

AMENDED IN SENATE MARCH 28, 2016

**SENATE BILL**

**No. 1294**

---

---

**Introduced by Senator Pavley**

February 19, 2016

---

---

An act to add ~~Chapter 4 (commencing with Section 42200) to Part 3 of Division 30 of~~ *Division 45 (commencing with Section 75300)* to the Public Resources Code, relating to the environment.

LEGISLATIVE COUNSEL'S DIGEST

SB 1294, as amended, Pavley. ~~The California Community Climate, Drought, and Jobs Resiliency Act.~~ *Climate and Drought Resilience Program of 2016.*

*Existing law authorizes the Department of Forestry and Fire Protection (CalFire) to implement a program in urban forestry to encourage better tree management and planting in urban areas to increase integrated, multibenefit projects by assisting urban areas with innovative solutions to problems, including greenhouse gas emissions, public health impacts of poor air and water quality, urban heat island effect, stormwater management, water shortages, lack of green space, lack of urban parks that are accessible to pedestrians, vandalism, and insufficient tree maintenance. Existing law authorizes the Department of Resources Recycling and Recovery (CalRecycle) to develop a program to increase the use of compost products in agricultural applications.*

*This bill would enact the Community Climate and Drought Resilience Program of 2016 and would require CalFire to review the urban forestry program and, if necessary, revise the program to provide funding priority to multibenefit carbon sequestration projects and to establish local or regional targets for urban tree canopy. The bill would require*

*CalRecycle, by July 1, 2017, to develop and implement a program that provides incentives for certain projects that increase drought resilience and result in quantifiable reductions in the emissions of greenhouse gases through increased carbon sequestration in urban and rural areas.*

~~Existing law establishes the California Conservation Corps in the Natural Resources Agency as a service organization providing employment and training for young men and women. Existing law authorizes the Director of the California Conservation Corps, implementing the corps program, to recruit and employ corpsmembers and to adopt criteria for employment in the program.~~

~~This bill would require the Department of Resources Recycling and Recovery to award grants to local conservation corps certified by the California Conservation Corps for projects that improve the climate and drought resiliency of urban canopies, community landscaping, and urban greening efforts through the use of various water conservation methods, including the application of compost and mulch. The project would require the department to consider certain factors in selecting a project for a grant, and would require the department to give priority to projects that would aid urban canopies at the greatest risk from drought. The bill would require a project that receives a grant to leverage state and local funds. The bill would authorize the department, in coordination with local water agencies, to develop a pilot program to study the use of compost in landscaping to assist local water agencies in increasing groundwater supply and reducing evaporation.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     *SECTION 1. Division 45 (commencing with Section 75300) is*  
 2     *added to the Public Resources Code, to read:*  
 3  
 4             *DIVISION 45. COMMUNITY CLIMATE AND DROUGHT*  
 5                     *RESILIENCE PROGRAM OF 2016*  
 6  
 7             *CHAPTER 1. GENERAL PROVISIONS AND DEFINITIONS*  
 8  
 9     75300. (a) *The Legislature finds and declares all of the*  
 10  *following:*

1 (1) California has been a global leader in reducing the emissions  
2 of greenhouse gases through the California Global Warming  
3 Solutions Act of 2006 (Division 25.5 (commencing with Section  
4 38500) of Health and Safety Code) and the Governor’s Executive  
5 Orders S-03-05 and B-30-15.

6 (2) The state has developed a comprehensive climate adaptation  
7 strategy document titled “Safeguarding California” and has  
8 established the integrated Climate Adaptation and Resiliency  
9 Program to further coordinate local and regional efforts with the  
10 state climate adaptation strategies.

11 (3) The state’s existing investment in natural infrastructure,  
12 including urban forest canopy, which helps accomplish both carbon  
13 sequestration and climate resilience, is at risk due to existing  
14 drought conditions.

15 (4) The drought has heightened awareness and underscored  
16 the importance of sustainable water management.

17 (5) Improved water retention and infiltration can greatly reduce  
18 reliance on potentially energy-intensive long-distance water  
19 imports, and thereby reduce emissions of greenhouse gases.

20 (6) Through carbon sequestration, the protection and  
21 management of natural and working lands and organic waste  
22 diversion are both integral to accomplishing the state’s policy to  
23 reduce greenhouse gas levels.

24 (7) The state has recently developed a strategy to dramatically  
25 increase the diversion of organic waste from landfills, with the  
26 organic waste being used to create compost and mulch.

27 (8) Composting and use of organic waste in improved landscape  
28 and healthy soil management has great potential to be cost effective  
29 at reducing greenhouse gas levels through improved carbon soil  
30 sequestration, and may also greatly improve water retention and  
31 infiltration of stormwater flows.

32 (9) Composting may also provide important environmental and  
33 agricultural cobenefits, such as reduction of naturally occurring  
34 volatile organic compounds and ammonia, and may help the state  
35 address agriculture, dairy, and forestry waste in a proper and  
36 environmentally responsible manner.

37 (b) In enacting this division, it is the intent of the Legislature  
38 to do both of the following:

39 (1) Establish an innovative natural resource management  
40 program that improves carbon sequestration, improves drought

1 preparedness, and helps California communities address the effects  
2 of climate change through increased urban forest canopy, carbon  
3 soil sequestration, multibenefit stormwater management, organic  
4 waste diversion, and community greening.

5 (2) Enable opportunities for employment of California’s at-risk  
6 youth in climate-friendly landscape management strategies,  
7 especially in disadvantaged communities.

