state and federal agencies, tribes, NGOs, and industry representatives, for governance and oversight of the science entity.

### RECOMMENDED MOTION

I move that the Commission **SUPPORT** AB 80, and I recommend a **YES** vote.

### PURPOSE OF THE BILL

The purpose of the bill is to ensure the state develops comprehensive baseline information and ongoing monitoring of the California ocean ecosystem, as well as targeted research to better inform state and federal decisions about offshore wind development in order to manage marine resource impacts.

### EXISTING LAW

Coastal Act Section 30230 states:

"Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes."

Coastal Act Section 30006.5 states:

"The Legislature further finds and declares that sound and timely scientific recommendations are necessary for many coastal planning, conservation, and development decisions and that the commission should, in addition to developing its own expertise in significant applicable fields of science, interact with members of the scientific and academic communities in the social, physical, and natural sciences so that the commission may receive technical advice and recommendations with regard to its decisionmaking, especially with regard to issues such as coastal erosion and geology, agriculture, marine biodiversity,

wetland restoration, sea level rise, desalination plants, and the cumulative impact of coastal zone developments.”

As enacted by [AB 525 \(Ch. 231, Stats. 2021\)](#), Public Resources Code Section 25991.1 requires the California Energy Commission (CEC) to establish planning goals for electricity generated by offshore wind energy generation facilities by 2030 and 2045. Public Resources Code Section 25991 additionally requires the CEC, in coordination with the Coastal Commission, Ocean Protection Council, State Lands Commission, and other partner agencies, to develop a five-part strategic plan for offshore wind energy generation facility development, and to submit the plan to the Natural Resources Agency and the Legislature by June 30, 2023. The strategic plan is required to include a chapter focused on potential impacts on coastal resources, fisheries, Native American and Indigenous peoples, and national defense, and strategies for addressing those potential impacts.

### **PROGRAM BACKGROUND**

In September 2018, Governor Jerry Brown issued Executive Order B-55-18, which established the statewide goal to achieve carbon neutrality by 2045. In 2022, the California Air Resources Board released a scoping plan outlining a path to reaching the 2045 carbon neutrality goal.<sup>1</sup> The scoping plan calls for quadrupling the current capacity of wind energy generation, including generating 20 gigawatts (GW) of energy from offshore wind resources. Also in 2022, pursuant to AB 525 (Ch. 231, Stats. 2021), the California Energy Commission released a feasibility study establishing preliminary planning goals of 2 to 5 GW by 2030, and 25 GW by 2045, for electricity generated by offshore wind energy facilities.<sup>2</sup>

The Bureau of Ocean Energy Management (BOEM) is the lead federal agency for leasing and project approval in federal waters. BOEM initiates the process for leasing areas for offshore wind energy generation facilities in federal waters by designating Wind Energy Areas (WEAs). BOEM has already designated two WEAs in California, one off the coast of Humboldt Bay and another off the coast of Morro Bay, comprising a total of 582 square miles of ocean. The Coastal Commission conducted a federal consistency review of both areas pursuant to its authority under the federal Coastal Zone Management Act. The Commission conditionally concurred in the consistency determination for the Humboldt Bay WEA in April 2022<sup>3</sup>, and in the consistency determination for the Morro Bay WEA in June 2022<sup>4</sup>. To ensure consistency with the Coastal Act, BOEM agreed to several conditions, including to ensure coordination on survey and monitoring plans, to minimize impacts to marine habitats, and to engage with Tribal, fishing, and environmental justice communities. BOEM is awarding five

---

<sup>1</sup> <https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp.pdf>

<sup>2</sup> <https://efiling.energy.ca.gov/GetDocument.aspx?tn=244285>

<sup>3</sup> <https://documents.coastal.ca.gov/assets/upcoming-projects/offshore-wind/Th8a-4-2022%20adopted%20findings.pdf>

<sup>4</sup> <https://documents.coastal.ca.gov/assets/upcoming-projects/offshore-wind/W7a-6-2022-AdoptedFindings.pdf>

leases within the two WEAs. Once awarded, lessees must submit survey plans describing data collection efforts the lessees will undertake to characterize their lease area. Developers then have up to 5 years to conduct these surveys. Information collected is then used by lessees to draft a construction and operation plan.

The Coastal Commission will have a second regulatory decision-making opportunity on offshore wind energy projects in the Humboldt and Morro Bay WEAs when specific projects are proposed. The Commission will review any development proposed and must issue both a Coastal Development Permit (CDP) for project components in the Commission's direct jurisdiction (i.e., state waters and some onshore areas) and a consistency certification for project components in federal waters. Offshore wind development must be planned and implemented in a manner that is consistent with the policies of the Coastal Act in order to receive these approvals. In assessing a project's consistency with the Coastal Act, the Commission will consider various aspects of the project, including but not limited to potential impacts on marine resources and water quality, commercial and recreational fishing, coastal hazards, scenic and visual resources, public access and recreation, tribal and cultural resources, and environmental justice. Once a project receives all necessary local, state, and federal authorizations, including a consistency certification and CDP from the Commission, the project can begin construction.

