

[Home](#)[Bill Information](#)[California Law](#)[Publications](#)[Other Resources](#)[My Subscriptions](#)[My Favorites](#)**AB-399 Coastal resources: coastal development permits: blue carbon demonstration projects.** (2025-2026)

SHARE THIS:



Date Published: 02/04/2025 09:00 PM

REVISED MARCH 25, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

**ASSEMBLY BILL****NO. 399**

**Introduced by Assembly Member Boerner**  
**(Coauthors: Assembly Members Bryan, Kalra, and Muratsuchi)**

**February 04, 2025**

An act to add Sections 30100.3 and 30237 to the Public Resources Code, relating to coastal resources.

**LEGISLATIVE COUNSEL'S DIGEST**

AB 399, as introduced, Boerner. Coastal resources: coastal development permits: blue carbon demonstration projects.

Existing law, the California Coastal Act of 1976, among other things, requires anyone wishing to perform or undertake any development in the coastal zone, except as specified, in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, to obtain a coastal development permit from the California Coastal Commission or local government, as provided.

This bill would authorize the commission to authorize blue carbon demonstration projects, as defined, in order to demonstrate and quantify the carbon sequestration potential of these projects to help inform the state's natural and working lands and climate resilience strategies. The bill would, among other things, authorize the commission to require an applicant with a nonresidential project that impacts coastal wetland, subtidal, intertidal, or marine habitats or ecosystems to build or contribute to a blue carbon demonstration project.

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) California has set the targets to reduce carbon emissions 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050.

(b) In 2020, Governor Gavin Newsom signed Executive Order No. N-82-20, directing the Natural Resources Agency, in consultation with other state agencies, to develop a Natural and Working Lands Climate Smart Strategy that serves as a framework to advance the state's carbon neutrality goal and build climate resilience.

(c) Executive Order No. N-82-20 also set the goal to conserve at least 30 percent of state land and coastal waters by 2030 and a recent Natural Resources Agency report on implementation recognizes the need to restore degraded coastal habitats to capture carbon and mitigate climate change impacts.

(d) Blue carbon, which is carbon held and stored in coastal vegetation, such as seagrasses and wetlands, holds great potential to help the state meet its climate goals. Recent studies have found that coastal wetlands in some instances capture carbon at a greater rate than tropical forests and store three to five times more carbon per equivalent area than these forests.

(e) The State Air Resources Board's draft 2022 scoping plan update does not specifically include blue carbon in the state's natural and working lands inventory due, in part, to the limited availability of data and methodologies to inventory the stored carbon.

(f) Given the potential of blue carbon sequestration, blue carbon demonstration projects in California may help the state better understand how blue carbon could potentially contribute to the state achieving its carbon neutrality and climate resilience goals.

**SEC. 2.** Section 30100.3 is added to the Public Resources Code, to read:

**30100.3.** "Blue carbon demonstration project" means the restoration of coastal wetland, subtidal, intertidal, or marine habitats or ecosystems, including, but not limited to, wetlands and seagrasses, that can take up and sequester carbon. A blue carbon demonstration project is limited to all of the following:

(a) Ecologically appropriate locations where the habitat or ecosystem had historically occurred and subsequently become degraded or removed.

(b) The restoration of the habitat or ecosystem to its historical state to provide ecosystem services and habitat values, to the extent feasible.

(c) The use of diverse native species.

**SEC. 3.** Section 30237 is added to the Public Resources Code, to read:

**30237.** (a) The commission may authorize blue carbon demonstration projects in order to demonstrate and quantify the carbon sequestration potential of these projects to help inform the state's natural and working lands and climate resilience strategies.

(b) The commission may require an applicant with a nonresidential project that impacts coastal wetland, subtidal, intertidal, or marine habitats or ecosystems to build or contribute to a blue carbon demonstration project.

(c) The commission shall consult with the State Air Resources Board, the Department of Fish and Wildlife, the State Coastal Conservancy, the State Lands Commission, and other public entities, and seek consultation with the United States Army Corps of Engineers and the National Oceanic and Atmospheric Administration, in developing the blue carbon demonstration project program.

(d) Each blue carbon demonstration project shall be designed, monitored, and have sufficient data collected in order to demonstrate the carbon uptake and sequestration achieved. This shall include an evaluation of relevant factors affecting the permanence of the sequestration. The results shall be presented to the commission in a public hearing.

---

REVISIONS:

Heading—Line 2.

---