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AB-2101 California Carbon Sequestration and Climate Resiliency Project Registry: whole orchard recycling projects. (2021-2022)

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Assembly Bill No. 2101

CHAPTER 117

An act to amend Sections 39740.1 and 39740.3 of the Health and Safety Code, relating to carbon sequestration.

[Approved by Governor July 19, 2022. Filed with Secretary of State July 19, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2101, Flora. California Carbon Sequestration and Climate Resiliency Project Registry: whole orchard recycling projects.

Existing law requires the Natural Resources Agency, no later than July 1, 2023, to establish and maintain the California Carbon Sequestration and Climate Resiliency Project Registry for the purpose of identifying and listing projects in the state that drive climate action on the state's natural and working lands and are seeking funding from state agencies or private entities. Existing law provides that carbon sequestration projects listed on the registry may include natural and working lands-based carbon sequestration projects and direct air capture projects. Existing law authorizes the agency, in collaboration with relevant state agencies and in consultation with diverse stakeholders, to create an application process for applicants to have their projects located in the state listed on the registry, as provided.

This bill would expand the list of projects that may be included on the registry to include whole orchard recycling projects. The bill would define "whole orchard recycling" to mean the onsite grinding or chipping of whole trees during orchard removal, and incorporation of the ground or chipped biomass into the topsoil prior to replanting.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 39740.1 of the Health and Safety Code is amended to read:

39740.1. For purposes of this chapter, the following definitions apply:

(a) "Natural and working lands-based carbon sequestration" means sustainable resource management practices, changes in land use, preservation of natural resources, fuel reduction or prescribed fire activities, and other practices that result in the long-term removal, capture, or sequestration of carbon dioxide from the atmosphere to slow or reverse atmospheric carbon dioxide pollution and to mitigate or reverse global warming.

(b) "Natural lands" has the same meaning as in paragraph (2) of subdivision (d) of Section 9001.5 of the Public Resources Code.

(c) "Registry" means the California Carbon Sequestration and Climate Resiliency Project Registry established pursuant to Section 39740.3.

(d) "Whole orchard recycling" means the onsite grinding or chipping of whole trees during orchard removal, and incorporation of the ground or chipped biomass into the topsoil prior to replanting.

(e) "Working lands" has the same meaning as in paragraph (1) of subdivision (d) of Section 9001.5 of the Public Resources Code.

SEC. 2. Section 39740.3 of the Health and Safety Code is amended to read:

39740.3. (a) No later than July 1, 2023, the Natural Resources Agency shall establish and maintain a registry called the California Carbon Sequestration and Climate Resiliency Project Registry for purposes of identifying and listing projects in the state that drive climate action on the state's natural and working lands and are seeking funding from state agencies or private entities. Carbon sequestration projects listed on the registry may include natural and working lands-based carbon sequestration projects, whole orchard recycling projects, and direct air capture projects. The Natural Resources Agency shall consider the environmental and public health impacts of a direct air capture project before adding the project to the registry.

(b) The Natural Resources Agency may provide a mechanism for entities to search the registry based on the criteria specified in subparagraphs (A) to (F), inclusive, of paragraph (4) of subdivision (a) of Section 39740.5.