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AB-10 California Coastal Commission: consistency determinations: Vandenberg Space Force Base.
(2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 10

Introduced by Assembly Member Essayli

December 02, 2024

An act to add Section 30345 to the Public Resources Code, relating to coastal resources, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 10, as introduced, Essayli. California Coastal Commission: consistency determinations: Vandenberg Space Force Base.

Existing law, the California Coastal Act of 1976, provides for the regulation of development of certain lands within the coastal zone, as defined. Under the act, the California Coastal Commission generally has primary responsibility for the implementation of the act and is designated as the state coastal zone planning and management agency for any and all purposes, and is authorized to exercise any and all powers set forth in the federal Coastal Zone Management Act of 1972 or any other federal act that relates to the planning or management of the coastal zone.

Existing federal law requires federal agency activity within or outside the coastal zone that affects any land or water use or natural resource of the coastal zone to be carried out in a manner that is consistent to the maximum extent practicable with the enforceable policies of approved state management programs, as defined. Existing federal law requires a consistency determination to contain specified information and outlines the process that follows a state agency objection to a federal agency's consistency determination.

This bill would deem the commission's objection to concurrence on Consistency Determination CD-0007-24 null and void. The bill would deem the activities at Vandenberg Space Force Base, outlined by Consistency Determination CD-0007-24, consistent with the objectives of the California Coastal Act of 1976. The bill would provide that it shall act as a concurrence regarding consistency with the California Coastal Act of 1976.

This bill would make legislative findings and declarations as to the necessity of a special statute for Vandenberg Space Force Base.

This bill would declare that it is to take effect immediately as an urgency statute.

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

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

(a) The California Coastal Commission is responsible for ensuring that activities within the state's coastal zone align with the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code) and other environmental protections.

(b) On October 10, 2024, the California Coastal Commission voted 6-4 against granting concurrence on Agenda Item 9A, Consistency Determination CD-0007-24, a federal consistency determination by the United States Space Force to increase Space Exploration Technologies' (SpaceX) Falcon 9 launch activities at Vandenberg Space Force Base from 36 launches per year to 50, in the County of Santa Barbara.

(c) Representatives from the United States Department of the Air Force and United States Space Force testified during the October 10, 2024, meeting that SpaceX operations at Vandenberg Space Force Base are integral to advancing national security interests, and that SpaceX launches, including those for commercial purposes, constitute federal agency activity.

(d) Statements made by commissioners at the October 10, 2024, meeting prior to the vote on Agenda Item 9A revealed a clear and concerning politicization of a critical national security interest and demonstrated that the objection to concurrence with the consistency determination was potential retaliation against the private activities of SpaceX executives, including Elon Musk, for their engagement in protected free speech under the First Amendment to the United States Constitution.

(e) The objection to concurrence on the federal consistency determination to increase SpaceX launches at Vandenberg Space Force Base threatens United States national security interests, undermines public trust in the California Coastal Commission, hinders California's aerospace leadership, and limits the growth of the space exploration sector within the state.

SEC. 2. It is the intent of the Legislature that this bill deems the California Coastal Commission's October 10, 2024, decision to object to concurrence on Agenda Item 9A, Consistency Determination CD-0007-24, null and void, such that the commission's objection is deemed to have never occurred and shall have no force or effect under law.

SEC. 3. Section 30345 is added to the Public Resources Code, immediately following Section 30344, to read:

30345. (a) Notwithstanding any other law, the commission's October 10, 2024, decision to object to concurrence on Agenda Item 9A, Consistency Determination CD-0007-24, is deemed null and void.

(b) The increased launch activities by SpaceX at Vandenberg Space Force Base, as outlined in Consistency Determination CD-0007-24, are deemed consistent with the provisions and objectives of this division.

(c) For Consistency Determination CD-0007-24, this section shall act as a concurrence regarding consistency with this division.

SEC. 4. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique and immediate need to ensure that activities at Vandenberg Space Force Base, which serve vital national security interests, are not unduly hindered.

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

To protect United States national security interests and promote continued growth in California's aerospace industry by enabling expanded launch capabilities at Vandenberg Space Force Base, it is necessary for this act to take immediate effect.