In the coming years, the Coastal Commission is expected to receive multiple wind development proposals in the WEAs off Humboldt and Morro Bay, with the possibility of more WEA designations and additional project proposals in the future. Most of the offshore wind development contemplated in California will be in federal offshore waters. The Commission collaborates with a multitude of local, state, and federal agencies on planning and regulatory review of offshore wind projects in California. State agencies such as the California Energy Commission, Department of Fish and Wildlife, and Ocean Protection Council, and federal agencies such as BOEM and the National Oceanic and Atmospheric Administration, are critical partners in helping the Commission fulfill its role in planning and regulatory review of offshore wind energy projects. In addition, the Commission has begun coordinating with the Coastal Zone Management agencies in Oregon and Washington to explore the opportunities and challenges that offshore wind brings to the West Coast region.

## **ANALYSIS**

California is an international leader in mitigating the impacts of climate change by reducing greenhouse gas emissions and expanding the use of renewable energy. As part of these efforts, the State has a goal to achieve carbon neutrality no later than 2045 (Exec. Order No. B-55-18), and is taking aggressive actions to increase renewable energy generation to meet this target. Offshore wind energy generation is widely recognized as a critical component of California's future renewable energy portfolio, and the State has established preliminary planning goals of generating 2 to 5 GW of energy from offshore wind resources by 2030, and 25 GW by 2045.

Currently, there are only two existing offshore wind facilities in the U.S., with a combined total of 7 turbines off the coasts of Virginia and Rhode Island. These are built

## AB 80 (Addis) Analysis

on fixed platforms in relatively shallow waters. There is only one commercial floating wind farm in the world, located off the coast of Scotland and consisting of 5 turbines providing up to 30MW of power. Different prototypes have been constructed and tested in Norway and Portugal, and there are other floating wind projects in various stages of planning and construction, including one in Norway (11 turbines providing 88MW) and one in South Korea (60-100 turbines providing 1300MW).

When completed, the offshore wind facilities authorized in the five California lease areas within the Humboldt and Morro Bay WEAs will constitute the largest offshore wind development in the world, with the potential to provide up to 4500MW of electricity from a combined total of 300-400 turbines, depending on the size of the installed turbines. Due to ocean depths off California, the turbines must be built on floating platforms affixed to the ocean floor with a system of cables. Deployment of this relatively new technology at this scope and scale carries both opportunities and challenges. While gleaning knowledge from offshore wind development elsewhere is an important component in planning and permitting California offshore wind generation, the proposed projects and habitats of the Pacific Ocean are unique in several ways. For instance, the wind projects proposed offshore of California are in much deeper waters and on a much larger scale than any existing wind farm, which will create both unique engineering challenges and environmental concerns. In addition, California's rare mix of marine species, including plants, marine mammals, fish, birds, and benthic species, make California's offshore waters some of the most productive in the world, supporting many endangered and protected species as well as valuable fisheries.

While preliminary studies have been conducted on the environmental impacts of floating offshore wind technology, additional research and monitoring is needed to build upon these prior efforts and to address significant remaining knowledge gaps, particularly regarding the impacts of offshore wind infrastructure on the unique aspects of California's offshore ecosystems and ocean processes. A comprehensive inventory and understanding of the baseline conditions in the ocean ecosystems associated with this development is imperative. Without baseline monitoring, construction and post-construction monitoring and adaptive management measures will be far less meaningful or effective.

There is a finite length of time to conduct this needed research before offshore wind energy facility developers are expected to finalize proposed facility designs and begin seeking regulatory approval. BOEM held an offshore wind energy lease sale in December 2022 for two designated Wind Energy Areas on the outer continental shelf off central and northern California, with construction expected to begin in five years at the earliest. Thus, the coming years are a critical window of opportunity to collect baseline environmental monitoring data and to address research gaps in order to inform project proposals as well as associated federal and state regulatory approvals, conditions, and mitigations.

AB 80 would require the Ocean Protection Council to establish and oversee, in coordination with the Coastal Commission and other agency partners, a West Coast Offshore Wind Science Entity. The science entity would be charged with ensuring that

## AB 80 (Addis) Analysis

comprehensive baseline and ongoing monitoring of California's ocean ecosystems, as well as targeted research, is performed, and that the results are made available and used to inform state and federal offshore wind development decisions and the management of any impacted marine resources. As part of carrying out this responsibility, the science entity would be tasked with reviewing and incorporating existing research, monitoring, and data standardization; ensuring appropriate data and standards are in place; identifying research needs or data gaps and recommending how to coordinate and prioritize research to address them; allocating funds to address science priorities; identifying relevant tools, methods, and technologies to support monitoring and research; and hosting a data portal of publicly available information. The science entity would be supported by subcommittees of scientists and traditional knowledge holders, and led by a steering committee composed of state and federal agencies, Tribes, the offshore wind industry, and environmental non-profit organizations.

