



SB-88 Air resources: carbon emissions: biomass. (2025-2026)

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Date Published: 09/13/2025 09:00 PM

ENROLLED SEPTEMBER 13, 2025

PASSED IN SENATE SEPTEMBER 11, 2025

PASSED IN ASSEMBLY SEPTEMBER 09, 2025

AMENDED IN ASSEMBLY SEPTEMBER 02, 2025

AMENDED IN ASSEMBLY JUNE 25, 2025

AMENDED IN SENATE MAY 23, 2025

AMENDED IN SENATE APRIL 21, 2025

AMENDED IN SENATE APRIL 03, 2025

AMENDED IN SENATE MARCH 20, 2025

AMENDED IN SENATE MARCH 06, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

SENATE BILL

NO. 88

Introduced by Senator Caballero
(Coauthors: Senators Cabaldon and Grayson)
(Coauthor: Assembly Member Flora)

January 22, 2025

An act to add Section 39741.6 to the Health and Safety Code, relating to air resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 88, Caballero. Air resources: carbon emissions: biomass.

The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases and requires the state board to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030.

Existing law requires the state board, in consultation with the Department of Forestry and Fire Protection, to develop a standardized system for quantifying the direct carbon emissions and decay from fuel reduction activities for purposes of meeting

the accounting requirements for Greenhouse Gas Reduction Fund expenditures, as specified.

This bill would require the state board, on or before January 1, 2028, to publish on its internet website an assessment of the life-cycle emissions from alternative uses of forest and agricultural biomass residues, as specified. The bill would require the state board, on or before January 1, 2029, to publish on its internet website a strategy to support beneficial carbon removal products, including, but not limited to, biochar, that are generated from agricultural or forest biomass resources.

The bill would require the Department of Forestry and Fire Protection to require, to the extent feasible, all state-funded forest health projects to include an appropriate forest biomass resource disposal component that includes a scientifically based, verifiable method to determine the amount of biomass to be physically removed and the amount to be burned by prescribed burn. The bill would require the State Energy Resources Conservation and Development Commission to include the value proposition of using agricultural and forest biomass resources for low- and negative-carbon liquid and gaseous fuels, including hydrogen, from noncombustion conversion technology methods and other emerging and innovative approaches in relevant reports and other agency-sponsored documentation.

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

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

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

(a) Millions of tons of forest and agricultural biomass are burned in California annually, including by wildfires, prescribed burns, and illegal burns.

(b) Wildfires are a growing source of air pollution that harm public health, including by increasing respiratory illnesses, heart disease, cancer, and premature death.

(c) Wildfires are also a growing source of climate pollution that, in some years, exceeds all of the carbon reductions achieved across the state's economy.

(d) Existing law requires a 40-percent reduction in greenhouse gas emissions by 2030, a 50-percent reduction in anthropogenic black carbon emissions by 2030, and carbon neutrality to be achieved by 2045.

(e) The growing emissions from wildfires threaten the state's ability to meet its climate goals and reach attainment of federal ambient air quality standards.

(f) Forest and agricultural biomass are resources that can be used for beneficial purposes to create low-carbon fuel alternatives that increase electrical grid and energy reliability, create useful byproducts and new industries, and help support local workforce development in traditionally underinvested areas of the state.

(g) A report by Governor Gavin Newsom's administration, on April 22, 2024, "California's Nature-Based Solutions Climate Targets," prepared pursuant to Assembly Bill 1757 (Chapter 341, Statutes of 2022), sets acreage targets for the amount of forests, shrublands and chaparral, and grasslands to be treated annually by beneficial fire and other fuel reduction activities of 1,500,000 acres by 2030, 2,000,000 acres by 2038, and 2,500,000 acres by 2045, but does not provide a detailed analysis of the emissions that would be avoided if those biomass resources were used for beneficial purposes.

(h) Quantifying avoided emissions from wildfires and prescribed burns of biomass resources will facilitate biomass usage as called for in the state's Short-Lived Climate Pollutant Reduction Strategy, the California Forest Carbon Plan, and the State Air Resources Board's plan to phase out open burning of agricultural biomass resources in the San Joaquin Valley.

(i) The state should take action to incentivize alternative uses of biomass resources to reduce the negative impacts from catastrophic wildfires and pile burning and to allow necessary prescribed fires to take place at a level that does not compromise public health, progress on climate action, or ecological sustainability.

SEC. 2. Section 39741.6 is added to the Health and Safety Code, to read:

39741.6. (a) For purposes of this section, the following definitions apply:

(1) "Agricultural biomass resources" means crop, orchard, vineyard, or other agricultural residues, and excludes crops grown for the purpose of producing energy and edible produce.

(2) "Agricultural burning" has the same meaning as set forth in Section 39011.

(3) "Forest biomass resources" means material removed for wildfire mitigation, forest restoration projects, or the protection of public safety and infrastructure, excluding trees that are harvested for the primary purpose of producing energy.

(4) "Prescribed burning" has the same meaning as set forth in Section 4464 of the Public Resources Code.

(b) The state board shall do both of the following:

(1) On or before January 1, 2028, publish on its internet website an assessment of the life-cycle emissions from alternative uses of forest and agricultural biomass residues that takes into account wildfire and management actions.

(2) (A) On or before January 1, 2029, publish on its internet website a comprehensive strategy to support beneficial carbon removal products, including, but not limited to, biochar, that are generated from agricultural or forest biomass resources.

(B) The strategy shall, as appropriate, include the use of biochar for carbon sequestration, agricultural and forestry uses, construction and engineered materials, environmental remediation and water treatment, and other uses.

(c) The Department of Forestry and Fire Protection shall require, to the extent feasible, all state-funded forest health projects to include an appropriate forest biomass resource disposal component that includes a scientifically based, verifiable method to determine the amount of biomass to be physically removed and the amount to be burned by prescribed burn.

(d) The State Energy Resources Conservation and Development Commission shall include the value proposition of using agricultural biomass resources and forest biomass resources for low- and negative-carbon liquid and gaseous fuels, including hydrogen, from noncombustion conversion technology methods and other emerging and innovative approaches in relevant reports and other agency-sponsored documentation.