

AMENDED IN ASSEMBLY MARCH 16, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

**ASSEMBLY BILL**

**No. 953**

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**Introduced by Assembly Members Connolly and Hart**

February 14, 2023

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An act to add Section 35618 to the Public Resources Code, relating to coastal resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 953, as amended, Connolly. Coastal resources: voluntary vessel speed reduction and sustainable shipping program.

Existing law establishes the Ocean Protection Council in state government to, among other things, establish policies to coordinate the collection, evaluation, and sharing of scientific data related to coastal and ocean resources among agencies. Existing law requires the council to develop and implement a voluntary sustainable seafood promotion program for the state, to consist of specified components, including a competitive grant and loan program for eligible entities, including, but not limited to, fishery groups and associations, for the purpose of assisting California fisheries in qualifying for certification to internationally accepted standards for sustainable seafood.

This bill would require the council, on or before May 1, 2025, in coordination with various entities, including the State Air Resources Board, to ~~develop and~~ implement a statewide voluntary vessel speed reduction and sustainable shipping program for the California coast in order to reduce air pollution, the risk of fatal vessel strikes on whales, and harmful underwater acoustic impacts. The bill would require the program to *expand a certain existing program and build upon other existing vessel speed reduction programs and would authorize the*

program to include specified components, including, upon an appropriation by the Legislature, financial incentives to program participants based on a percentage of distance traveled by a participating vessel through a vessel speed reduction zone, vessel, as provided. The bill would require the council, on or before December 31, 2026, to submit a report to the Legislature regarding the implementation of the program.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) California’s seaports are North America’s primary intermodal
- 4 gateway to Asia and Transpacific trade. Maritime industry activities
- 5 at California’s public seaports are responsible for employing more
- 6 than 500,000 people in the state. Nationwide, more than 2,000,000
- 7 jobs are linked to maritime industry business conducted at
- 8 California’s public seaports, contributing to California having the
- 9 largest state economy in the United States.
- 10 (b) Every year, the world’s largest container ships and auto
- 11 carriers make thousands of transits along the California coast, with
- 12 an estimated 120 tons per day of nitrogen dioxides, an ozone
- 13 precursor, being emitted within 100 nautical miles of the coast.
- 14 These emissions negatively affect the public health of coastal
- 15 communities and cause some areas of the coast to be in
- 16 nonattainment with the national ambient air quality standards for
- 17 ozone and particulate matter.
- 18 (c) Since 2014, the Santa Barbara County Air Pollution Control
- 19 District, the Ventura County Air Pollution Control District, and
- 20 the Bay Area Air Quality Management District, with the federal
- 21 Office of National Marine Sanctuaries, marine sanctuary
- 22 foundations, and environmental groups, have administered and
- 23 promoted the Blue Whales and Blue Skies Program, a voluntary
- 24 vessel speed reduction program off the Santa Barbara, Ventura,
- 25 and Bay Area coast coasts to encourage transit speeds of 10 knots
- 26 or less to reduce air pollution, the risk of harmful whale strikes,
- 27 and the level of ocean noise.

1 (d) Since its inception, through 2021, the *Protecting Blue*  
2 *Whales and Blue Skies Program* has provided small incentives  
3 and publicity to program participants and has achieved ~~536,211~~  
4 *526,211* slow speed miles, a reduction of ~~over 76,000~~ *more than*  
5 *2,300* tons of nitrogen oxides, *a reduction of over 76,000 metric*  
6 *tons of regional greenhouse gas emissions*, and an estimated 50  
7 percent decreased risk of whale strikes during prime migration  
8 season in the affected coastal areas.

9 (e) This highly ~~cost-effective~~ *cost-effective* voluntary pollution  
10 reduction program benefits public health, protects the marine  
11 ecosystem, and showcases the beneficial partnership between  
12 shipping companies, public health agencies, marine sanctuaries,  
13 and environmental organizations.

14 (f) Creation of a statewide vessel speed reduction program and  
15 expansion to other areas of the California coast, including the San  
16 Diego and Monterey coasts and the North Coast, would yield  
17 additional public health and ecosystem benefits.

18 SEC. 2. Section 35618 is added to the Public Resources Code,  
19 to read:

20 35618. (a) On or before May 1, 2025, the council shall, in  
21 coordination with air pollution control districts and air quality  
22 management districts along the coast and in consultation with the  
23 federal Office of National Marine Sanctuaries, the federal  
24 Environmental Protection Agency, the United States Navy, and  
25 the State Air Resources Board, ~~develop and~~ implement a statewide  
26 voluntary vessel speed reduction and sustainable shipping program  
27 for the California coast in order to reduce air pollution, the risk of  
28 fatal vessel strikes on whales, and harmful underwater acoustic  
29 impacts.

30 (b) The program shall *expand the existing Protecting Blue*  
31 *Whales and Blue Skies Program and build upon any other existing*  
32 ~~local voluntary incentive vessel speed reduction programs and~~  
33 ~~shall~~ *may* include all of the following components:

34 (1) A marketing ~~and brand ambassador~~ program to promote  
35 voluntary vessel speed reduction and sustainable shipping, and an  
36 acknowledgment of the program's participants.

37 (2) Data collection on ship speeds along the California coast in  
38 order to analyze the program for future refinement, expansion, or  
39 both.

- 1 (3) Data collection on underwater acoustic impacts or fatal  
2 vessel strikes on whales, to the extent data is available.
- 3 (4) Data collection and consideration of the regional air quality  
4 impacts on the coast and the local air quality and other  
5 environmental impacts to disadvantaged communities from  
6 oceangoing-vehicle vessel traffic.
- 7 (5) Financial incentives to program participants based on a  
8 percentage of distance traveled by a participating vessel ~~through~~  
9 ~~a vessel speed reduction zone established~~ at 10 knots or less, to  
10 the extent that local, state, or federal funding is made available  
11 pursuant to an appropriation by the Legislature.
- 12 (6) *Development of vessel speed reduction zones along the coast*  
13 *that take into account protected marine mammal migration and*  
14 *breeding seasons, federal marine sanctuaries and state marine*  
15 *protected areas, shipping lanes, and any other relevant variables.*
- 16 (c) The council may impose additional qualifying criteria on  
17 program participants in order to receive financial incentives under  
18 the program, including, but not limited to, individual transit speeds,  
19 such as maximum speed in transit or maximum transit average  
20 speed.
- 21 (d) The council shall provide financial incentives pursuant to  
22 this section upon appropriation by the Legislature.
- 23 (e) (1) On or before December 31, 2026, the council shall  
24 submit a report to the Legislature regarding the implementation  
25 of the program.
- 26 (2) The report required in paragraph (1) shall be submitted in  
27 compliance with Section 9795 of the Government Code.
- 28 (3) Pursuant to Section 10231.5 of the Government Code, the  
29 requirement for submitting a report imposed by paragraph (1) is  
30 inoperative on December 31, 2030.