AB 80 would address the urgent need for a collaborative, science-focused entity to coordinate and promote near-term monitoring and research efforts related to offshore wind energy generation off California's coast. The West Coast Offshore Wind Science Entity created by the bill would provide for a coordinated, scientific foundation for future offshore wind planning and project development. Baseline and ongoing monitoring and targeted research performed under the science entity's guidance and funding will help inform responsible project design and efficient regulatory decision-making, and could also help inform the strategic plan evaluation of potential impacts on ocean and coastal resources that is required by AB 525. OPC is a demonstrated close partner of the Coastal Commission in offshore wind planning and in ocean and coastal management more broadly. As the agency in charge of establishing policies to coordinate the collection, evaluation, and sharing of scientific data related to coastal and ocean resources among state agencies, OPC is well-suited to establish and oversee the West Coast Offshore Wind Science Entity.

California is moving at a rapid and ambitious pace in planning for, permitting, and developing offshore wind energy generation facilities. Careful planning, comprehensive analysis of potential impacts, and a commitment to environmental monitoring and adaptive management are central to ensuring coastal resource protection while also expanding the state's renewable energy portfolio. AB 80 would provide a coordinated approach to near-term planning, monitoring, and research to ensure that California can realize the renewable energy benefits of offshore wind in a timely manner while effectively avoiding, minimizing, and mitigating impacts to ocean and coastal resources.

### **CONCLUSION**

Floating offshore wind energy generation is a technology new to the West Coast, and should be pursued with the best available information necessary to evaluate potential impacts to marine ecosystems, as well as adaptive management measures to protect those ecosystems. Establishment of baseline conditions of California's ocean ecosystems, coupled with ongoing monitoring and targeted research, will provide the scientific foundation for informed project design and regulatory decision-making. By establishing a collaborative, multi-agency science entity in charge of coordinating and

## AB 80 (Addis) Analysis

providing recommendations on best practices and science needs, AB 80 would provide an efficient and transparent approach to laying this scientific foundation, and will help set California on the best possible path to utilize offshore wind in the transition to renewable energy while remaining responsible stewards of our coast and ocean.

### **SUPPORT**

Lt. Governor Eleni Kounalakis (co-sponsor)  
Natural Resources Defense Council (co-sponsor)  
Monterey Bay Aquarium (co-sponsor)  
350 Bay Area Action  
American Bird Conservancy  
American Clean Power Association  
Audubon  
Azul  
California Association of Professional Scientists  
California Coastal Protection Network  
California Coastkeeper Alliance  
California Environmental Voters  
California Institute for Biodiversity  
California Marine Sanctuary Foundation  
The Climate Center  
Defenders of Wildlife  
Environmental Defense Center  
Environmental Protection Information Center  
Humboldt Baykeeper  
The Marine Mammal Center  
Monterey Bay Aquarium  
National Wildlife Federation  
National Advocacy Center  
Natural Resources Defense Council  
Ocean Conservation Research  
Offshore Wind California  
Santa Cruz Climate Action Network  
Sierra Club  
Surfrider Foundation

### **OPPOSITION**

None on file.

### **RECOMMENDED POSITION**

Staff recommends that the Commission **SUPPORT** AB 80.



# CALIFORNIA COASTAL COMMISSION

455 MARKET STREET, SUITE 300  
SAN FRANCISCO, CA 94105  
PHONE: (415) 904-5202  
WEB: WWW.COASTAL.CA.GOV



## BILL ANALYSIS

### **SB 423 (Wiener)**

As Amended 5/23/23

#### **SUMMARY**

This bill would amend Government Code Section 65913.4 to expand the existing mandatory process for by right, ministerial approval of multifamily housing projects. Relevant to the Coastal Commission, the bill repeals Section 65913.4(a)(6)(A), which excludes the coastal zone from the ministerial approval process. The effect of this repeal would be the creation of a Coastal Act exemption for multifamily housing in the coastal zone. The bill would also extend the sunset for the by right, ministerial approval process by ten years, until January 1, 2036.

#### **RECOMMENDED MOTION**

I move that the Commission **OPPOSE** SB 423 unless amended to maintain the current language of Government Code Section 65913.4(a)(6)(A), and I recommend a **YES** vote.

#### **PURPOSE OF THE BILL**

The purpose of the bill is to further promote the construction of new multifamily housing, including affordable housing, in order to address the housing shortage in California. The bill would seek to do this by extending and expanding the geographic reach of the existing ministerial approval process for multifamily housing projects, which is intended to expedite the approval of projects that meet objective local standards.

