

Senate Bill No. 1386

CHAPTER 545

An act to add Section 9001.5 to the Public Resources Code, relating to resource conservation.

[Approved by Governor September 23, 2016. Filed with
Secretary of State September 23, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1386, Wolk. Resource conservation: working and natural lands.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act requires all state agencies to consider and implement strategies to reduce their greenhouse gas emissions.

This bill would declare it to be the policy of the state that the protection and management of natural and working lands, as defined, is an important strategy in meeting the state's greenhouse gas reduction goals, and would require all state agencies, departments, boards, and commissions to consider this policy when revising, adopting, or establishing policies, regulations, expenditures, or grant criteria relating to the protection and management of natural and working lands.

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

SECTION 1. The Legislature finds and declares all of the following:

(a) To address the critical issue of global warming, California is working to reduce greenhouse gas emissions. The conservation and management of natural and working lands has been identified as a key strategy to meet greenhouse gas emissions reduction goals.

(b) Natural and working lands store considerable amounts of carbon. Terrestrial ecosystems store 2,100 gigatons of carbon. Natural and working lands are unique in that they can actively remove carbon from the atmosphere and store or sequester that carbon in, above, and below the ground.

(c) Promoting the conservation and management of natural and working lands will result in a variety of outcomes that contribute to carbon sequestration, including, but not limited to, conservation and agricultural easements on natural and working lands, no- or low-till agriculture, cover cropping on agricultural lands, the restoration of degraded lands, including the restoration of vegetation, and agency decisions that avoid the loss of natural and working lands.

(d) The conservation and management of natural and working lands to promote carbon sequestration will also deliver important additional public benefits, including, but not limited to, the protection and enhancement of wildlife habitat, parks and open spaces, and recreational and economic opportunities, the production of food and fiber, the improvement of air and water quality, and flood protection.

SEC. 2. Section 9001.5 is added to the Public Resources Code, to read:

9001.5. (a) It is the policy of the state that the protection and management of natural and working lands is an important strategy in meeting the state's greenhouse gas emissions reduction goals. The protection and management of those lands can result in the removal of carbon from the atmosphere and the sequestration of carbon in, above, and below the ground.

(b) The protection and management of natural and working lands provides multiple public benefits, including, but not limited to, assisting with adaptation to the impacts of climate change, improving water quality and quantity, flood protection, ensuring healthy fish and wildlife populations, and providing recreational and economic benefits.

(c) All state agencies, including, but not limited to, the Natural Resources Agency, the Department of Food and Agriculture, and the California Environmental Protection Agency, and their respective departments, boards, and commissions, shall consider the policy set forth in this section when revising, adopting, or establishing policies, regulations, expenditures, or grant criteria relating to the protection and management of natural and working lands. State agencies shall implement this requirement in conjunction with the state's other strategies to meet its greenhouse gas emissions reduction goals and with the intent to, among other things, promote the cooperation of owners of natural and working lands.

(d) For purposes of this section, the following terms have the following meanings:

(1) "Working lands" means lands used for farming, grazing, or the production of forest products.

(2) "Natural lands" means lands consisting of forests, grasslands, deserts, freshwater and riparian systems, wetlands, coastal and estuarine areas, watersheds, wildlands, or wildlife habitat, or lands used for recreational purposes such as parks, urban and community forests, trails, greenbelts, and other similar open-space land. For purposes of this paragraph, "parks" includes, but is not limited to, areas that provide public green space.

(e) Nothing in this section shall affect the existing authority of a city, county, city and county, state agency, department, commission, or board relating to natural and working lands.