8 (c) The Department of Forestry and Fire Protection and the  
9 Department of Resources Recycling and Recovery, in implementing  
10 this division, shall promote policies and incentives that advance  
11 all of the following:

12 (1) Help urban and rural communities adapt to the effects of  
13 climate change.

14 (2) Improve water management and drought preparedness.

15 (3) Provide workforce training to young men and women in  
16 disadvantaged communities.

17 (4) Maximize carbon sequestration and ensure the associated  
18 greenhouse gas reduction benefits are maintained through both  
19 of the following:

20 (A) Improvement and continued management of urban forest  
21 canopy and carbon soil sequestration.

22 (B) Development and application of compost made from organic  
23 waste that is diverted from landfills.

24 75305. For purposes of this division, the following definitions  
25 apply:

26 (a) “CalFire” means the Department of Forestry and Fire  
27 Protection.

28 (b) “CalRecycle” means the Department of Resources Recycling  
29 and Recovery.

30 (c) “Disadvantaged communities” means communities identified  
31 pursuant to Section 39711 of the Health and Safety Code.

32

33

CHAPTER 2. URBAN FORESTRY

34

35 75310. (a) CalFire shall review the urban forestry program  
36 implemented pursuant to the California Urban Forestry Act of  
37 1978 (Chapter 2 (commencing with Section 4799.06) of Part 2.5  
38 of Division 4), and revise the program, if necessary, to do both of  
39 the following:

1 (1) Provide funding priority to multibenefit carbon sequestration  
2 projects. Eligible project categories shall include, but are not  
3 limited to, all of the following:

4 (A) Mulching, watering, or pruning.

5 (B) The use of onsite water capture, recycled water, and other  
6 local water sources.

7 (C) Emergency drought response measures that reduce tree  
8 mortality, ensure optimal tree health, and preserve the carbon  
9 sequestration and climate resilience benefits of the urban forest.

10 (2) Establish local or regional targets for urban tree canopy,  
11 especially in disadvantaged communities that tend to be most  
12 vulnerable to urban heat island effect. These targets shall include  
13 urban forest diversity, tree species' adaptability to anticipated  
14 climate change impacts, and other relevant factors.

15 (b) CalFire shall develop or update its regulations, as necessary,  
16 to implement the requirements of the chapter and shall provide  
17 both of the following:

18 (1) Planning and technical assistance for eligible applicants  
19 assisting disadvantaged communities.

20 (2) Guidance to grantees and local governments regarding best  
21 practices and metrics for maintaining urban forest health.

22  
23 *CHAPTER 3. THE USE OF COMPOST IN FARMING AND*  
24 *LANDSCAPING PRACTICES*  
25

26 75320. (a) By July 1, 2017, CalRecycle, in consultation with  
27 relevant state agencies, shall develop and implement a program  
28 that provides incentives for the use of compost from organic waste  
29 in farming and landscaping practices that increase drought  
30 resilience and result in quantifiable reductions in the emissions  
31 of greenhouse gases through increased carbon sequestration in  
32 urban and rural areas.

33 (b) In implementing this program, CalRecycle shall enter into  
34 an agreement with state-certified conservation corps to assist  
35 community outreach, compost delivery and application, and other  
36 urban greening projects that are eligible under the program.

37 (c) CalRecycle shall develop and update regulations for the  
38 implementation of this chapter.

1 SECTION 1. ~~Chapter 4 (commencing with Section 42200) is~~  
2 ~~added to Part 3 of Division 30 of the Public Resources Code, to~~  
3 ~~read:~~

4  
5 CHAPTER 4. ~~THE CALIFORNIA COMMUNITY CLIMATE,~~  
6 ~~DROUGHT, AND JOBS RESILIENCY ACT~~  
7

8 42200. ~~— (a) The department shall award grants to local~~  
9 ~~conservation corps certified by the California Conservation Corps~~  
10 ~~for projects that improve the climate and drought resiliency of~~  
11 ~~urban canopies, community landscaping, and urban greening efforts~~  
12 ~~through the use of various water conservation methods, including~~  
13 ~~the application of compost and mulch.~~

14 ~~(b) The department, in selecting a project for a grant pursuant~~  
15 ~~to subdivision (a), shall consider the extent to which the project~~  
16 ~~would employ at-risk youth, save existing climate-beneficial green~~  
17 ~~spaces, save water, beautify low-income communities, use compost~~  
18 ~~and mulch, increase onsite stormwater infiltration and groundwater~~  
19 ~~recharge, and build healthy, biologically active soil able to~~  
20 ~~sequester carbon and support healthy plants.~~

21 ~~(c) Projects eligible for grants pursuant to subdivision (a)~~  
22 ~~include, but are not limited to, the following:~~

23 ~~(1) Projects that use local water sources as the water supply for~~  
24 ~~urban canopies.~~

25 ~~(2) Landscaping projects that benefit the climate and use water~~  
26 ~~sustainably.~~

27 ~~(3) Projects that develop, transport, and apply compost and~~  
28 ~~mulch for purposes of improving tree and plant health, increasing~~  
29 ~~groundwater supply, and reducing evaporation.~~

30 ~~(d) A project that receives a grant pursuant to subdivision (a)~~  
31 ~~shall leverage state and local funds.~~

32 ~~(e) In awarding grants pursuant to subdivision (a), the~~  
33 ~~department shall give priority to projects that would aid urban~~  
34 ~~canopies at the greatest risk from drought.~~

35 42201. ~~The department, in coordination with local water~~  
36 ~~agencies, may develop a pilot program to study the use of compost~~  
37 ~~in landscaping to assist local water agencies in increasing~~  
38 ~~groundwater supply and reducing evaporation.~~

O