#### **EXISTING LAW**

The Coastal Act prescribes policies to guide development in the coastal zone. The enforceable policies in Chapter 3 of the Coastal Act promote concentrating new development in already developed areas, maximizing public access to and along the coast, and minimizing vehicles miles traveled; protect sensitive resources such as wetlands, environmentally sensitive habitat areas, and prime farmlands; and prevent development in hazardous areas subject to coastal erosion, sea level rise, and tsunami. Chapter 3 is the legal standard of review for coastal development permits (CDPs) issued by the Commission, and for the certification of Local Coastal Programs (LCPs) prior to permit delegation to local governments. Coastal Act policies are not objective standards; rather, they are worded qualitatively to allow application on a case-by-case basis that considers the specific details of an individual development. This consideration occurs in the context of the CDP process. Decades of Coastal Act interpretation have been further refined in case law.

Local governments within the coastal zone are required to prepare and submit LCPs to the Coastal Commission. An LCP effectively implements the statewide policies of the Coastal Act in a manner that is tailored to the specific geography and resources of the local jurisdiction. Some LCP policies mirror the broad policy language found in the

Coastal Act, while others are objective, such as policies establishing minimum setbacks for development near blufftops or wetlands. If a local government has a certified LCP, proposed development within that local government's coastal zone must be found consistent with the policies of the LCP in order to receive a CDP from the local government. In this way, LCPs implement the statewide policies of the Coastal Act.

In 2017, the Legislature enacted SB 35 (Wiener, Ch. 366, Stats. 2017), which added Section 65913.4 to the Government Code. Section 65913.4 provides that a multifamily housing project that is proposed within a local jurisdiction that is not meeting its state Regional Housing Needs Assessment (RHNA) requirements shall be subject to a streamlined, ministerial approval process. To be eligible for the ministerial approval process, the project must satisfy the applicable siting, affordability, and workforce requirements of Section 65913.4(a). Projects that meet the requirements of the ministerial approval process are exempt from the California Environmental Quality Act (CEQA). The legislation specifically excludes multifamily housing projects in the coastal zone, prime farmland, federally defined wetlands, very high fire hazard severity zones, hazardous waste sites, earthquake fault zones, floodplains, conserved lands, and state or federally protected species habitats. SB 35 has a sunset date of January 1, 2026.

### **PROGRAM BACKGROUND**

Since its creation in 1976, the Coastal Commission has worked diligently to promote housing, and particularly affordable housing, in the coastal zone consistent with the provision and protection of other coastal resources. The Coastal Act originally included broad policy language requiring the protection and provision of affordable housing in the coastal zone for persons of low and moderate income. Pursuant to this authority, in its first five years (1977-1981) the Commission permitted approximately 5,000 units of deed-restricted, affordable housing within market-rate subdivisions. The Commission also prevented the demolition of approximately 1,300 existing, affordable units, and collected over \$2 million in in-lieu fees for the construction of affordable housing.

The Coastal Act's inclusionary housing policies were controversial, and several bills were introduced between 1977 and 1980 to repeal the Commission's authority, all of which the Commission opposed. In 1981, Senator Mello (D-Monterey) introduced SB 626 (Ch. 1007, Stats. 1981), which was supported by local governments and real estate interests. Despite Commission opposition, the Legislature approved the measure and it was signed into law, repealing the Commission's statutory authority to protect and provide affordable housing in the coastal zone.

In 2003, Senator Ducheny (D-San Diego) introduced SB 619 (Ch. 793, Stats. 2003), addressing a variety of affordable housing-related issues across multiple statutes. Specific to the Coastal Act, SB 619 added PRC Sections 30604 (f) and (g) directing the Commission to "encourage housing opportunities for persons of low and moderate income." However, the legislation did not remove the statutory barriers explicitly prohibiting the Commission from requiring LCPs to include housing or affordable housing policies. As a result, for the past 20 years the Coastal Commission has been in the position of pushing the boundaries of its severely constrained authority to preserve

what little affordable housing still exists on the coast, to encourage affordable housing where appropriate, and to encourage no net loss of density in redeveloping areas.

## **ANALYSIS**

California's housing prices are among the highest in the nation. According to 2019 census data, the median California home is priced nearly 2.5 times higher than the median national home. These high prices indicate a level of housing demand that far exceeds the supply of homes for sale in California.<sup>1</sup> Currently, California ranks 49th out of 50 states in housing units per capita.<sup>2</sup>

The Legislature has enacted numerous measures that attempt to address the shortage of housing in California by accelerating the permitting and construction of housing projects. In 2017, the Legislature passed SB 35 (Wiener, Ch. 366, Stats. 2017), which added Section 65913.4 to the Government Code. This section established a mandatory process for ministerially approving multifamily housing projects by right within local jurisdictions that are not meeting their state housing production obligation as determined by the Department of Housing and Community Development (HCD).<sup>3</sup> In these jurisdictions, a multifamily or mixed-use housing project is entitled to ministerial approval if it meets all applicable objective planning standards (along with certain siting, affordability, and workforce requirements).<sup>4</sup>

SB 35 was premised on the notion that developers seeking to build multifamily and mixed-use housing projects face regulatory uncertainty because of unreasonable denials based on planning standards that are not objective, and that this uncertainty delays the approval of such projects. "Objective planning standards" refers to zoning, subdivision, and design review standards that involve no personal or subjective judgment by a public official and are verifiable by reference to a uniform and publicly known benchmark. For example, a standard requiring that development be set back from wetlands by 100 feet is an objective standard, whereas a qualitative standard, such as requirement that development minimize impacts on water quality, is not. SB 35 requires that a qualifying housing project meet only the objective standards of a local jurisdiction in order to be subject to ministerial approval, effectively exempting the project from any other land use standards that are not objective. This approach shifts the paradigm of regulatory review from a discretionary exercise that considers both qualitative and objective standards, as well as public input and the overall merits of the

---

<sup>1</sup> See <https://www.census.gov/topics/housing.html>.

<sup>2</sup> See McKinsey Global Institute, "A Tool Kit to Close California's Housing Gap," 2016, <https://www.mckinsey.com/~media/mckinsey/industries/public%20and%20social%20sector/our%20insights/closing%20californias%20housing%20gap/closing-californias-housing-gap-in-brief.pdf>.

<sup>3</sup> This obligation is determined by HCD through the Regional Housing Need Allocation (RHNA) process. The RHNA process is part of Housing Element Law under which HCD determines how many new homes, and the affordability of those homes, each local government must plan for in its Housing Element. This process is repeated every eight years. See Government Code Section 65580 *et seq.*

<sup>4</sup> Per subsection (c)(3), a development is considered consistent with the objective planning standards "if there is substantial evidence that would allow a reasonable person to conclude that a development is consistent with the objective planning standards." This is a subjective determination.

## SB 423 (Wiener) Analysis

project, to a ministerial act that is conducted with no public hearing and based on purely objective standards.

SB 35 (now Government Code Section 65913.4) did enumerate certain areas where the ministerial approval process does not apply, such as the coastal zone, prime farmland, federally defined wetlands, very high fire hazard severity zones, hazardous waste sites, earthquake fault zones, floodplains, conserved lands, and state or federally protected species habitats.<sup>5</sup> As mentioned previously, the process is limited to jurisdictions that are not meeting their state housing production obligations as determined by HCD, and has a sunset date of January 1, 2026

SB 423 would amend Section 65913.4 to build on SB 35 in several respects, and would also extend the statutory sunset to January 1, 2036. Relative to coastal resources and the Coastal Commission, the bill would remove the coastal zone exclusion, so that qualified multifamily housing in the coastal zone would be a use by right, subject to a ministerial process.<sup>6</sup> The bill would also allow for ministerial approval of qualifying housing projects in federal wetlands and in state or federally protected species habitats if authorized by any state or federal permit.

Removing the coastal zone exclusion from subsection (a)(6) could have significant and detrimental impacts on coastal resources. The impacts would be most pronounced in coastal zone jurisdictions that do not have a certified LCP. Given that the Chapter 3 policies of the Coastal Act are qualitative and not objective, a multifamily housing project would no longer need to comply with these policies in order to be approved ministerially. In other words, SB 423 would effectively exempt qualified multifamily and mixed-use housing projects in uncertified jurisdictions from the Coastal Commission's review, thereby eliminating any requirement to comply with any of the policies of the Coastal Act. Moreover, given that subsection (c) empowers the local government planning director to determine whether a qualifying housing project is consistent with all applicable standards, the law would arguably remove the Commission's regulatory oversight entirely.<sup>7</sup> As a result, a such projects in uncertified coastal jurisdictions could be approved ministerially at the local level without any requirement to avoid, minimize or

---

<sup>5</sup> Amendments of May 23, 2023 also exclude equine or equestrian districts from the ministerial approval process. The policy basis for this exclusion is unclear.

<sup>6</sup> All subsection cited in this analysis are in reference to Government Code Section 65913.4 unless otherwise noted.

<sup>7</sup> It is noteworthy that subsection (a)(5) requires a multifamily housing project to be consistent with the objective standards "in effect at the time that the development is submitted to the local government" in order to be eligible for ministerial approval (emphasis added). This reference to local government may suggest that the ministerial review process is intended to apply only to regulatory approvals issued by local governments, and not to CDPs issued by the Coastal Commission. However, given that the statutory definitions of "objective zoning standards," "objective subdivision standards," and "objective design review standards," are not limited to local land use standards and policies, this aspect of the ministerial approval process is unclear and subject to interpretation.

mitigate impacts on critical coastal resources, such as public access, coastal wetlands<sup>8</sup>, environmentally sensitive habitat areas (ESHA), significant coastal views, etc. Furthermore, it is an open question whether development which may be proposed as an appurtenant feature of a housing development but which would have potentially significant impacts—such as seawalls or other shoreline protective devices—would similarly be exempt from Coastal Act review if incorporated into a qualifying multifamily housing project.

In coastal jurisdictions with certified LCPs, the bill would similarly exempt qualifying housing projects from any LCP policy that is not objective. Examples of exempted LCP policies include, but are not limited to, any policy that mirrors the Coastal Act, such as policies requiring development to minimize risk of sea level rise and other coastal hazards, minimize the alteration of natural landforms, maximize public coastal access, avoid significant disruption of ESHA, maintain and enhance marine resources and coastal wetlands, or avoid adversely impacting cultural resources. Unless and until a local government amends its LCP to reframe any qualitative policies in objective terms, those policies would not apply to qualifying housing projects, resulting in similarly detrimental resource impacts as in uncertified jurisdictions.

Of course, this assumes that any given land use policy can be framed in objective and universally applicable terms. While appealing in theory, this premise is demonstrably false. In the coastal zone, an instructive example is the distance by which a development must be set back from a bluff edge in order to be safe from erosion, landslides, and related coastal hazards (e.g., sea level rise, storm surge, etc.). For a given site, calculating the appropriate setback distance must take into account the loading of the proposed structure, bluff slope and geology, local seismic activity, current and future local sea level elevation, wave patterns and marine erosion rates, and surrounding drainage patterns. Even accounting for all these factors, a considerable margin of error inevitably remains and must be accounted for as well. Such complex calculations must necessarily be site-specific to reach an accurate result, and in most jurisdictions there will be locations that face unusually acute hazards. A blanket setback (e.g., 25 feet from the bluff edge) will not suffice for an entire jurisdiction, let alone the entire state. Failing to consider these nuances in the context of a non-discretionary permit review would imperil public safety wherever blufftop housing developments are approved ministerially, with potentially devastating consequences. This one-size-fits-all approach does a disservice to the complexity of land use planning and natural resources management that is not only destructive but potentially unsafe.

The bill also does not address instances where objective standards conflict with one another, and arguably the bill invites such conflicts. Whereas subsection (a)(6) currently

---

<sup>8</sup> Subsection (a)(6) defines wetlands by reference to United States Fish and Wildlife Service (USFWS) Manual, Part 660 FW 2 (June 21, 1993). While the USFWS definition of wetlands is relatively protective and similar to the Coastal Commission definition under 14 CCR Section 13577, this definition is not equivalent to how wetlands are generally identified under the Coastal Act. Such inequivalence could lead to situations in which a location is considered a wetland under the Coastal Act but not subsection (a)(6), or vice-versa.

excludes federal wetlands and state or federally protected species habitats from the ministerial approval process, SB 35 would make an exception for projects authorized via any state or federal approval. This exception creates the potential for situations wherein, for example, state law prohibits development in a given wetland or protected species habitat present on part of a parcel, but a proposed housing project is nevertheless subject to ministerial approval because the impact was authorized by a federal permit.

Nor does the bill consider sea level rise and other coastal hazards in a forward-thinking manner. The current language of subsection (a)(6) does exclude from the ministerial approval process areas that are identified in Federal Emergency Management Agency (FEMA) maps as being subject to inundation by a 100-year flood or located within a regulatory floodway. However, FEMA maps identify those areas subject to flooding based on historic conditions; they do not consider increases in inundation, storm surge, and erosion as a result of future project sea level rise and precipitation. SB 423 attempts to further shrink these exclusion areas by adding multiple exceptions. Ministerial approval of qualifying housing projects will eliminate the ability of the Coastal Commission and local governments to use the best available science when calculating flood and erosion risks. Weakening the state's climate safeguards runs counter to California's carefully planned and longstanding climate change adaptation efforts, which is a monumental and collaborative initiative being led by multiple agencies, including the Coastal Commission. Ignoring flooding and coastal hazards is also shortsighted, as it promotes building housing in places where it simply will not last.

Finally, even the objective standards within LCPs may be overridden through the application of Density Bonus Law bonuses and incentives/concessions. Density Bonus Law effectively allows applicants for multi-unit housing developments to selectively "opt-out" of objective planning standards in return for building specified percentages of affordable housing. Requirements such as height limits, setbacks, maximum density and floor ratios are waived "by right" at the applicant's choosing. Although density bonus law cannot supersede or lessen the effect of the Coastal Act, this has always been implemented in the context of an overall project that is subject to a CDP. If entire projects are no longer required to comply with the Coastal Act, there is no feasible way to enforce the application of Density Bonus Law provisions.

This and the numerous other unconsidered, open questions described above evince that Section 65913.4 presents a significant risk of conflicting interpretations and unintended consequences, particularly in the coastal zone. Despite its overarching objective to clarify and simplify the regulatory approval process for multifamily and mixed-use housing projects, SB 423 would inject newfound uncertainty into the regulatory landscape of housing development in the coastal zone, likely resulting in added delays and litigation. In this way, while well intended, the bill would exacerbate the very problem it is attempting to address.

The urbanized areas of the coastal zone where this bill would apply are the areas with the highest degree of vulnerability to sea level rise and coastal hazards, and the greatest value for public coastal access. In urbanized coastal areas, such as along parts

of Southern California, the coastal zone extends only several hundred feet inland from the shoreline. This is the area most heavily used by visitors, and thus it is best suited for public access, visitor-serving uses, and lower-cost recreation. It is also the area most coveted by market-rate developers. Removing the requirement for qualified housing projects to comply with the Coastal Act in these areas, particularly when combined with other compounding statutory exceptions, can be expected to result in luxury, high-rise, ocean-view units for the wealthiest buyers, with only modest amounts of truly affordable housing included. This is not the housing that California needs.

## **CONCLUSION**

In conclusion, the Coastal Act and the Coastal Commission are allies in the State's fight to build more housing, particularly more affordable housing. Despite losing its affordable housing authority in 1981, the Commission has continued to seek reinstatement of those policies, to push the boundaries of its limited ability to preserve what little affordable housing still exists on the coast, to encourage and allow affordable housing in appropriate contexts, and to prevent loss of density in redeveloping areas. In this sense, the Commission is in alignment with the author's objective to address California's housing shortage by promoting housing production.

It is disappointing that affordable housing champions are not taking advantage of the potential to use the Coastal Act as a tool to proactively further the state's housing goals, rather than viewing it erroneously as an obstacle to be overcome. Increased housing production is not incompatible with protecting coastal resources, or other state priorities such as adapting to climate change. In fact, adhering to coastal resource protection policies makes housing projects safer, more resilient, and more sustainable without increasing costs, by concentrating new residential development in already developed areas with public services that can handle such development.

SB 423 would replace the discretionary Coastal Development Permit process for qualifying multifamily and mixed-use housing projects in the coastal zone with a ministerial approval based on objective standards. In coastal jurisdictions without certified LCP, this change would effectively exempt such projects from Coastal Act review. While the Commission supports the author's fundamental goal of increasing the production of housing, the ministerial approval process of Government Code Section 65913.4 needlessly sacrifices coastal protection and climate change adaptation in the name of housing production. To maintain the integrity of the Coastal Act, to preserve considered land use planning in the coastal zone, and to avoid moving backwards on the state's climate adaptation and conservation efforts, the bill should be amended to maintain the current language of Government Code Section 65913.4(a)(6)(A) excluding the coastal zone from the ministerial approval process.



## SB 423 (Wiener) Analysis

### **SUPPORT** (as of 5/18/23)

California Conference of Carpenters (co-source)  
California Housing Consortium (co-source)  
California YIMBY (co-source)  
Inner City Law Center (co-source)  
21st Century Alliance  
AARP  
Abundant Housing LA  
Active San Gabriel Valley  
Affirmed Housing  
All Home  
AMCAL  
Bay Area Council  
BuildCasa  
California Apartment Association  
California Association of Local Housing Finance Agencies  
California Community Builders  
California Community Economic Development Association  
California Home Builders Alliance  
California Housing Partnership Corporation  
Carpenters Local 22, 35, 46, 152, 180, 213, 217, 323, 405, 505, 562, 605, 619, 661, 701, 713, 714, 721, 751, 805, 951, 1109, 1599, 1607, and 1789  
Carpenters Women's Auxiliary 7, 91, 101, 417, 710, and 1904  
City & County of San Francisco  
CivicWell  
Climate Action Campaign  
Community Coalition  
Construction Employers' Association  
Council of Infill Builders  
Councilmember Alysa Cisneros, City of Sunnyvale  
Councilmember Anthony Phan, City of Milpitas  
Councilmember Emily Ramos, City of Mountain View  
Councilmember Jesse Zwick, City of Santa Monica  
Councilmember José Trinidad-Castañeda, City of Buena Park  
Councilmember Lucas Ramirez, City of Mountain View  
Councilmember Mike Johnson, City of Ventura  
Councilmember Rashi Kesarwani, City of Berkeley  
Councilmember Richard Mehlinger, City of Sunnyvale  
Councilmember Zach Hilton, City of Gilroy  
CRP Affordable Housing and Community Development  
Culver City for More Homes  
Cupertino for All  
Destination: Home  
Devine & Gong, INC.  
District Council of Plasterers and Cement Masons of Northern California  
Drywall Lathers Local 9068, 9083, 9109, and 9144  
East Bay for Everyone  
East Bay YIMBY  
Eastside Housing for All  
Eden Housing  
Fieldstead and Company, INC.  
Fremont for Everyone  
Generation Housing  
Greenbelt Alliance  
Grow the Richmond  
Habitat for Humanity California  
Housing Action Coalition  
Imagine LA  
Inclusive Lafayette  
Industrial Carpenters Union Local 2236  
LISC San Diego  
Livable Communities Initiative  
Los Angeles Area Chamber of Commerce  
Mayor Jen Wolosin, City of Menlo Park  
Mayor Pro Tempore John M Erickson, City of West Hollywood  
Mercy Housing  
Merritt Community Capital Corporation  
MidPen Housing  
Millwrights Local 102  
Mountain View YIMBY  
Napa-Solano for Everyone  
Neighborhood Housing Services of Los Angeles County  
Non-Profit Housing Association of Northern California  
Nor Cal Carpenters Union  
Northern Neighbors SF  
Novin Development Corp.  
Peninsula for Everyone  
Peninsula Interfaith Climate Action  
People for Housing - Orange County  
Pile Drivers Local 34  
Place Initiative  
Progress Noe Valley  
Resources for Community Development  
San Francisco Bay Area Planning and Urban Research Association  
San Francisco YIMBY  
San Luis Obispo YIMBY  
Santa Cruz YIMBY  
Santa Rosa YIMBY  
Silicon Valley Community Foundation  
Silicon Valley Leadership Group  
South Bay YIMBY

## SB 423 (Wiener) Analysis

South Pasadena Residents for Responsible Growth  
Southside Forward  
Southwest Regional Council of Carpenters Streets for All  
Summerhill Housing Group  
Supervisor Jaron Brandon - County of Tuolumne  
Sustainable Growth Yolo  
SV@Home Action Fund  
The Pacific Companies  
The San Francisco Housing Accelerator Fund  
The United Way of Greater Los Angeles

Union Station Homeless Services  
Urban Environmentalists  
Urban League of San Diego County  
Ventura County Clergy and Laity United for Economic Justice  
Ventura County YIMBY  
Wall and Ceiling Alliance  
Westside Council of Chambers of Commerce  
Westside for Everyone  
YIMBY Action  
YIMBY Democrats of San Diego County  
Zillow Group

### **OPPOSITION** (as of 5/18/23)

Association of California Cities - Orange County  
Bricklayers and Allied Crafts Local 3  
Building and Construction Trades Council of Stanislaus, Merced, Tuolumne and Mariposa Counties  
California Cities for Local Control  
California Contract Cities Association  
California Labor Federation, AFL-CIO  
California State Association of Electrical Workers  
California State Pipe Trades Council  
California Teamsters  
Cities of Agoura Hills, Bakersfield, Bellflower, Beverly Hills, Brentwood, Chino Hills, Clovis, Colton, Concord, Corona, Del Mar, Duarte, Eastvale, Fortuna, Fullerton, Glendora, Hesperia, Indian Wells, Inglewood, La Habra, La Mirada, Lafayette, Laguna Beach, Laguna Niguel, Lake Forest, Lakeport, Lakewood, Lodi, Menifee, Mission Viejo, Montclair, Montebello, Morgan Hill, Newport Beach, Norwalk, Novato, Oceanside, Orinda, Palm Desert, Paramount, Perris, Pico Rivera, Pismo Beach, Placentia, Rancho Cucamonga, Redding, San Marcos, Santa Clarita, Stockton, Temecula, Thousand Oaks, Tustin, Visalia, Vista, and Yorba Linda  
Coalition of California Utility Employees  
Councilmember Nancy Ross, City of Cathedral City  
District Council of Iron Workers of the State of California and Vicinity  
Heat and Frost Insulators and Allied Workers Local 16  
Hills 2000 -- Friends of the Hills  
International Brotherhood of Boilermakers Local 6, 8, 11, 18, 40, 92, 428, 440, 595, 302, 413, 441, 569, and 639

International Union of Operating Engineers, Cal-Nevada Conference  
International Union of Painters and Allied Trades, District Council 36  
Iron Workers Local 229, 377, 378, and 433  
League of California Cities  
Mission Street Neighbors  
New Livable California  
Orange County Council of Governments  
Orange County Labor Federation, AFL-CIO  
Plumbers and Pipefitters, United Association Local 38, 228, 403, and 447  
Sacramento-Sierra Building and Construction Trades Council  
San Francisco Building and Construction Trades Council  
San Joaquin Building Trades Council  
Sheet Metal Workers' Local Union No. 104  
State Building and Construction Trades Council of California  
Teamsters Local 166  
Town of Apple Valley  
Town of Paradise  
Tri-Counties Building and Construction Trades Council  
United Association Local 159, 250, and 669  
United Association of Plumbers and Steamfitters Local 230, 460, 484, and 582  
United Neighbors San Dimas  
United Union of Roofers, Waterproofers & Allied Workers Local 40 and 220  
Ventura Council of Governments  
Vizcaya (Campbell) Homeowners Association  
Western States Council of Sheet Metal Workers  
Western States Council Sheet Metal, Air, Rail and Transportation

### **RECOMMENDED POSITION**

Staff recommends that the Commission **OPPOSE** SB 423 unless amended to maintain the current language of Government Code Section 65913.4(a)(6)(A).